

REQUEST FOR QUALIFICATION

Professional Legal Services

RFQ Release Date: January 30, 2017
RFQ Response Deadline: February 10, 2017

Grand Junction Regional Airport Authority
2828 Walker Field Drive
Grand Junction, Colorado 81506
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Notice to Law Firms

The Grand Junction Regional Airport Authority hereby invites the submission of qualifications for:

Professional Legal Services

Qualifications will be received until 3:00 PM MST, February 10, 2017 in The Authority's office at 2828 Walker Field Drive, Grand Junction, Colorado 81506.

All qualifications shall be marked:

"QUALIFICATIONS FOR PROFESSIONAL LEGAL SERVICES"

The Grand Junction Regional Airport Authority reserves the right to waive irregularities and accept or reject any or all qualifications, or any part of any qualification.

Instructions to Law Firms

1. Please read all documents contained in the Request for Qualifications (RFQ) specifications.
2. Law firms are responsible for submitting their qualifications to the appropriate location at or prior to the time indicated in the specifications. No qualification will be accepted after the designated time or date indicated in the qualification specifications. No exceptions.
3. Law firms are responsible for reporting, in writing, any errors in the qualification specifications to the Airport Executive Director.
4. Questions or clarifications to the technical specifications must be made in writing to the Airport Executive Director prior to the submission of the qualification.
5. The only forms/documents required to be submitted as a qualification are the following:
 - ◆ Non-Collusive Qualification Certificate, signed.
 - ◆ Conflict of Interest Disclosure Form, signed.
 - ◆ Request for Qualification
6. All qualifications must be typewritten.
7. Whether a qualification is sent by email, mail or by personal delivery, the law firm assumes all responsibility for having its qualification deposited on time in the Airport Authority's Office.

General Information to Law Firms

In determining the qualifications of a law firm, The Authority will consider the law firms record in the performance of existing contracts for similar services in which it has entered with other public bodies; and The Authority specifically and expressly reserves the right to reject the qualification of such law firm if the record discloses that such law firm, in the opinion of The Authority, has not properly performed such contracts or has

otherwise disregarded its obligations to its employees or the public clientele it serves. The Authority may make such investigation as it deems necessary to determine the ability of the law firm to perform the terms of the contract and the law firm shall furnish to The Authority all information for this purpose as The Authority may request. To assist in this regard the law firm shall initially provide no less than three references of similar clients. The Authority reserves the right to reject any qualification if its investigation of the law firm reveals that, in the opinion of The Authority, the law firm is not properly qualified to carry out obligations of the contract and complete it as outlined herein. Conditional qualifications will not be accepted.

The Grand Junction Regional Airport Authority reserves its rights to enter into contracts with as many law firms as it determines necessary to ensure adequate legal representation.

Before commencing work, the successful law firm shall furnish evidence of insurance coverage's in the kinds and amounts hereinafter specified with a Certificate of Insurance acceptable to The Authority.

The Grand Junction Regional Airport Authority is an equal opportunity employer and expects Vendor/Contractor to comply with Federal and State Anti-Discrimination Laws.

The Grand Junction Regional Airport Authority is established under the political subdivision of the State of Colorado and is entitled to exemption from Colorado State, Federal and Local Taxes.

Scope of Services

The Authority is seeking qualifications from law firms having experience and qualifications in representing public sector entities. It is the intention of these specifications that the law firm hereunder could be engaged to provide one or a variety of services, including but not limited to the following items:

- Labor Law – matters pertaining to collective bargaining agreements and all applicable laws related to labor/management relations;
- Collection Law - matters related to the collection of overdue accounts and other related collections issues;
- Litigation - litigation related to autonomy of Airport Authority's and governance matters pursuant to governmental bodies or officers;
- Initiate litigation on behalf of the Airport Authority and defend the Airport Authority in litigation.
- Real Estate and Development Law - Matters involving land development, real estate, leasing, land use, and cell towers, including naming rights for facilities and the relation of all these issues to governmental bodies; and
- Conduct title examination prior to purchase of real estate by the Airport Authority

- Draft and/or review contracts, leases, deeds, releases, and other legal documents.
- Render legal opinions and counsel.
- Render opinions concerning the powers and duties of Board members, officers, and Staff members.
- Draft resolutions.
- Attend Airport Authority meetings when required, rendering legal advice when necessary.
- Represent the Airport Authority in all legal matters.
- Work with outside counsel when it is in the best interests of the Airport Authority to do so.
- Advise the Airport Authority of relevant changes in the law and of possible legal claims or actions.
- Apply in the name of the Airport Authority to a court of competent jurisdiction for such injunction or injunctions as may be necessary to restrain or prevent the misapplication of Airport Authority funds, or the invasion or abuse of its corporate powers, or the execution or performance of any contract made on behalf of the Airport Authority in contravention of law, or which was procured by fraud or corruption.
- In the case of any officer or official of the Airport Authority failing to perform any duty required by law, apply to a court of competent jurisdiction for a writ of mandamus to compel performance of such duty.
- Endorse his/her approval of the form and correctness of all contracts.
- Draft and/or review proposed policies and regulations.
- Assure that reviewed Airport Authority policies and procedures comply with State, federal, and local laws.

Qualification Requirements

1. General

- a. Your response to the RFQ should address, at a minimum, each of the items outlined above. You may add additional information that you deem to be appropriate.
- b. In order for the law firm to be considered, nine (9) copies of your qualification must be received no later than 3:00 PM MST, February 10, 2017, addressed to Kip Turner, Airport Executive Director, The Grand Junction Regional Airport Authority, 2828 Walker Field Drive, Grand Junction, Colorado 81506. Questions seeking clarification or technical information should be made in writing to kturner@gjariport.com.
- c. Should you have any questions concerning this RFQ, please contact Kip Turner at the above address.
- d. The Grand Junction Regional Airport Authority does not assume any responsibility or liability for costs incurred by law firms responding to

this Request for Qualification, or any subsequent requests for data, interviews, etc. prior to issuance of a formal executed contract.

- e. The Authority will only consider law firms that demonstrate ability and experience for services of similar nature and complexity, and reserves the right to reject any or all qualifications, or to award contracts in whole or in part.

2. Qualifications and Experience – Please reply to the following questions in your submission

- a. What experience do you have in representing governmental entities?
- b. What experience do you have in dealing with Public Records and the Sunshine Law?
- c. What experience do you have with sovereign immunity issues?
- d. What other governmental entities do you represent, and how long have you represented them? Do you see any potential conflicts between any of these clients and the Airport Authority?
- e. What governmental entities have you represented in the past, and why are you no longer representing them?>
- f. Have there been any client complaints filed against you?
- g. How long have you been practicing and what is your Martindale-Hubbell rating?
- h. What experience do you have with commercial contracts and real estate transactions?
- i. Have you had any grant involvement with other governmental entities?
- j. What do you understand to be the proper role of the attorney for the governing body of a governmental entity?
- k. Have any of your private clients had any dealing with the airport, or are there any potential conflicts? If so, please explain.
- l. What experience do you have in dealing with land titles where there are outstanding oil and mineral interests?
- m. What experience do you have with eminent domain cases – either representing the governmental entity or the owner whose property is being taken?
- n. How much will your private practice take you out of town and render you unavailable to the Airport Authority and Board? Could someone else from your firm be designated as your back up?
- o. What experience do you have with governmental bond issue?
- p. What experience do you have dealing with environmental agencies both state and federal?
- q. What experiences have you or your firm had with the FAA or the Colorado Department of Transportation or other federal or state agencies?

- r. What assurance can you make to the Authority that you will try to keep your fees and expenses under control? What is your experience and practice in submitting itemized billings? What program do you use?
- s. How long would you be willing to serve as the Authority attorney?

3. Qualification Outline

- a. Please assemble your response to the RFQ in the following order:
 - 1. Qualifications and Experience – firm information, personnel and references
 - 2. Project understanding
 - 3. Additional information – this is an opportunity to expand qualifications by addressing areas not specifically addressed in the RFP such as what value does the law firm bring to a partnership with The Authority, what sets the law firm apart from its competitors, and why is the law firm the right partner for The Authority?

4. Review and Selection Criteria

The Grand Junction Regional Airport Authority will employ a structured, competitive evaluation process. All written qualifications will be reviewed and scored based on how well they address the specific needs of The Authority as outlined in this RFQ. The Authority may choose to use competitive negotiations to develop the final contract/agreement with the law firm whose qualification best suits the needs of The Authority, based upon the sole discretion of The Authority.

The review and selection criteria shall be based on the written qualifications and responses during any interview sessions if conducted. A listing of the criteria in the order of their importance is as follows:

- Qualifications and experience with projects of similar scope or complexity including work on projects including governmental agencies and airport authorities.
- Staff experience and competence
- Familiarity with The Authority and the project area
- Approach
- References - Please provide contact persons, business addresses and phone numbers for the work identified in section 2 above.
- Other Information - Provide any other information that you believe would be appropriate.
- Schedule of Key Events - The following schedule shows the approximate dates in the consultant selection process. The schedule is included to give a

general idea of the time frame; however, The Authority will not be bound by these dates:

RFQ issued	January 30, 2017
Qualification due date	February 10, 2017
Evaluation and interviews of selected firms, if necessary	February 15, 2017
Notification	February 22, 2017

Term of Agreement

The agreement will run for a period of three (3) years beginning approximately February 2017 and may be renewed for consecutive terms upon agreement between The Authority and successful law firm.

Quantities and Services

Unless stated otherwise, The Authority is not obligated, during the period stipulated, to purchase any or all of its legal services specified therein from the law firm, and the law firm is obligated to supply the services which The Authority requires for its operation. The successful law firm(s) will be required to coordinate its services with The Airport's Executive Director and Board of Commissioners.

Fees

Law firms are required to submit hourly rates on each item of service. The hourly rate quoted shall be firm until the end of this agreement. The Authority reserves the right to terminate this agreement with (30) thirty days written notice.

Background Information

The Airport Authority is located in Grand Junction, Colorado. The Authority is a political subdivision of the State of Colorado. The Authority manages and operates the Grand Junction Regional Airport.

Non-Collusive Qualification Certification

By submission of this qualification, the law firm certifies that:

1. This qualification has been independently arrived at without collusion with any other law firm or with any competitor or potential competitor;
2. This qualification has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of qualifications for this service, to any other law firm, competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit a qualification;
4. The person signing this qualification certifies that he/she has fully informed themselves regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the law firm as well as to the person signing on its behalf.

SIGNED

TITLE

Conflict of Interest (COI) Disclosure Form

- This COI Disclosure Form must be completed by the Firm and each of its Subcontractors.
- This COI Disclosure Form must be signed by a principal of the Firm to certify that it is correct.
- A Firm's certification that its disclosure form is correct includes the disclosure by its Associates and Subcontractors.
- My signature certifies that as disclosed on or attached to the present form:
- The Firm's disclosures are complete, accurate, and not misleading.
- The Firm has received COI Disclosure Form(s) from all Subcontractors (if any) and the present form has attached any COI Disclosure Form(s) thereof.

I hereby certify that I am authorized to sign this COI Disclosure Form as a Representative for the Firm identified below:

Complete Legal Name of Firm: _____
Address: _____
Signature: _____
Name (type/print): _____
Title: _____
Date: _____

Please answer all questions "Yes", "No" or "N/A", and if uncertain answer "Yes."

If the answer to any of the questions 1 through 4 is "Yes," then furnish all relevant facts that are necessary to make the response complete, accurate, and not misleading; and identify any actions that must be taken to avoid, neutralize, or mitigate such conflict of interest.

1. Is any Associate of the Firm a former employee of the Airport within the last five years or a family member of a current employee of the Airport?
 YES NO
2. Does the Firm or any Associate of the Firm have a conflict of interest with regard to any known member of the Airport procurement evaluation or selection team?
 YES NO
3. Does the Firm, or any Associate of the Firm, have any past, present or currently planned interests that are an Actual or Potential Conflict of Interest, with respect to performing the work for the Airport.
 YES NO
4. Have Subcontractors furnished COI Disclosure Forms separate from the present form? (If yes, attach Subcontractor disclosures).
 YES NO