



East Central Special Utility District
REQUEST FOR QUALIFICATIONS

Legal Services

East Central Special Utility District is soliciting Request for Qualifications (RFQ) from qualified law firms for legal services. Interested firms are encouraged to submit a Statement of Qualifications no later than May 22, 2023. Any requests received after this date will be returned unopened to the sender.

Request for Qualifications

East Central Special Utility District Legal Services

A. Introduction

East Central Special Utility District was created pursuant to the provision of Texas Water Code, Chapters 49 and 65 and Texas Administrative Code 293.11 and 293.12 to purchase, own, hold, lease and otherwise acquire sources of water supply; to build, operate and maintain facilities for the transportation of water; and to sell water services to towns, cities, and other political subdivisions of this state, to private business entities and to individuals. The District operates under chapters 49 and 65 of the Texas Water Code, and other statutes and regulations of the State of Texas applicable to special utility districts. The District services approximately 120 square miles of land in eastern Bexar County, the southwest corner of Guadalupe County and the northwest corner of Wilson County.

The District has experienced growth common to areas along the IH-35 corridor and will need legal services to ensure it continues to provide reliable water service to its customers.

B. General

East Central Special Utility District is soliciting Request for Qualifications from qualified law firms for general legal services. Qualified respondents must be admitted to practice in the state of Texas, be in good standing with the State Bar of Texas, as well as in conformity with other regulatory entities.

C. District Directors

Melvin Strey	President
Paul Bricker	Vice-President
Milton Lowak	Secretary/Treasurer
James Pederson	Director
Randolph Schwenn	Director
Mark Davis	Director
Tom Dupnick	Director
David Padalecki	Director
Shirley Owen	Director

D. Costs Incurred

Any costs incurred by a responding firm in connection with the creation of the Statement of Qualifications (SOQ) are the sole responsibility of the responding firm.

E. Submittal Requirements

Responding firms must provide an electronic copy of their SOQ to carolyn@ecsud.com by May 22, 2023.

The District reserves the right to reject any or all SOQs submitted.

F. Scope

The anticipated services may include, but are not limited to, the following:

- Represent and advise the Board of Directors and District staff in all matters pertaining to their official capacities as representatives of the District.
- Draft resolutions, orders, contracts, interlocal agreements, non-standard service agreements, professional contracts and other legal documents as directed by the Board of Directors and District staff.
- Provide general legal services on state/federal law compliance, such as, the Texas Open Meetings Act, Texas Public Information Act, Election law, Texas Local Government Code and compliance with requirements of Chapters 49 and 65 of the Texas Water Code.
- Assist District staff with the preparation of legal documents relating to real estate transactions, easement acquisition, eminent domain, water lease agreements, water permitting and other legal documents necessary for the operation of the District
- Represent the District in matters related to the Texas Commission on Environmental Quality and the Public Utility Commission, in regard to, rate setting, impact fee applications, permitting, compliance, certificates of convenience and necessity and other matters governed by the state agencies.
- Attend meetings, remotely, or in-person, at the request of the Board of Directors or District staff. The District only requests the presence of legal when an Agenda item requires advice of legal counsel.

G. Request for Qualifications Schedule

Request for Qualifications Issued	April 24, 2023
Deadline for written questions	May 9, 2023, at 5:00 PM
Answers to written questions (posted on District's website)	May 12, 2023
Deadline for SOQ submittals	May 22, 2023, at 5:00 PM
Submittal evaluation by Selection Committee	May 25, 2023
Professional Service Agreement Negotiation	May 26, 2023
Recommendation of award to the Board of Directors	June 8, 2023

H. Statement of Qualifications Contents

- Statement of Interest Letter
 - Introduction and statement of interest
 - Primary contact information (address, telephone, and email address)
- Law firm's key personnel
 - Identify the key personnel and lead counsel that will be assigned to the District and their roles.
 - Resume summaries of key personnel and their experience as it relates to this RFQ.
- Law firm's qualifications and experience
 - Identify the location of the office(s) providing support.
 - Demonstrate the ability to provide anticipated services as described under section F.
- References
 - Provide three references from similar entities, that the District may contact.
- Schedule of Rates
 - Provide a schedule of hourly billable rates for key personnel.
- Conflicts of Interest
 - Complete the conflict-of-interest statement attached to this RFQ
 - Identify any potential conflicts of interest related to representation of other entities in the District's geographic area.

I. Selection Process

The District has formed a Selection Committee, made up of District staff and members of the District's Board of Directors, to evaluate qualified SOQ submissions. The District reserves the right to request additional information and clarification of a respondent's submission.

SOQs will be ranked based on the following selection criteria:

- Law firm's qualifications and experience
- Key personnel qualifications and experience
- References
- Schedule of Rates
- Compliance with the RFQ
- Experience with various local and state regulatory entities

The District may select one (1) or more firms based on the selection criteria above. The District reserves the right to reject any and all SOQs for any reason.

Negotiations will begin with the highest ranked respondent. If the District is unable to reach an agreement with fair and reasonable terms, the District will notify the respondent and enter into negotiations with the next highest ranked respondent.

J. Conflicts of Interest

The Texas Local Government Code § 176.006 requires a vendor to file a completed conflict of interest questionnaire if a conflict of interest exists. Responding firms are responsible for identifying any conflicts of interests.

K. Certificate of Interested Parties

The Texas Local Government Code § 2252 states that a governmental entity may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity at the time the business entity submits the signed contract to the governmental entity. If selected, the responding firm will need to submit form 1295 using the Texas Ethics Commission's website.

L. Public Record

The District must comply with the Texas Open Records Act, Texas Government Code Sections § 552.001-§ 552.026. All responses shall become public information and released, upon request, in accordance with the Act. Please contact the District, before submittal, with any concerns related to confidentiality contained within the SOQ.

M. District Contact Information

Questions and correspondence need to be addressed to:

Brandon Rohan
General Manager
East Central Special Utility District
210.649.2383
brohan@ecsud.com

CERTIFICATION OF RESPONSE

The undersigned hereby submits its response and agrees to be bound by the terms and conditions of this Request for Qualifications (RFQ).

1. Responding firm declares and warrants that no elected or appointed official, officer or employee of the District has been or shall be compensated, directly or indirectly, in connection with this response or any work connected with this response. Should any agreement be approved in connection with this Request for Qualifications, Responding firm declares and warrants that no elected or appointed official, officer or employee of the District, during the term of his/her service with the District shall have any direct interest in that agreement, or obtain any present, anticipated or future material benefit arising therefrom.
2. By submitting the response to this request, Responding firm agrees, if selected to furnish services to the District in accordance with this RFQ.
3. Responding firm has carefully reviewed their response and understands and agrees that the District is not responsible for any errors or omissions on the part of the Responding firm and that the Responding firm is responsible for them.
4. It is understood and agreed that the District reserves the right to accept or reject any or all responses and to waive any informality or irregularity in any response received by the District.
5. The response shall be valid for 90 days from the date of submittal.

Name of Responding firm: _____

By: _____
(Authorized Signature)

Print Name: _____

Title: _____

Date: _____

(This executed form must be submitted)