



Gilpin County

REQUEST FOR PROPOSAL - RFP

County Legal Services

DEADLINE: Monday, August 12, 2024 12:00 P.M.

I. Introduction & Services Required

Gilpin County is seeking proposals from qualified attorneys or legal firms to fulfill the duties and responsibilities as County Attorney, who shall provide all legal representation and services as required by the Board of County Commissioners (BoCC). The County Attorney serves as general counsel to the Board of County Commissioners, elected officials, county departments and such other agencies as may be authorized by the BoCC. The County Attorney coordinates and works closely with the County Manager.

Attorneys currently licensed to practice law in Colorado, with their license in good standing, or law firms including such attorneys, may respond to this RFP. Due to the breadth of specialized legal topics the County Attorney confronts through the execution of their duties, proposals in which a principal representative is supported by one or more additional attorney(s) with proficiency in specific areas of the law may be advantageous. The County Attorney's Office currently includes one contract County Attorney and one staff Paralegal. The staff position would remain in support of the legal partnership or firm awarded. This request is being made per the County Contract Management Policy, P-17.

County Background

Gilpin County is a rural community in Colorado's high country, neighboring the Continental Divide, yet less than an hour west of downtown Denver. The County was formed in 1861 as one of the original seventeen counties of Colorado, was named in honor of William Gilpin, the first Governor of the Territory of Colorado, and is governed by a board of three elected commissioners with each residing in a distinct district, though voted into office at-large.

The services provided and programs offered by the County include road maintenance and construction, solid waste, library, fairgrounds, development services, law enforcement, detentions, dispatch, victim services, emergency management, public health, environmental health, human services, senior services,

veterans services, property assessment, recording, elections, motor vehicle, recreation, tax collection, public trustee services, Colorado State University (CSU) Extension services, childcare, food insecurity services, and general administration support.

A constitutional amendment was approved by the voters of Colorado establishing the basic framework for limited gaming on November 6, 1990, only in the Cities of Black Hawk, Central and Cripple Creek to revitalize and preserve the history in each of these areas. Gilpin County is home to two of the three gaming authorized municipalities in Colorado: Black Hawk and Central City. As required by law, Gilpin County receives 12%, in proportion to gaming revenues generated in the County for both limited and extended gaming, which is collected by the Colorado Department of Revenue and distributed in August and September of each year. In 2023, an estimated 47% of the County's revenue budget originates from our gaming tax distribution received from the state.

Gilpin County is 54% public lands, with most of that being U.S. Forest Service lands in the Arapaho & Roosevelt National Forests, where recreation opportunities abound. Residents enjoy a quality of life enhanced by the vast recreational opportunities offered by Golden Gate State Park, the Arapaho and Roosevelt National Forests, the limited-stakes gaming in Black Hawk and Central City, a state-of-the-art recreation center and fairgrounds, low taxes and financially secure local government.

Primary Duties and Responsibilities

- Provides general legal advice, guidance and tactical and strategic advice to the BoCC, County Manager and other elected and appointed officials, department directors, boards and county staff, in a timely manner.
- Capacity to support the diverse legal needs with two or more attorneys and/or a firm.
- Provides advice on various issues, including open records, open meetings, election, budget laws, county powers, land use, contracts, ethics, finance, water, code enforcement, employment laws/regulations, etc.
- Recognizes issues and provides alternatives to reduce the risk of legal issues.
- Provides legal or other alternatives to further the goals and policies of the BoCC.
- Responds to the BoCC regarding specific legal issues that may be brought to their attention.
- Participates to further the goals of the BoCC.
- Provides general oversight over all civil litigation. Assesses risks, discusses issues with attorneys, discusses cases and settlement with the BoCC. Provides current information regarding the status of cases of interest to the BoCC. Provides comments to the press as required. Seeks alternatives to reduce risk and loss.
- Provides general oversight of transactional matters. Assesses risks with transactions. Proposes alternatives to address issues. Assures that contracts are efficient and effective. Addresses client concerns with contract issues.
- Acts as a liaison on behalf of the BoCC with other elected officials, boards or staff on matters of legal concern.
- Directs the preparation of reports, recommendations and presentations to the BoCC and other elected officials, departments or agencies.
- Provides training on legal issues to clients as appropriate and useful.
- Provides historical context regarding county issues when appropriate or requested.

- Manages the Board of Equalization on behalf of the BoCC.
- The sole attorney designated as the "County Attorney" shall attend every BoCC business meeting in person. Other meetings, such as work sessions may also be required on a case-by-case basis.
- Support the decision of the BoCC, even if it was not the recommended course of action.
- Performs other duties as assigned by the BoCC or requested by other clients as appropriate or necessary for provision of the services and any duties needed to stabilize an emergency situation.

Qualifications of Principal Representative

1. Education:

Juris Doctorate and 10 years of progressively responsible legal experience, preferably including county government, with any equivalent combination of training and experience which provides the required knowledge, skills and abilities. Admission to the Colorado Bar at hire. Member in good standing of the United States District Court of Colorado and the Tenth Circuit Court of Appeals at hire.

2. Knowledge of:

- a) Statutory interpretation and legal research.
- b) Federal and Colorado state laws, rules, regulations and procedures regarding county government.
- c) Extensive knowledge concerning litigation and legal negotiation.
- d) Developing strategic goals that reflect general county policy and philosophy.
- e) Ethical guidelines related to the position as established by professional organizations, legislation, rules and regulations.
- f) Personnel and management principles, practices and techniques related to staff development and administration.
- g) Standard research and investigation methodology, practices and procedures.
- h) Practices and procedures for planning, formulating and administration of budgets.

3. Must possess:

- a) A professional approach to issues and problems.
- b) Patience and tolerance when working through the multitude of issues that confront the county.

4. Ability to:

- a) Work within an intense and fast-paced environment.
- b) Implement decisions and policies of the BoCC to accomplish the objectives of the county's elected leaders.
- c) Communicate clearly and concisely, both verbally and in writing with elected and appointed officials and with other public or private organizations and individuals.
- d) Exercise tact and courtesy as an official representative of the county with all levels of county personnel as well as other public officials, media representatives and the public.
- e) Establish and maintain effective working relationships.
- f) Exercise organizational and analytical skills.
- g) Organize material and present information clearly and concisely in verbal and written form.

- h) Perform effective public speaking to groups of varied interests and background.
- i) Be well organized and able to wisely determine and pivot toward higher priority issues.
- j) To clearly and concisely explain a particular issue and legal opinion.
- k) To share legal opinions for the decision maker(s), while recognizing the final decision may not be that of the attorney.

Desired Areas of Specialized Legal Expertise

- Government process
- TABOR and Colorado taxes
- Water, including acquisition and usage
- Land use and development
- Employment
- Gaming

Professional Services and all documents prepared for the County by the Contractor shall conform to all applicable federal, state, and local laws, rules, regulations, ordinances, codes, and orders.

In performing the work, the Contractor shall use the degree of care and skill ordinarily exercised under similar circumstances by members of the same profession working in the Denver-Boulder metropolitan area. The Contractor represents to the County that the Contractor is, and its employees performing such work are, properly licensed and/or registered within the State of Colorado for the performance of the work (if licensure and/or registration is required by applicable law) and that the Contractor and its employees possess the skills, knowledge, and abilities to competently, timely, and professionally complete the work

II. Submittal Requirements

This Request for Proposal (RFP) describes the requested scope of services and information to be included in each proposal. Failure to submit information to the County in accordance with the requirements of this RFP and its procedures may be cause for disqualification. The proposal should be concise and complete, covering all items identified, emphasizing an understanding of the project and the resources to perform the intended work. Unclear, ambiguous statements such as “all reasonable effort to provide” must be avoided. Failure to address any of the requirements may be subject to rejection and/or misinterpretation. Inability to meet any specified requirements must be so stated and thoroughly explained.

Proposals are to be addressed to the Gilpin County Board of County Commissioners, in accordance with the Instructions to Proposers and all other requirements as referenced in this RFP. Proposals will be received until the Proposal Closing Date and Time set forth on the cover page of this RFP, at which time a representative of the County will publicly announce the names of those firms or individuals submitting proposals. No other public disclosure will be made if and until award of contract.

The RFP Submittal shall include the following:

1. Letter of Transmittal

The letter of transmittal must contain the following statements and information, and is not intended to be a summary of the proposal:

- Company name, address, and telephone number(s) of the firm submitting the proposal.
- Name, title, address, email address and telephone number of the contact person or persons, authorized to represent the firm and to whom to direct correspondence.
- Taxpayer identification numbers of the firm.
- Brief statement of your understanding of the services to be performed and a positive commitment to provide the specified services.
- Signature of a corporate officer or other individual who is legally authorized to bind the applicant to both its proposal and cost schedule.
- Statement which indicates "proposal and cost schedule shall be valid and binding for ninety (90) days following proposal due date and will become part of the contract that is negotiated with Gilpin County."

2. General Vendor Information

Please provide the following:

- Length of time in business
- Total number of clients
- Number of full-time personnel
- Location of office which would service this account

3. Technical Proposal

Provide a detailed technical and narrative response regarding the ability to provide the components as stated within the Scope of Work. The Evaluation Criteria listed in the Evaluation of Proposals section below provides additional information and the criteria that evaluators will use:

- a. Understanding the Proposal. Responses will include comprehensive information and narrative statements that illustrate proposer's understanding of the requirements of the project and the project schedule.
- b. Methodology Used for the Proposal. Responses will include comprehensive information and narrative statements that set out the methodology they intend to employ and illustrate how the methodology will serve to accomplish the work.
- c. Management Plan for the Proposal. Responses will include comprehensive information and narrative statements that set out the management plan they intend to follow and illustrate how the plan will serve to accomplish the work.
- d. Experience and Qualifications. Responses will include a detailed explanation of your experience with similar projects and employees.
 - i. Provide a detailed narrative describing your firm's experience with a minimum of three (3) projects of similar size and scope in the past five (5) years.

- ii. Provide a narrative description of the organization and capabilities of the project team and a personnel roster that identifies each person who will actually work on the contract.
 - a. Specifically list which attorney(s) will be dedicated to serve the County. This should include principal representative designation, associated attorney(s) to assist, and any other staff assigned to the account.
 - b. Provide the professional and educational background of each attorney intending to represent the County, including any applicable details related to the number of years related to desired specialized legal experience, as listed above.
 - c. Describe how the staff Paralegal shall be incorporated into the scope.
- iii. Provide a minimum of three (3) current or former clients where work has been performed within the last five years who may be contacted with respect to your firm's reputation for high quality of work, responsibility and efficiency. Include the name, address and telephone number of the executive in each organization who can speak knowledgeably about the quality, timeliness and cost of your work.

4. Financial/Cost Proposal

Submit pricing/cost information in a separate package from the technical proposal, clearly marked on the outside. Do not include costs in the technical proposal. Electronic copies of proposals will include separate files for financial and technical proposals. Separate discs or drives are not required.

Submit a detailed cost proposal including all costs and charges for the proposed services, including any, fees, training, implementation, and any other costs required. Estimate the hours and provide cost schedule detail for any service engagements necessary to meet the goals, if appropriate. Break down the cost proposal to indicate all costs.

- The proposal must contain a fee schedule that includes hourly rates for the proposed representatives, such as in the example below.

<u>POSITION</u>	<u>RATE</u>
Principal	\$ _____
Supporting Counsel	\$ _____
Paralegal	\$ _____
Administrative Support	\$ _____

- Describe how your services are priced, and any specific pricing you are able to provide.
- Define any additional charges (e.g. travel expenses).
- Provide a not-to-exceed amount.

5. Descriptive Pages and Brochures

All standard descriptive informational pages and brochures should be submitted in a section titled "APPENDIX."

III. Evaluation Criteria and Process

A project committee will evaluate all proposals. Proposals shall be evaluated on the basis of the Evaluation Criteria noted herein. The committee may make a selection on the basis of the proposals received, or may choose to "shortlist" prospective firms for further negotiations. The firm selected for the award will be chosen on the basis of the apparent greatest benefit to the County, and not necessarily on the basis of lowest price. Individual interviews may be required for the top firms who have submitted the required information. The Board of County Commissioners will interview and make the final selection.

Evaluation Criteria	Weight
Cost	30%
Understanding of the project and / or services required	25%
Years in business / experience / history working with government	15%
Methodology / functionality / service or project plan	15%
Management plan / administration	10%
Preference for minority and women owned businesses / labor surplus area firms	5%
TOTAL	100%

Gilpin County will take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible.

Reference checks, when conducted, will not be rated but will be considered on a “pass/fail” basis.

Following an individual rating period, the evaluation team will meet to discuss the initial rating and may choose to make an award at that time. Failure of the proposer to provide any information requested in this RFP may result in disqualification of the proposal.

This request for proposal is not a competitive bid based on price only. The Request for Proposal allows Gilpin County to select the contractor that best meets the needs of the County, taking into consideration proposer qualifications, price, and service capabilities and other factors relevant to the County’s policies, programs, administrative resources, and budget.

This RFP has been published at the Rocky Mountain Bid Net System and on the County website, which may be accessed at the following links:

<https://www.bidnetdirect.com/colorado>

<https://gilpincounty.colorado.gov/news-notice/request-for-proposals-rfps>

Any modifications to this RFP or addenda pertaining to this RFP will be published to the Bid Net System and on the County Website, and all proposers are responsible to periodically check both locations for relevant updates prior to the submittal of a proposal.

Written Inquiries

Interested applicants may make written inquiries concerning this RFP to obtain clarification of requirements or additional information. No inquiries will be accepted after the date and time of the Written Inquiry Deadline indicated in the Schedule of Activities. Send all inquiries via email, referencing the RFP number and title in the subject line, to: rrears@gilpincounty.org

V. Deadline for Submission of Proposals

One electronic submission must be received by Gilpin County prior to 12:00 p.m. (noon) on August 12, 2024. The submission must be labeled as "RFP Gilpin County Legal Services" in the subject line and sent to this email address: rrears@gilpincounty.org Physical submissions will not be accepted.

Number of Copies: One (1) electronic copy via email

Schedule of Activities:

Activity	Date
RFP Issued	July 12, 2024
Written Inquiry Deadline	July 26, 2024
Responses to Written Inquiries Published	August 2, 2024
Proposal Submission Deadline	August 12, 2024 (noon)
Anticipated Award	September 24, 2024
Project Start	October 1, 2024

VI. Miscellaneous

Gilpin County reserves the right to reject any and all proposals for failure to meet the requirements herein, to waive any technicalities, and to select the proposal which, in the County's sole judgment, best meets the requirements of the project.

The RFP creates no obligation on the part of the County to award a contract or to compensate the proposer for any costs incurred during proposal presentation, response, submission, presentation or oral interviews (if held). The County reserves the right to award a contract based upon proposals received without further discussion or negotiation. Proposers should not rely upon the opportunity to alter their qualifications during discussions.

The County further reserves the right to make such investigation as it deems necessary to determine the ability of proposers to furnish the required services, and proposers shall furnish all such information for this purpose as the County may request.

Proposers must specifically identify any portions of their submittals deemed to contain confidential or proprietary information, or trade secrets. Those portions must be readily separable from the balance of the proposal. Such designations will not necessarily be conclusive, and proposers may be required to justify why Gilpin County should not, upon written request, disclose such materials.

The County is not responsible for electronic submissions or communications not received, in any way associated with this RFP.

Attorneys or law firms who represent other governmental agencies located within Gilpin County will not be considered, unless specifically authorized by the County Manager, prior to submission.

Contract

Pending successful contract negotiations, one or more contracts may be awarded to the Contractor or Contractors whose proposal(s) is/are the most advantageous and offer the best overall value to the County, taking into consideration price and other evaluation factors described in this RFP. If more than one contract is awarded, an effort will be made to award work in an equitable manner taking into consideration the following criteria for each project:

1. Specific area of focus / special requirements
2. Cost
3. Availability of the Contractor
4. Prior performance of the Contractor

The contract may be for a period of approximately [term] to end [Month] [Day], [Year], and may be canceled at any time with 30 days advance written notice from either the County or a Contractor that is awarded a contract by the County.

Q&A

[Question]

- [Answer]

[Question]

- [Answer]

[Question]

- [Answer]