



**REQUEST FOR QUALIFICATIONS (RFQ)
AND
STATEMENT OF QUALIFICATIONS**

BOND COUNSEL

FOR

CITY OF BASTROP

RFQ NO. COB-2025-02

DUE DATE: THURSDAY, MAY 8, 2025 AT 2:00 P.M.

**CITY OF BASTROP, TEXAS
1311 Chestnut Street
Bastrop, Texas 78602
(512) 332-8800**

<https://www.cityofbastrop.org>

I. Purpose

The City of Bastrop, a Home Rule Municipality, is soliciting a Statement of Qualifications (SOQ) from experienced Professional Legal Firms for the purpose of providing Bond Counsel services to the City of Bastrop on a contractual basis.

The firm/individual will be tasked with providing legal advice, representing the City in legal matters, providing guidance on special projects, advising the City Council, and preparing legal documents in relation to the issuance of debt as authorized by the State of Texas and in accordance with Federal Law. The City requests that one attorney be designated as the point of contact or lead attorney.

II. Services Required

The firm/individual selected is to possess a Juris Doctorate from an accredited law school by the American Bar Association, a license to practice law in the State of Texas, and be a member in good standing with the Texas Bar. Five (5) years experience of legal services for Texas municipality(ies) with a comprehensive knowledge of municipal law, municipal finance.

Summary of Scope of Work:

- a. Providing a variety of proactive, high-quality and timely legal opinions to the City Council and City Staff.
- b. Provide advice and assistance on a continuing basis, as needed, on the legal requirements of various municipal financing structures, including, but not limited to, advice concerning tax issues, securities, and responsibilities of the City with respect to its debt issuances, including representations regarding whether Bond Counsel or Co-Bond Counsel, to its knowledge, is aware of any facts or omissions of facts that would make the City's disclosure untrue or misleading.
- c. Assist the City's legal and financial staff and the City's financial advisor in preparation of official statements, including, but not limited to preparing and/or reviewing preliminary official statements, and other documents necessary or appropriate to the authorization, issuance, sale or delivery of municipal securities.
- d. Prepare all necessary legal documents in connection with the authorization, issuance, sale and delivery of bonds, certificates, notes and other debt instruments, including notices of intent to issue, agenda notices, ordinances and resolutions authorizing issuance, bid documents, closing certificates, paying agent/registrar agreements, escrow agreements, trust indentures, and other documentation as required by the City, the Texas Attorney General, the rating agencies and the insurance providers.
- e. Rendering an opinion that the City's bonds are binding obligations of the City and are validly issued under Texas law and that the interest on the bonds is excludable from gross income tax under federal law.
- f. Produce and provide multiple copies of all bond transcripts, as requested, for City use.
- g. Attend meetings with City staff, attend City Council briefings and meetings, bid openings and bond sales, and other meetings, including, but not limited to, meetings with potential investors, rating agencies and or credit enhancement providers, as may be requested by the City Attorney, City Manager or Finance Director.

- h. Provide legal advice concerning the restrictions on the expenditure of City bond funds. Keep City abreast of federal and state law and federal tax developments that might be applicable to the City's financing program or tax-exempt status of the City's proposed and outstanding bonds. This may include assisting in the development of alternative financing programs for potential capital projects, evaluating state and federal legislation on behalf of the City, and performing other tasks as required.
- i. Request and obtain approval of bond issues from the Texas Attorney General and any other required authorities.
- j. Review bond proofs and supervise the execution and delivery of the bonds or other debt instruments.
- k. Assist in the preparation of a no-arbitrage certificate for the CITY in connection with its debt issuances and any other required IRS filings.
- l. Providing general advice on compliance with securities laws. Provide advice on and be familiar with the creation of Public Improvement Districts (PID), Municipal Utility Districts (MUD), Tax Increment Reinvestment Zones (TIRZ), and Municipal Management Districts (MMD).
- m. Providing any other legal services, advice or opinions as requested related to the City's financial reporting and financing program.
- n. Preparing and/or reviewing preliminary official statements, and other disclosure documents necessary or appropriate to the authorization, issuance, sale or delivery of municipal securities.
- o. Providing training for City staff and City Council with respect to disclosure rules, regulations and responsibilities.
- p. Assist City staff in documenting and updating internal written policies and procedures with respect to disclosure activities, including both initial offering documents and ongoing disclosure obligations.
- q. Assist staff in monitoring disclosure requirements to help staff ensure timely and complete disclosures.
- r. Assist City staff in preparation of bond election documents and canvassing.

III. Proposal Requirements

The Statement of Qualifications must address, but does not need to be limited to the following issues:

1. Introductory letter with a description of the history and background of the firm, identification of the services currently being provided to municipalities in Texas and other information relevant to the provision of Bond Counsel Services. A person who is authorized by the organization to enter into an agreement with the City of Bastrop will sign the letter.
2. General Information about the firm.

- a. Firm or individual name, including the owner, address, and telephone number.
 - b. History of firm.
 - c. List names and titles of officers of the firm who will be directly responsible for Bond Counsel services include education, years of experience, years of bond counsel experience, and any other areas of specialty.
 - d. Information pertaining to the firm's compliance with licensing and other requirements.
3. Provide a complete list of all current municipal clients, including email and phone contact information. Please identify three clients that you think are most comparable to the City of Bastrop, including the dollar amount of the debt issue or other financing.
 4. If your firm has represented a city in the last five years that you no longer serve as Bond Counsel, please provide the following information:
 - a. Name of the city.
 - b. Name of City Manager (or appropriate reference) and contact information.
 - c. Explanation regarding why you no longer represent that city.
 5. Provide a brief summary of the firm's experience and your strategy for managing the scope of work in that your firm does not have experience and would be required to outsource.
 6. Please list any client that you currently represent that could cause a potential conflict of interest with the City of Bastrop. Describe how you would resolve these current or future potential conflicts of interest.
 7. Any other items that the firm/individual deems necessary. Each submittal should also provide a summary detailing the experience and understanding of the role of providing consulting bond counsel services.
 8. Attach a copy of the bond counsel services contract proposed by the firm without fee information.

IV. Evaluation Process

The SOQ's will be evaluated using a point system (100) on the following categories. The firms/teams with the highest total scores will be recommended for interviews or contract negotiations. The following items are requested to be placed in order to allow easier review:

A. Firm - Responsiveness to the Request for Qualifications (30 points)

1. Background of the firms (15)
 - Legal name of the firm
 - Location of office conducting the work
 - Date of firm formation
 - Legal business description (Individual, Corporation, Joint Venture, etc.)
2. References (5)
 - Client name, and contact information.
 - Provide project name, start and completion date, or status of the project
 - Description of the project and services provided
3. Availability and dedication to City of Bastrop project (5)
 - Provide a statement on the availability of professionals that will be involved in the project and how the firm will interface with the City.
 - List who will be assigned (main point of contact)

4. Clarity and brevity of the response and requested information included and thoroughness of response to the requirements (5)

Work Categories (70 points)

5. Qualifications of key personnel adequate for requirement (15)
(resumes can be placed within an appendix – no page limit)
6. Verifiable relevant experience (25)
(relevant experience within 5 years in Texas. List experience in Bond Counsel services)
7. Understanding of the project (10)
8. Proposed Quality Control/Quality Assurance Program (10)
9. Creativity and thoroughness of proposed approach and/or methodology to providing services (10)
(describe any potential issues that could be encountered during the design and/or construction phases and firm’s approach to address those issues, such as project schedule, labor shortage, equipment delivery, etc.)

It is understood that the City reserves the right to accept or reject any and/or all responses to this RFQ as it shall deem to be in the best interest of the City. Projects will be awarded based on City Council’s approval of the contract award.

All responses submitted become the property of the City of Bastrop and are subject to the Public Information Act (Texas Government Code Chapter 552). All documentation shall be open for public inspection, except for trade secrets and confidential information identified by the firm as such. All confidential information should be specifically and conspicuously marked as such in red. The City of Bastrop will follow all requirements and procedures in the Public Information Act when responding to requests for disclosure of documents.

Please submit one (1) original and one (1) electronic (USB flash drive) PDF copy of the Qualifications Statement by 2:00 p.m. local time on Thursday, May 8, 2025. Submittals received after the submittal date and time will not be considered.

The submittal may be hand-delivered to the physical address or mailed. Facsimile and Email transmittals will not be accepted. The outside of the envelope or container must state: Request for Qualifications: City Attorney Services

Mailing Address:

**City of Bastrop
Attn: City Secretary
1311 Chestnut Street
Bastrop, TX 78602**

Physical Address for Courier Service:

**City of Bastrop
Attn: City Secretary
1311 Chestnut Street
Bastrop, TX 78602**

V. Contract award

This solicitation will be the only method of submitting qualification statements for the project listed in this RFQ. Firms will be pre-qualified based on submittals and the evaluation criteria stated herein.

Some or all of the pre-qualified firms considered for project selection may, at the sole discretion of the City, be required to appear for oral presentations. The oral presentations, if required, shall be conducted so as to solicit information to enable the committee to evaluate the capability of the applicable firms to provide the services. The City of Bastrop will notify the firms of the schedule, order, and procedure for the presentation, including the content, time limits, use of handouts or visual aids, etc. The oral presentations shall be scored by the Selection Committee. Notwithstanding the foregoing, the City of Bastrop emphasizes that it may elect to forego oral presentations for this project.

Consequently, all responses shall be comprehensive and clear on their face, and no firm should rely upon the opportunity to present additional or clarifying information at a later time.

Upon conclusion of the project selection process, the City will attempt to negotiate a contract for the provision of services with the most qualified firm. If a satisfactory contract cannot be reached, negotiations will end with that firm and negotiations will begin with the second most qualified firm, and so on according to the provisions of the Chapter 2254 of the Texas Government Code. The City of Bastrop City Council will approve the final selection and the proposed contract. The contract will be awarded for an initial period of one year. The agreement will then be automatically renewed for additional one-year periods unless terminated by either party.

All costs directly or indirectly related to the preparation of a response to this RFQ or any oral presentation required to supplement and/or clarify the RFQ, which may be required, shall be the sole responsibility of and shall be borne by your firm. There is no expressed or implied obligation on the part of the City of Bastrop to reimburse responding firms for any expenses incurred in preparing or presenting a Request for Qualifications in response to this request.

The City reserves the right to require additional technical and pricing information, have discussions with Respondents regarding all elements which comprise the Respondents' proposals, to accept all or part of any proposal, to reject any or all proposals, and to re-solicit for proposals.

VI. Inquiries

Respondents shall direct all inquiries and communications concerning this Request for Qualifications to the Point of Contact listed below:

City Secretary Office
City of Bastrop, TX
Bastrop, TX 78602
citysec@cityofbastrop.org
512-332-8800

Proposed Schedule of Events*

April 8, 2025	Council reviews Request for Qualifications.
April 9, 2025	Request for Qualifications is posted online.
April 9, 2025	Advertise Notice in Elgin Courier Newspaper – 1 of 2.
April 16, 2025	Advertise Notice in Elgin Courier Newspaper – 2 of 2.
May 8, 2025	Statement for Qualifications Due at 2:00 p.m. (Copies of SOQs will be delivered to the committee for review).
May 12 – 23, 2025	Committee interviews Firms from Short List; Select Finalist.
May 26 – June 4, 2025	Check references & Finalize contract.
June 10, 2025	Council approves Contract.

***SCHEDULE IS SUBJECT TO CHANGE.**