

Mountain Recreation Metropolitan District  
REQUEST FOR QUALIFICATIONS  
(RFQ)



SPECIAL DISTRICT LEGAL SERVICES

SUBMITTAL DEADLINE  
2:00pm on November 6, 2019

RFQ NUMBER  
AD-19-002

**Mountain Recreation Metropolitan District**  
**RFQ AD-19-002**  
**NOTICE**

Qualifications and quote will be received by Janet Bartnik, Executive Director, Mountain Recreation Metropolitan District, 52 Lundgren Blvd, PO Box 375, Gypsum, Colorado, 81637 (JBartnik@MountainRec.org), **until 2:00 pm on November 6, 2019**, for:

Special District Legal Services

The Mountain Recreation Metropolitan District ("Mountain Rec" or the "District") is seeking the services of an attorney(s) to serve as the special district's legal counsel, fulfilling duties and responsibilities described in this Request for Qualifications (RFQ). The District is inviting individual attorneys or firms to respond to this request.

TENTATIVE SELECTION SCHEDULE

Information Distributed:	October 24, 2019
Submittal Closing Date:	November 6, 2019
Sort-listed Firm Interviews:	November 8-12
Board Consideration	November 20, 2019

Submittals and/or requests for information related to this RFQ should be directed to:

Project Manager:	Janet Bartnik, Executive Director
Telephone:	(970) 688-7335
E-Mail:	JBartnik@MountainRec.org

The District reserves the right to undertake its own investigation to evaluate a candidate. The District shall have the sole discretion to accept or reject any submittal. The District reserves the right to solicit or recruit any attorney(s) or legal firms directly to request qualifications.

All submittals become the property of the District upon receipt and will not be returned to the applicant. The District operates under applicable public disclosure laws. Proprietary information must be identified and will be protected to the extent that is legally possible.

Cost of submitting the response to the RFQ, attendance at an interview, or any other such costs are entirely the responsibility of the candidate or candidate firm and shall not be reimbursed in any manner by the District.

Failure to conform to directions under this RFQ may lead to the rejection of a submittal. The submittals should contain all information necessary to evaluate the qualifications of a candidate or firm.

The District reserves the right to accept or reject any and/or all proposals and to waive any informalities or irregularities in said proposals. The RFQ does not bind the District to hire a legal services firm when, in the District's sole discretion, the District determines not to do so.

### Instructions

1. **Qualification/Quote Forms:** Responses may be submitted via mail or e-mail. All information called for must be furnished. Qualifications submitted in any other manner or which fail to furnish all information required may be rejected.
2. **Qualification Envelope:** For those choosing to submit responses via postal service, envelopes containing the qualifications must be sealed and addressed to:

Mountain Recreation  
Janet Bartnik, Executive Director  
52 Lundgren Blvd, PO Box 375  
Gypsum. CO 81637

Email submissions shall be sent to JBartnik@MountainRec.org.

**Quote/rate information must be placed in a separate sealed envelope** within the main bid envelope with the following label:

Form E - Quote  
RFQ: AD-19-002  
Special District Legal Services  
[Firm/Individual Name]

Email submissions may attach a quote/rate information to the email response as a document separate from the qualifications.

3. **Late Qualifications:** A late qualification is one received after the 2:00 p.m. local time, at the time and place of the opening as stated. Qualifications received after the deadline date and time will be returned unopened. It shall be the responsibility of those submitting a qualification to assure themselves that their qualification has been received by Mountain Rec.
4. **Waiver of Informalities:** The District may, at its election, waive any minor informalities or irregularities in qualifications received or reject any or all qualifications.
5. **Determination and Notification of Sealed Qualification:** At a Board of Directors meeting after the date on which qualifications are received, the Board will consider the recommendation of Mountain Rec Staff for award of this design contract. The Mountain Rec staff will notify all firms of the determination of the Board in this matter.

## Special District Legal Services

### OPPORTUNITY

The Mountain Recreation Metropolitan District (Mountain Rec) is a Colorado Special District located in western Eagle County, Colorado. The District employs 22 full time employees and seasonally up to an additional 150-200 part time staff members. Mountain Rec has an annual budget of approximately \$5 million. The Board of Directors met every third Wednesday of the month starting at 6 PM, alternating locations between Gypsum and Edwards recreation centers.

### ANTICIPATED SCOPE OF SERVICES

The firm/individual selected will be responsible for providing all professional services necessary to support the District in a variety of legal matters. This includes, but is not limited to, the following elements:

- Review and/or draft agreements, contracts, and resolutions to ensure compliance with state, federal and local laws.
- Act as legal advisor to the Board of Directors and District Staff as requested.
- Provide legal training for the Board of Directors and District Staff as requested.
- Provide guidance on personnel matters.
- Attend Board meetings at least once per year, or more often if requested.
- Provide guidance on general special district procedures including Colorado Open Meetings Law, The Colorado Open Records Act, and special district election law.
- Review and/or draft legal documents related to intergovernmental agreements, cooperative operating agreements, memoranda of understanding, real estate transactions, and other property and use issues.
- Research and submit legal opinions on special district or other legal matters as requested.
- Assure compliance with all local ordinances, state and federal laws, and provide guidance on any legislative matters or changes that may affect the District.
- Involvement in other legal matters as requested.
- Coordinate with outside Counsel regarding litigation on behalf of the District.

### CRITERIA FOR SELECTION

The selected firm/individual will demonstrate a history of successful recreational amenity master planning that incorporates innovative and sustainable strategies. Each submittal will be evaluated, and a shortlist established using the following criteria:

- Experience serving as legal counsel for Colorado special districts;
- Availability to serve the District's needs in a timely fashion;
- Qualifications of assigned staff; experience with similar organizations;
- Evidence of competent legal service to other similar agencies;
- Experience supporting special districts with campaign law requirements; and
- References.

Short-listed firms/individuals will be called to schedule interviews November 8-12, 2019. The successful firm/individual will be asked to execute a letter of engagement detailing an anticipated scope of services, hourly rates for professional service, and billable expenses subject to reimbursement.

**If you have any questions, please contact Janet Bartnik at (970) 688-7335.**

## QUALIFICATION INFORMATION REQUIRED

### **Please provide a statement with the following information:**

- Mountain Recreation is a Colorado Special District. Describe your experience with special districts and Title 32 requirements.
- Mountain Recreation may place a ballot question related to The Gallagher Amendment and/or capital project funding on a future ballot. Detail your experience related to Colorado campaign laws.
- Firms should provide the name and qualifications of the lead attorney(ies) proposed to provide legal services to the District.
- Firms should provide the names and qualifications for each supporting member of the District's legal services team and how they will be utilized.
- Describe any knowledge or experience that makes you, or any attorney(s) in your firm, particularly qualified to fulfill the duties related to serving as legal counsel to the District.
- Provide the name of your professional liability, insurance carriers and insurance limits on each policy.
- Disclose any potential conflicts of interest that you or any member of your firm may have in relation to the District.
- Provide list of special districts, towns and/or cities that you and/or your firm currently represent addressing the ability of your firm to respond in timely fashion to the needs of Mountain Recreation.
- Provide a minimum of three special district or municipal client references

### **Please provide billable hourly rate and reimbursable expense information:**

In a separate document, list attorney and supporting staff rates and any other applicable billable rates and expenses, such as mileage, travel time, photocopying and postage.