

**BOND COUNSEL
REQUEST FOR QUALIFICATIONS
RFQ 2023-001**

To provide assistance with a loan and to provide objective legal opinion with respect to the validity of authorizing and issuing evidences of indebtedness by The City of Donna for capital financing through the Texas Water Development Board Program (“TWDB”) - Clean Water State Revolving Fund (“CWSRF”) for the City of Donna’s Wastewater Treatment Plant Improvements Project.

This contract is subject to the Environmental Protection Agency's (EPA) Disadvantaged Business Enterprise (DBE) Program, which includes EPA-approved fair share goals toward procurement of Minority and Women-owned Business Enterprise (M/WBE) businesses. EPA rules require that applicants and prime contractors make a good faith effort to award a fair share of contracts, subcontracts, and procurements to M/WBEs through demonstration of the six affirmative steps. For more details of the DBE Program and the current, applicable fair share goals, please visit www.twdb.texas.gov/financial/programs/DBE/.

A. INTENT OF PROPOSAL

The City of Donna is soliciting Request for Qualifications from interested qualified professionals to provide the following: assist in obtaining grant and to provide legal opinion with respect to the validity of evidences of indebtedness (“Bonds”) issued by the City for capital financing or refinancing; preparation of resolution, indenture or other document authorizing and securing the Bonds and other authorizing documents as necessary. The City of Donna reserves the right to accept or reject any or all proposals for any reason it finds to be in the best of the City.

The City of Donna seeks to afford the opportunity for qualified SBE, MBE, and WBE firms to propose to provide the services described herein.

B. SCOPE OF SERVICES:

The services to be provided by the Bond and Grant Counsel shall include the following duties, as necessary:

- Assist in preparing legal documents in connection with loan and application.
- Render an objective legal opinion with respect to assessing validity of the Bonds.
- Examine applicable law.
- Prepare resolution, indenture or order authorizing and securing the Bonds and other authorizing documents.
- Consult with the parties to the transaction prior to the issuance of the Bonds.
- Secure TWDB and Texas Attorney General approval of the bonds and the registration of the Bonds by the Comptroller of Public Accounts of the State of Texas.
- Review certified proceedings.
- Undertake such additional duties as deemed necessary to render the opinion with respect to each Bond issue.

C. STATEMENT OF QUALIFICATIONS

The Proposer shall provide a description of the history and background of the firm, identification of the services currently being provided to entities in Texas and other information relevant to the provision of Bond Counsel Services.

1. General information about the firm.
 - A. Name, address, and telephone number of the firm.
 - B. History of the firm.
 - C. List names and titles of officers of the firm who will be directly responsible for bond and grand counsel services.
 - D. Information pertaining to the firm's compliance with licensing and other requirements.
2. References.

List of two (2) references to those listed in #1 above.
3. Identify personnel to be assigned responsibility for administering the account (provide resume and location for the individual representatives that the firm will assign to the account).
4. List the experience of the individuals assigned to the account with the Texas Water Development Board's Program and placement of debt instruments with the Board. Please list the work performed, including the dollar amount of the debt issue or other financing. Please include the names, addresses, and telephone numbers of contact persons.
5. Additional services - describe any other service or experience of the firm, which you deem beneficial in acting as Bond Counsel to the City.
6. Attach a copy of bond and grant counsel services contract proposed by your firm without fee information.

D. RECEIPT OF QUALIFICATIONS

If your firm is interested in being considered as Bond Counsel for The City of Donna, proposals must be received no later than 4:00 PM on March 9, 2023, at Donna City Hall 307 S 12th St Donna, Texas 78537. Three (3) copies of the Qualifications must be sealed and clearly marked on the face of the shipping material "Bond Counsel" RFQ 2023-001

CALENDAR OF EVENTS

February 19, 2023
March 9, 2023

Mail Request For Qualifications
Receive Request For Qualifications

SELECTION CRITERIA SUMMARY

The following criteria will be used as a basis for the selection of the Bond Counsel:

- **EXPERIENCE OF PERSONNEL** **35 POINTS**
To assess the background and experience of the personnel in working with Texas Public Finance Entities.

 - **TEAM MEMBERS** **25 POINTS**
To identify the personnel the firm proposes to commit on a day-to-day basis and evaluate the specific qualifications of these individuals.

 - **REFERENCES** **15 POINTS**
To demonstrate client satisfaction and the candidate's familiarity with the City.

 - **FINANCIAL CONDITION** **15 POINTS**
To demonstrate the firm's financial condition.

 - **TEXAS WATER DEVELOPMENT BOARD FINANCING PROGRAMS** **10 POINTS**
To provide a preference to firms with experience using the Texas Water Development Board's Financing Programs.
- TOTAL** **100 POINTS**