



## **MEINERS OAKS WATER DISTRICT**

### **REQUEST FOR PROPOSALS (RFP) FOR LEGAL SERVICES**

#### **INTRODUCTION**

The Meiners Oaks Water District (District) is seeking proposals from attorneys or firms with experience representing public agencies to provide General Counsel legal services to the District.

General Counsel needs are focused on general public agency governance, public meetings and public records issues, intergovernmental agreements with other public agencies, revenue options, and public contracting issues.

The selected firm(s) or attorney(s) will serve at the pleasure of the Board of Directors of the District. If the District decides to award a contract for legal services as a result of this RFP, it will enter into a contract(s) establishing the terms and compensation for the subject services. All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Offeror and will not be reimbursed by the District. The District reserves the right to contract with any firm or firms responding to this RFP.

#### **BACKGROUND INFORMATION**

Meiners Oaks Water District has served its community and properties of the unincorporated portion of Ventura County called Meiners Oaks for over the past 70 years. Appropriately named after John Meiners encompassing some 1300 acres, formally known as "Suhren Ranch" latterly as "Meiners Place." This tract was included in the Rancho Ojai area which was originally granted by the Mexican Government to Fernando Tico in 1837. Later in 1870-76 transferred by Mesne and conveyed to and vested in John Meiners officially deeded from Geo H. Suhren to John Meiners in April, 1876.

Since our formation in 1949 Meiners Oaks Water District has gone through some significant changes in demographics, population, housing and system demand. Meiners Oaks Water District currently serves approximately 4,200 people through 1,280 connections and 19 miles pipelines, including domestic, commercial, and agricultural customers. We achieve this with 4 active wells, just over 1 million gallons of storage, and 2 booster stations to supply water to customers at higher elevations.

The District delivers an average of 2.64 acre feet of water per day to its customers which is equal to 862,005 gallons or 205.2 gallons per customer. In the summer months, that number can reach up to 5.56 acre feet per day or 1,812,002 gallons.

*The mission of Meiners Oaks Water District and its staff is to produce and deliver a reliable and sustainable supply of water to meet the needs of the residents and properties and the community within its boundaries.*

## **SCHEDULE**

To the extent achievable, the following schedule shall govern the RFP. The District reserves the right to modify the dates below.

- Availability of the Request for Proposals and Qualifications: June 19, 2020
- Deadline for Submission of Questions: July 8, 2020

Questions should be submitted to the Board Secretary, Summer Ward:

[summer@meinersoakswater.com](mailto:summer@meinersoakswater.com)

- Closing Date for the receipt of proposals: July 13, 2020 by 5:00 pm.

## **QUALIFICATIONS**

1. Firm or individual attorney must have at least 10 years of public law experience representing public agencies, special districts, municipal governments, or joint powers authorities in California.
2. All attorneys performing services must be admitted to practice in the State of California and be members in good standing with the State Bar of California.
3. The attorney with primary responsibility for the services provided to the District (“Lead Counsel”) must have at least ten (10) years of experience providing general counsel legal services for local public agencies, special districts, or municipalities.
4. Demonstrated legal expertise in the following practice areas as they relate to public agencies, special districts, municipal governments, and joint powers authorities in California:
  - a. General Counsel - Laws and regulations that pertain to the governance of public entities including, but not limited to, California joint powers authorities, special districts, water districts, irrigation districts and municipalities. The relevant laws and regulations include, but are not limited to, the Ralph M. Brown Act; Public Records Act; Political Reform Act; conflicts of interest laws; general public entity and municipal law; the California Government Code and California Water Code; public agency bylaws and policies; public contracting and procurement processes and operating procedures; and rules of order relative to the conduct of joint powers authorities, special districts, water districts, irrigation districts and municipalities.

The types of services may include some or all of the following:

- Review, draft, and negotiate contracts.
- Advise on District legal matters

- Advise on labor and employment matters
  - Review personnel, fiscal, and other policies
  - Maintain District bylaws
  - Attend District Board of Director meetings and other meeting as directed by the Board of Directors
  - Advise on government grant and contract issues
  - Advise on responses to subpoenas, court orders, and requests for information from third parties
  - Defend lawsuits, administrative claims, or other legal claims
  - Conduct litigation as necessary
  - Other legal services as deemed necessary by the Agency
  - Sustainable Groundwater Management Act.
  - Public financing and revenue mechanisms, including experience with Propositions 26 and 218. Environmental law, including: California Environmental Quality Act (CEQA); National Environmental Policy Act (NEPA); California and federal Endangered Species Acts; federal Clean Water Act and the California Porter-Cologne Water Quality Act.
  - Governance of public agencies, special districts, municipalities, and joint powers authorities, including amendments and bylaws, and experience interfacing with counsel for joint powers member agencies.
  - Other relevant areas pertaining to special district and public entity law.
5. Lead Counsel shall be available to attend District Board meetings as requested, and the attorney must be accessible to provide legal assistance to the District on an urgent basis, from time to time.

## **SUBMISSION REQUIREMENTS**

Submission Materials and any questions should be sent to Summer Ward, Board Secretary at [summer@meinersoakwater.com](mailto:summer@meinersoakwater.com)

- **Cover letter** (no longer than 2 pages) - The cover letter should convey a clear understanding of the requirements and objectives, and why the Respondent is qualified to be awarded a contract.
- **Respondent's Qualifications** - Summary of overall qualifications and experience of the Respondent. It is expected that the firm(s) will describe its organization, size, structure, areas of practice, and office locations.
- **Proposed Respondent Team** - The Proposal shall identify the Lead Counsel who will be primarily responsible for providing legal services to the District, and other attorneys and staff to be assigned to the District's legal matters. Please include the qualifications, training, and certifications of Lead Counsel, and all other

attorneys and staff who will perform the services outlined herein. Particular emphasis should be placed on those attorneys likely to be assigned to the representation.

- Fee Schedule - This section should identify the billing rates for listed personnel, as well as other costs or expenses that would be charged in conjunction with the work. The Offeror is free to propose alternative billing structures (e.g., monthly flat fee for attending District Board of Director meetings and advising on routine matters that do not require extensive research or other legal work) for consideration by the District. The District reserves the right to negotiate with the Offeror on the billing structure.
- Conflicts - This section should identify whether Respondent anticipates it would need to obtain conflict waivers from any existing clients and how Respondent anticipates addressing any potential conflicts.
- References - The names, addresses, and telephone numbers of three (3) public agency clients who have contracted with the Respondent for services similar to those described in this RFP within the last five years.

## **SUBMITTALS**

The Proposal should be e-mailed to Summer Ward, Board Secretary at [summer@meinersoakswater.com](mailto:summer@meinersoakswater.com).

## **EVALUATION CRITERIA**

The District Board of Directors will review the proposals and make recommendations for final approval. The District Board of Directors may request an interview meeting and/or responses to written questions with some qualified Offerors prior to final selection. The proposals will be reviewed with the following general criteria:

- Level of experience and competence of the individual proposed as Lead Counsel with respect to the key areas of service identified in the Qualifications.
- Level of experience and competence of the individual/firm proposed for each of the major issue categories.
- Proposed approach to the scope of work.
- Offerors experience with similar clients and legal matters.
- Reference recommendations.
- Potential conflict of interest issues with Offeror's other clients.
- Labor rates
- Approach to controlling overall costs for providing the requested services.
- Interviews/responses to written questions (if conducted)