

Request for Proposals
Ouray County, Colorado
Outside Counsel Legal Services

Ouray County is soliciting a Request for Proposal (RFP) for outside counsel legal services from professional legal firms to represent Ouray County in a variety of general civil litigation matters on an as-needed basis, including but not limited to water court, employment proceedings before both state/federal courts, land use proceedings including both direct appeals and Rule 106 matters, and county road/bridge related matters. The scope of services for the request for proposals may be accessed at www.ouraycountyco.gov. Questions regarding this proposal should be submitted via email to Leo Caselli at lcaselli@ouraycountyco.gov. Interested and qualified law firms are invited to submit proposals until 3:30 p.m. MST, on July 6, 2022.

Ouray County reserves the right to reject, for any reason whatsoever, any and all proposals, and to waive any informality or irregularity in a proposal. Awarding of the proposal is not based solely upon low quotation price, but on overall service, quality, and "best value" to the County in accordance with the Ouray County Purchasing Policy.

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Ouray County Website
www.ouraycountyco.gov



COUNTY OF OURAY

REQUEST FOR PROPOSAL (RFP) TO RETAIN LEGAL SERVICES

INTRODUCTION

Ouray County (County) is requesting proposals from interested law firms to provide outside counsel legal services as described in this Request for Proposal (RFP).

All proposals and other documentation submitted in response to the RFP:

- Become the County's property.
- Will not be returned by the County.
- Must be clearly marked as confidential, if your firm considers any material or information contained in its proposal or other documentation confidential.

County Description

The County is truly unique in terms of recreational and natural resources. The County Seat of Ouray, Colorado is better known as the Switzerland of America. Ouray County is expanding given its desirability and diverse economic base due to tourism and recreational opportunities. The County Attorney is the only in-house attorney for the County and is located in the County seat in Ouray, Colorado. The County Attorney is appointed as a county officer under the state constitution, and reports to the Board of County Commissioners which is a three person Board, pursuant to state statute.

Response Deadline

All proposals submitted in response to this RFP, which must not exceed 20 pages, must be received by the County no later than 3:30 p.m. on July 6, 2022.

Ouray County reserves the right to reject, for any reason whatsoever, any and all proposals, and to waive any informality or irregularity in a proposal. Awarding of the proposal is not based solely upon low quotation price, but on overall service, quality, and "best value" to the County in accordance with the Ouray County Purchasing Policy.

Further, Ouray County reserves the right to:

- Reject any proposal that is not received by the response deadline or is otherwise nonresponsive to the RFP.
- Reject any or all proposals submitted in response to the RFP.
- Request additional information from any law firm.
- Withdraw the RFP at any time and for any reason.
- Award the engagement in its sole discretion or make multiple or partial awards.

SCOPE OF LEGAL SERVICES REQUIRED

The selected law firm will provide the following services to the County:

- The primary scope of services is to represent Ouray County in a variety of general civil litigation matters on an as-needed basis, including but not limited to water court, employment proceedings before both state/federal courts, land use proceedings including both direct appeals and Rule 106 matters, and county road/bridge related matters.
- In very rare instances where the county attorney has a direct conflict or is otherwise unavailable, assist the County as special legal counsel or a special assistant county attorney in order to provide legal advice, counsel, services, and consultation to the County in connection with limited, specified matters, including but not limited to: general local government law, labor and employment law, real estate law, contract law, and methods for avoiding civil litigation.
- Work cooperatively with the county attorney, county administrator, county elected officials, and county department heads at all times.
- Provide paralegal services on an as-needed basis, for review of contracts, legal briefs and other pleadings, and Colorado Open Records Act (CORA) requests.
- Additional opportunities and requested services, for litigation or otherwise, may also be available on an as-needed basis.

TERMS OF ENGAGEMENT – Ouray County will engage the selected law firm on an as-needed calendar year basis, subject to annual renewals at the discretion of the County, and subject to the appropriation and availability of funds. Any services requested for the remainder of the calendar year 2022 are on an as-needed basis, subject to supplemental appropriations. The proposed budget beginning in calendar year 2023 is expected to be \$48,000.00, subject to approval and annual appropriations by the Board. Ouray County may terminate the law firm's engagement at any time in Ouray County's sole discretion.

CONFLICT OF INTEREST

The selected law firm must be free of any conflict of interest with the County. If a new or potential conflict of interest arises after the County retains the selected law firm, the law firm agrees to promptly notify and consult with the County to address and resolve the conflict.

PROPOSAL CONTENTS

A response to this RFP must include the following sections in the order listed:

- A transmittal letter that:
 - is signed by an authorized law firm representative;
 - identifies all materials and enclosures being forwarded in response to the RFP; and
 - identifies the law firm's principal representative for all matters relating to the RFP response.
- An executive summary of the contents of the law firm's response.

- The law firm's responses to the questions set forth below. Law firms should answer all questions in the same order as listed in this RFP.

Law Firm Background and Qualifications

- Provide your firm's:
 - legal name;
 - address of its headquarters office; and
 - address of each location, including home offices, from which services will be provided.
- Indicate the date your firm was established.
- Describe how your firm's size and background are pertinent to the requested services in this RFP.
- Identify the number of employees in your firm in the following categories:
 - licensed attorneys;
 - legal support staff; and
 - other support staff.
- Identify any outside vendors that your firm may use to provide the services required by this RFP (e.g., local counsel, e-discovery vendors, etc.) and describe how your firm will manage those vendors.
- Describe your firm's area(s) of specialization and/or area(s) of expertise, including general civil litigation, water law, employment law, and land-use related proceedings, and identify the number of attorneys practicing in each specialty.
- Describe any relevant special services your firm provides, particularly those that may not be offered by other law firms. References may be provided, but are not required.
- Append a copy of any proposed Terms and Conditions that would apply to the representation of the County.
- Describe how your firm would approach:
 - its representation of County, including conflicts, and
 - keeping the County informed of matter status, including spending against any agreed budget.

Pricing

Provide the hourly rates of all partners, associates, and legal assistants that may provide services to the County identified in your response to the Staffing section below. The County strongly discourages alternative fee proposals, including those incorporating fixed fees or "at risk" fee arrangements. However, the County may consider other fee arrangements, including discounted hourly rates, hourly rates for different matters, and specific travel rates.

EVALUATION PROCEDURE AND CRITERIA

The County will review all submitted proposals to determine responsiveness to the RFP and best value, and may reject any nonresponsive proposal.

TWO (2) copies of the proposal must be placed in a sealed envelope along with a copy on flash drive or thumb drive, marked "Outside Counsel Legal Services" and delivered to "Ouray County Administration" at the Ouray County Courthouse, P.O. Box C, Ouray, CO 81427 or hand

delivered to 541 4th Street, Ouray, CO 81427 to be received no later than 3:30 p.m. MST on Wednesday July 6, 2022. Please note that Ouray County offices are not open on Friday.

The County will evaluate all submitted proposals with the objective that the selected law firm:

- Clearly demonstrates a thorough understanding of the engagement's scope.
- Has a demonstrated record of success on past similar representations.
- Possesses adequate resources to handle all assigned responsibilities, including technology that is compatible with the County.
- Assigns highly experienced, responsive, professional, and diverse attorneys and other legal professionals to represent the County.
- Maintains high ethical standards.
- Prices its services competitively.
- Can avoid and prevent any conflict of interest with the County.

After the County's review of all submitted proposals, it may invite a short list of 3 to 5 semi-finalist law firms to meet with the County, including virtually, to introduce their professional team and to make a presentation of their qualifications to the County. All costs of responding to the RFP, including making a presentation to the County and any related travel expenses, are the responsibility of the responding law firm.

QUESTIONS AND LEGAL DEPARTMENT CONTACT INFORMATION

Questions regarding this proposal should be submitted via email to Leo Caselli, County Attorney at lcaselli@ouraycountyco.gov. Interested and qualified firms are invited to submit proposals until 3:30 p.m. MST, on Wednesday July 6, 2022. All questions should reference the RFP page, section and paragraph in question and be submitted no later than 5:00 p.m. MST June 22, 2022. Late questions will not be addressed. Emailed answers will be provided, if appropriate, within three business days after the questions deadline and will be posted to the County website under Bids and RFP's.