

**REQUEST FOR PROPOSALS FOR LEGAL ASSISTANCE ON
WATER RIGHTS ISSUES
FOR
SEATTLE PUBLIC UTILITIES**

The City Attorney's Office of the City of Seattle issues this Request for Proposals ("RFP") for the provision of legal services to the City on water rights issues. Firms or Persons responding to this RFP are referenced herein as Proposers.

1.0 SCOPE OF WORK

While the duties of outside legal counsel will vary over time or due to changes in circumstances, it is expected that those duties may include the following:

- Advise the City regarding the most effective and appropriate ways to engage the Department of Ecology in the processing of pending and possibly future water rights applications.
- Advise the City regarding potential risks and opportunities related to future water supply and the preservation of the City's options into the future.

2.0 QUALIFICATIONS

The City is seeking outside legal counsel with the following qualifications:

Experience providing legal services to public water systems regarding the management of their water rights portfolio.

Expert knowledge of and experience with the Washington Water Code, RCW Chapter 90.3, and associated regulations governing the water rights application process.

3.0 PROPOSAL CONTENT

3.1 Experience and Qualifications

- The City will accept proposals from individual attorneys as well as from law firms. The successful Proposer must have extensive knowledge and experience in securing Washington water rights.

- Provide the qualifications and experience of the specific individuals(s) who will provide advice under this contract. Identify the lead attorney for the contract.
- Identify the attorney/firm's principal place of business and identify the location from which the attorney/firm would provide the legal services under this contract.
- Provide at least two references for each attorney who will provide advice under this contract, including at least one governmental entity if the Proposer has provided legal services to a government entity. Provide the name, agency, address, and phone number for each reference.
- In one page or less, explain why the City should consider you/your firm.
- Disclose any potential or actual conflicts of interest. "Conflict of interest" shall have the meaning as described in the Washington Rules of Professional Conduct.

3.2 Fees

List the hourly rates of each attorney who will provide service under this contract, and the hourly rates of any paralegals and/or any other personnel.

3.3 Diversity Statement and Programs

The City remains committed to creating a diverse workplace that is representative of the diverse Seattle community. The City is looking for like-minded legal partners who are committed to creating measurable leadership opportunities for women, minority, LGBTQ and disabled lawyers. In light of this commitment, as well as in recognition of ABA House of Delegates adopted Resolution 113, please describe your firm's diversity composition, together with any diversity programs maintained by you or your firm. Track records of success in this area are of particular interest, specifically in the recruitment and retention of diverse lawyers. To the extent possible, the City further requests that Proposers indicate an anticipated percentage of time being billed by diverse lawyers if you or your firm is the successful Proposer in as much detail as possible.

4.0 PROPOSAL FORMAT, DELIVERY, AND OTHER REQUIREMENTS

Proposals submitted in responses to this RFP are limited to seven pages, exclusive of resumes.

Five paper copies of each proposal must be received no later than 5:00 p.m., Seattle time on January 23, 2020. The City will accept personal delivery, courier service, e-mail, or United States mail. No late proposals will be accepted.

Proposal should be addressed as follows:

Seattle City Attorney's Office
701 Fifth Avenue, Suite 2050
Seattle, WA 98104-7097

Attention: William C. Foster

Email: william.foster@seattle.gov

5.0 METHOD OF PROPOSAL EVALUATION

The City will evaluate all properly submitted proposals by way of an internal review panel. Oral interviews of the highest ranked Proposers may be required prior to final selection. Peter S. Holmes, the Seattle City Attorney, will make the final selection of the firm/attorney to be retained by the City after consultation with the review panel.

The criteria and weightings for evaluation will be as follows:

- a) Qualifications, experience, and competence of the firm and/or individuals to be assigned, clarity of presentation, and other factors ----- 80%
- b) Fees ----- 20%

6.0 CONTRACT NEGOTIATION

After selecting the apparent successful Proposer, the City may negotiate a contract with the apparent successful Proposer, based on the City Attorney's Office general terms and billing procedures for outside counsel, a copy of which is attached. If unable to reach agreement with the Proposer initially selected, the City may terminate contract negotiations and reserves the right to select and negotiate with the Proposer with the next most favorable proposal. Negotiations will continue until an agreement is reached or until the City decides not to enter into an agreement under this RFP.

7.0 SOLICITATION PROCESS REQUIREMENTS

7.1 Communications with City

All Proposer communications regarding this RFP must be directed to the City's representative named below:

William C. Foster
206.233.2161
william.foster@seattle.gov

Unless authorized by the City's representative named above, no other City official or employee is empowered to speak for the City with respect to this RFP. Proposers are advised that the City shall not be bound by information, clarification, or interpretation from other City officials or employees.

7.2 Schedule

RFP Released ----- January 9, 2020
Deadline for questions ----- January 15, 2020
Proposals due ----- January 23, 2020, 5:00 PM PDT
Interviews (at City's option) ----- Week of January 28-31, 2020
Selection----- February 3, 2020

8.0 MISCELLANEOUS

This Request for Proposal (RFP) is a request for offers to contract and does not obligate the City of Seattle to contract for any services. The City of Seattle reserves the right to:

- a) Request clarification of any proposal;
- b) Modify or alter any of the requirements herein;
- c) Reject any or all proposals, waive immaterial irregularities or informality in any proposal, and reissue this or a modified RFP.

Proposers are responsible for any costs involved in the preparation and submission of proposals, or for preparation of and attendance at any oral interviews or presentations.