

VILLAGE OF CORRALES



REQUEST FOR PROPOSALS NO. 2020-001

VILLAGE ATTORNEY SERVICES

SUBMITTAL DEADLINE: December 15, 2020 4:00 PM

Mail or Hand Deliver proposals to the following address:

**Village of Corrales
Village Clerk, RFP 20-001
4324 Corrales Road
Corrales, New Mexico 87048**

Due to COVID-19, we request for applicants to mail via certified mail their proposals to the above address. If not possible, please schedule a time with the Village Clerk to physically hand off your proposal.

Contact Info for the Village Clerk: agjullin@corrales-nm.org; (505) 350-1583

VILLAGE OF CORRALES



VILLAGE ATTORNEY SERVICES REQUEST FOR PROPOSALS NO. 2020-001

The Village of Corrales is requesting competitive sealed proposals for professional attorney services.

PROJECT DESCRIPTION

The Village of Corrales, New Mexico ("Village") requests qualification-based sealed proposals to fill its continuing needs for professional legal services. The services required by the Village will involve interpretation and knowledge of the New Mexico Municipal Code, New Mexico State Statutes, Village Ordinances and applicable State and Federal regulations and representation before the 13th Judicial District and other Courts. Substantial experience in the designated areas of practice is preferred.

The purpose of this Request for Proposal ("RFP") is to select an Offeror that results in the selection of the best qualified professional most suitable to the needs of the Village.

SCOPE OF SERVICES

The attorney and/or law firm shall provide the following professional services on an "as needed" basis:

- A. Advice and consultations, including telephone and written opinions to Village officials;
- B. Attendance at all Regularly Scheduled meetings of the Governing Body ("Council");
- C. Attendance at Planning and Zoning Commission meetings and Special Council meetings, as requested;
- D. Review of contracts and agreements, requests for proposals and bids, job descriptions and similar administrative matters, as requested;
- E. Drafting and review of proposed Village Ordinances and Resolutions;
- F. Appearance at court and administrative hearings on behalf of the Village and in defense of the Village in civil action;
- G. Responses to complaints about municipal services, as requested;
- H. Periodic status reports of legal activities;
- I. Submission of monthly itemized billings;
- J. Participation in negotiations with other municipalities or governmental bodies, as requested;
- K. Assistance in lobbying activities before the New Mexico Legislature, as requested.

ADDITIONAL CONSIDERATIONS

- 1. Offeror shall possess substantial knowledge and experience in the area of criminal law and criminal rules of procedure, as well as municipal, county and state ordinances.
- 2. Offeror shall possess good working knowledge of the Village of Corrales and the differences between normal Village activities and other City/State activities.

3. Offeror shall complete the minimum annual MCLE education.
4. Offeror shall report any pending disciplinary complaint or sanctions imposed by any disciplinary authority in any jurisdiction upon the Offeror or Offeror's staff, to the Municipal Court within ten (10) business days.
5. Offeror must be available during the work week and in the evening for work on the Village premises or in related courts during and after regular work hours, as necessary.
6. Offeror shall have an offsite office for document production, contract task management, bookkeeping and maintaining records related to the scope of services.
7. Offeror shall be solely responsible for generating documents related to his or her services as attorneys and will provide their own supplies and research materials.
8. Offeror shall include in the estimated cost of services, all costs, including but not limited to mileage, per diem and postage.
9. Offeror shall provide his or her own liability insurance in such amounts as required by the State of New Mexico.
10. Offeror shall maintain transmittable records and files in accordance with New Mexico standards and make those records available to the Village for the term of the Agreement and for an additional five (5) years after the Agreement's termination.

TECHNICAL CONTENT

The proposal shall include, but is not limited to, the following information:

1. A profile describing the organizational objectives, services available, years of operation and any other information useful in determining the capabilities of the firm.
2. The name and address of the principal attorney who will be responsible for administration of the contract.
3. Resumé of key personnel who will be assigned to actually perform the attorney services.
4. Recent Work Exemplars (preferably done for a municipal or public entity): 1) a client memo or letter explaining, interpreting or applying the law; 2) a filed legal brief, and 3) an example of an ordinance or other public policy document drafted by Offeror.
5. The firm's Equal Employment Opportunity practices.
6. A campaign Contribution Disclosure Form must be completed and submitted in accordance with NMSA 1978, §13-1-191.1 (2006) (see attached).

Proposals received which do not include all of the above listed requirements shall be considered incomplete. The Village will not consider incomplete proposals.

EVALUATION OF PROPOSALS

Proposals should address each of the following criteria. Each proposal may be awarded points up to the amount listed in parentheses.

1. Experience and knowledge of the New Mexico Municipal Code (Chapter 3), New Mexico State Statutes, Administrative Code; (25)
2. Specialized knowledge (please detail) as bond counsel, contracts, employment and personnel, land use, litigation, planning and zoning and procurement; (25)
3. Proposed monthly retainer or hourly rate; (20)

4. Professional qualification and communication skills. Factors to be weighed include total years' experience, professional affiliations, honors or awards, and ability to communicate; (15)
5. Past performance record. The firm's or attorney's past record of performance of legal matters relating to government agencies within the past five years. (15)

Preference will be given to firms that are located in or establish a business location for Gross Receipts Tax purposes in Corrales.

AWARD AND CONTRACT TYPE

The Procurement Officer shall evaluate the proposals, taking into consideration the criteria set forth in this request for proposals.

The Procurement Officer and a selection committee of her choosing shall select and rank in the order of their qualifications attorneys or firms deemed to be the most highly qualified to perform the services described in this request for proposals.

After the initial ranking of the proposals the Village may narrow the list of firms for interviews. The Village may either do a final ranking from a short list or consider the initial ranking as final.

After approval of the Corrales Governing Body the Mayor may negotiate a contract and the Village shall make an award and enter into a contract with a specified monthly retainer, and/or hourly rate, for a term not to exceed two (2) years.

SEALED PROPOSALS

All proposals submitted to the Village must be sealed prior to delivery to the Village. Proposals shall not be opened until the time specified in this request for proposals. The words "**SEALED PROPOSAL**" along with the **RFP NUMBER AND TITLE** must be clearly marked on the outside of the envelope.

Any amendment to a submitted proposal made prior to the expiration of the proposal deadline must be acknowledged as having been received by the Village.

Competitive Sealed Proposal No. 2020-001 Village Attorney Services DO NOT OPEN

PROPOSAL OPENING

All potential proposers are advised that the Village of Corrales will accept proposals until Tuesday, December 15 at 4:00 pm at the Village Administration Offices at which time and place they will be opened for later evaluation. Submit one (1) original and four (4) copies of the proposal. Proposals submitted after the deadline will not be considered.

OTHER CONSIDERATIONS

The Village of Corrales reserves the right to reject any or all proposals, to waive any technicalities, to accept in whole or in part such proposal as may be deemed in the best interest of the Village. The Village's decision to accept or reject a submitted proposal is final and not subject to appeal.

New Mexico criminal statutes impose penalties for illegal bribes, gratuities and kickbacks. By submitting a response to this solicitation, attorneys certify they are not currently suspended or debarred from conducting business with a State or the Federal Government of the United States of America, or, if currently suspended or debarred, the response discloses and describes the nature and circumstances for such suspension or debarment, and the effective dates of the suspension or debarment.

CONTACT INFORMATION

Questions regarding this proposal should be directed to Aaron Gjullin, Village of Corrales Clerk at (505) 350-1583; e-mail agjullin@corrales-nm.org



CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, *et seq.*, NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Prospective contractor" means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Names and Titles of Applicable Public Officials:

Jo Anne Roake, Mayor
David Dornburg, Councilor and Mayor Pro Tem
Zachary Burkett, Councilor
Stuart Murray, Councilor
Kevin Lucero, Councilor
Melanie Knight, Councilor
William Woldman, Councilor

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)