

**NORTH CENTRAL SOLID WASTE AUTHORITY
REQUEST FOR PROPOSAL (RFP) FOR LIMITED LEGAL SERVICES
RFP # 18-19-001
INSTRUCTION TO OFFERORS**

I. INTRODUCTION

The purpose of this Request for Proposal is to select one or more law firms to provide limited legal services for North Central Solid Waste Authority (Authority). The Authority's Board of Directors and Manager invite offerors to submit proposals in accordance with the outlines and specifications contained herein.

II. INFORMATION FOR FIRMS

A. General

This RFP contains a specific request for firms to submit comprehensive proposals for the Authority's consideration. All proposals should provide as much detail as possible regarding legal experience and proposed services.

The Authority is requesting two separate rates and services proposals within this RFP. The two separate rates and services proposals are as follows:

1. Proposal No. 1

- a. Provide the hourly rate for legal services for attorneys.
- b. The method for charging for fractional portions of an hour.
- c. The method for charging for out-of-town Authority business, other than court.
- d. The method of charging for attending, monthly, the Authority's Board of Directors meetings.
- e. The method of charging expenses, i.e., photocopies, long distance calls, mileage and other such items commonly called **expenses** in the legal profession.
- f. The hourly rates, if any, charged for staff, secretarial or paralegal services.

2. Proposal No. 2

An alternative billing method such as a flat fee, payable monthly, quarterly, etc. This type of proposal should include a complete alternative billing proposal, description of the services covered and every aspect, condition and or property of such an alternative billing proposal.

B. Sequence of Events

Event	Date
Release of RFP by Authority	December 27, 2018
Delivery of proposals to Authority	January 10, 2019
Selection of firm or person	January 17, 2019

The date of announcement of the firm(s) selected is subject to extension in the event that further clarification of responses is in the best interest of the Authority. All offerors will be notified in writing if an extension is required.

II. INFORMATION FOR FIRMS (CONTINUED)

C. Supporting Details

The events identified in the above schedule are described as follows:

1. Release of RFP

The RFP will be advertised in a local newspaper and posted on the Authority's website at www.ncswa-nm.org.

2. Delivery of Proposals

Five (5) copies of the proposals and supporting documentation shall be delivered to the Authority. The specific form that the responses must take is detailed in Paragraph E. Proposals must be signed and the authority of the individual signing must be stated thereon.

Questions and responses must be addressed by mail or personal delivery to:

North Central Solid Waste Authority
Attn: Peter Fuller, Manager
PO Box 1230
2016 N. Riverside Drive
Española, NM 87535

Telephone: (505) 445-6113

Deadline for receipt of proposals by the Authority is Thursday, January 10, 2019 at 5:00 pm. Proposals received after this time and date will not be considered.

The envelope shall be clearly marked, on the outside, as follows:

Request for Proposal # 18-19-001
Legal Services for North Central Solid Waste Authority
Due Date: January 10, 2019
Time: 5:00pm

The Authority is not responsible for mail delays. Your proposal will be returned, unopened, if it arrives after the due date and time. Faxed or emailed proposals **will not be** accepted.

2. Evaluation of Proposals

Proposals will be evaluated based on criteria and point allocations as listed in Paragraph F.

II. INFORMATION FOR FIRMS (CONTINUED)

C. Supporting Details (continued)

3. Selection of Firm(s)

The firm(s) awarded the highest point total from the criteria and point allocation will be selected to discuss costs, i.e. hourly fees for proposed services. Specify rates for each person who may provide services. Rates for in-court time, depositions, travel time, etc.

D. Termination

This RFP in no manner obligates the Authority to the eventual purchase of services described, implied, or proposed until confirmed by a written contract. Progress towards this end is solely at the discretion of the Authority and may be terminated without penalty or obligation at any time prior to the signing of a contract. The Authority reserves the right to cancel this RFP at any time and for any reason, and to reject any or all proposals.

E. Proposal Format

To facilitate evaluation, all proposals should conform to the following format. Bidders shall submit five (5) copies of their proposals with appropriate tabs.

- 1. Letter of Transmittal** – Identify the firm, primary contact for the organization and brief description of the overall service to be provided.
- 2. Description of Services** – Identify specific legal services being proposed. Specify areas of law the firm is willing to provide. The Authority expects the firm to be proficient in specific areas. Do not detail all areas of practice.
- 3. Experience** – Summarize experience, years of practice and all attorneys licensed to practice law in the state of New Mexico. Detail government work performed in the past. Identify principal areas of expertise, i.e. torts, contracts, civil rights, employment issues, road and right of way issues, subdivision statutes, creditor bankruptcy, open meetings act and public records act, etc. If the Firm has more than one attorney, identify which attorney will be principally responsible for the Authority's work.
- 4. Certificate of Insurance** – Proof of professional liability insurance is required.
- 5. Certificate of Workers Compensation Insurance** – Proof is required.
- 6. Campaign Contribution Disclosure Form** – Effective May 17, 2006 Chapter 81, Laws of 2006 require any prospective contractor seeking to enter into a contract with any state agency or local public body to file a *Campaign Contribution Disclosure Form* with that state agency or local public body.

II. INFORMATION FOR FIRMS (CONTINUED)

E. Proposal Format (continued)

6. **Campaign Contribution Disclosure Form (continued)** – This form must be completed by any prospective contractor whether or not they, their family member(s), or other representative has made any contributions subject to disclosure.

7. **In-State Resident Business or Veteran's Preference** – Preference will be given to all resident New Mexico businesses that have been issued certification by the state of New Mexico. To qualify for the preference, the bidder must list a valid resident business certificate number and shall submit a copy of the certificate with the bid. This number is valuable to have as it allows the Authority to add an additional 5%, or more, to the final score and could mean a difference in award. Please note that this number is **not** your CRS-1 number. **In addition, any preference numbers issued by the NM State Purchasing Office were valid only through December 31, 2011 and must be re-issued through the New Mexico Taxation and Revenue Department.**

F. Evaluation Overview

Evaluation will be based on the following structure:

Criteria	Points
Specific knowledge of and proximity to Authority	20
General reputation and experience as an attorney	20
Cost	25
Experience in local government	20
Office facility and support staff	15
Total Points available	100

G. Conflict of Interest Conditions

All proposals are subject to conflict of interest conditions and are prohibited from offering bribes, gratuities, or similar attempts to secure selection.

III. SCOPE OF SERVICE

A. Contractor Requirements

Contractor must provide limited legal services to North Central Solid Waste Authority under the general direction of the Authority's Board of Directors and Manager. Applicable laws, regulations, ordinances and operating instructions shall govern all services.

III. SCOPE OF SERVICE (CONTINUED)

A. Contractor Requirements (continued)

Contractor must provide written and oral legal advice and draft pleadings and memoranda in a timely fashion at the request and direction of the Authority's Board of Directors and Manager to include bankruptcy issues.

In performing the legal services, Contractor will act and perform as an independent contractor and shall in no way be considered an employee of the Authority.

The Authority shall not be responsible for withholding payroll or other taxes, providing retirement or fringe benefits, or providing workers compensation coverage or any other benefits granted to employees of the Authority.

Contractor shall keep an accurate account of all billable hours and shall submit a monthly billing statement to the Authority.

Contractor shall not utilize the services of anyone, or company, other than employees of the firm.

B. Authority Responsibilities

The Authority will compensate the Contractor, for contracted services rendered, on a monthly basis.

The Authority will provide timely direction and will cooperate fully with the Contractor in the delivery of services.

IV. CONTRACT REQUIREMENTS

A. Costs

All hourly fees, listed in proposals No. 1 and No. 2, must be guaranteed for the period of one year. Thereafter, fees may be negotiated and agreed to by amendment to the contract, on an annual basis.

B. Term of Contract

The term of the contract awarded under this Request for Proposal shall be for one year, with the option of annual renewal thereafter. Annual renewals will be allowed up to a maximum of four, in accordance with New Mexico State Statute 13-1-150. **The contract shall begin on March 1, 2019.**

The Authority reserves the right to cancel the contract at any time during the Contract period due to unavailability or non-appropriation of funds. The Contract may be terminated for the failure to reach agreement on fees after the first or subsequent years.

IV. CONTRACT REQUIREMENTS (CONTINUED)

B. Term of Contract (continued)

The Authority reserves the right to cancel the contract at anytime during the contract period if the Authority is dissatisfied with the services provided.

Peter Fuller, Manager

Audrey Gonzales, CFO

Date

Date