

**BOND COUNSEL
REQUEST FOR PROPOSALS
AND
STATEMENTS OF QUALIFICATIONS**

To provide assistance with possible loan and to provide objective legal opinion with respect to the validity of authorizing and issuing evidences of indebtedness (the "Obligations") by the City of Munday, Texas (the "City") for capital financing and provide assistance with possible loan, grant or disadvantaged funding through the Texas Water Development Board ("TWDB").

A. INTENT OF PROPOSAL

The City is soliciting Request for Proposals (RFP) and Statement of Qualifications from interested qualified professionals to provide the following: assist in obtaining loan and to provide legal opinion with respect to assessing the viability of authorizing and issuing evidences of indebtedness by the City for capital financing or refinancing; preparation of resolution, indenture or ordinance authorizing and securing the Obligations (the "Ordinance") and other authorizing documents as necessary. The City 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 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 Counsel shall include the following duties, as necessary:

- Assist in preparing legal documents in connection with the financing program.
- Render an objective legal opinion with respect to assessing the viability of authorizing and issuing evidences of indebtedness.
- Examine applicable law.
- Prepare the Ordinance and other authorizing documents.
- Consult with the parties to the transaction prior to the issuance of the Obligations.
- Secure TWDB and Texas Attorney General approval of the Obligations and the registration of the Obligations 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 Obligations 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 municipalities 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 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 (Bond 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 counsel services contract proposed by your firm without fee information.

D. SELECTION CRITERIA

The City shall use the following selection criteria and point system to evaluate and score each proposal.

| <u>Criteria</u> | <u>Points</u> |
|------------------------------------|---------------|
| Experience | 40 |
| Capacity to perform | 40 |
| Familiarity with the City and TWDB | 10 |
| Affirmative Action | 10 |
| Total | 100 |

E. ADDITIONAL INFORMATION

1. This contract is contingent upon release of funds from the Texas Water Development Board (TWDB).
2. Any contract or contracts awarded under this Invitation for Bid (IFB) or Request for Proposal (RFP) are expected to be funded in part by a loan from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this IFB, RFP, or any resulting contract.
3. RFQ's are issued in accordance with Section 2254 of the Texas Government Code (Professional Services Act).
4. 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) firms. 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/dbe.

5. The City of is an affirmative action/equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin. Small, minority, and women-owned business enterprises are encouraged to submit proposals.
6. Contract Terms and Negotiation Schedule - The consultant for *Bond Counsel, Financial Advisor, Engineering* and *Rate Consultant* services is expected to negotiate an agreement for services that is acceptable to the City. If an acceptable contract cannot be negotiated, the City may formally end negotiations and begin negotiating with the next highest qualified person or firm.
7. The City reserves the right to negotiate with any and all engineers or firms that submit proposals, as per the Texas Professional Services Act. Qualified SBE, MBE and WBE firms are encouraged to submit proposals in response to this invitation. The City affords Affirmative Action to qualified small, minority and women-owned businesses. Please note that the successful respondent is required to make a "good faith effort" toward affording opportunity for qualified SBE, MBE, and WBE participation and submit, if required, supporting documentation to the TWDB.

F. RECEIPT OF PROPOSALS

If your firm is interested in being considered as Bond Counsel for the City, proposals must be received no later than **5:00 PM** (local time) on **Friday, February 2, 2024**, at the office of the City. One (1) copy of the proposal must be sealed and clearly marked on the face of the shipping material "TWDB BOND COUNSEL RFP".

City of Munday
121 E. Main St.
Munday, Texas 76371

**ENGINEERING SERVICES
REQUEST FOR PROPOSALS
AND
STATEMENTS OF QUALIFICATIONS**

The City of Munday, Texas (the "City") is seeking to enter into an engineering services contract with a state-registered engineering firm to provide assistance with possible loan, grant or disadvantaged funding through the Texas Water Development Board ("TWDB"). Interested firms may submit RFP/SOQ according to the following criteria. The City of Munday reserves the right to accept or reject any or all proposals for any reason deemed to be in the best interest of the City.

I. **Scope of Work** - The engineering contract will encompass all project-related engineering services for the City, including but not limited to the following:

- Preparation of an Engineering Feasibility Report and, if required an Environmental Information Document in accordance with requirements of the Texas Water Development Board (TWDB)
- Preliminary and final design plans and specifications
- Preparation of the bid packet and construction documents
- Construction phase engineering and inspections (interim and final)
- Other special services as may be required

II. **Statement of Qualifications** - The City is seeking to contract with a competent engineering firm, registered to practice in the State of Texas, which has had experience in the following areas:

- Experience with water supply projects
- Experience with TWDB-funded construction projects
- Projects located in this region of the state
- Projects incorporating design and construction of water distribution projects

As such, please provide within your proposal a list of past projects with contact information, as well as resumes of all engineers who will or may be assigned to this project, if you are awarded the engineering services contract.

III. **Evaluation Criteria** - The proposals received will be evaluated and ranked according to the following criteria:

| <u>Criteria</u> | <u>Maximum Points</u> |
|-------------------------------|-----------------------|
| Experience | 25 |
| Past Work Performance | 25 |
| Capacity to Perform | 15 |
| Familiarity with this Project | 25 |
| Affirmative Action | <u>10</u> |
| Total | 100 |

IV. **Additional Information**

1. This contract is contingent upon release of funds from the Texas Water Development Board (TWDB).
2. Any contract or contracts awarded under this Invitation for Bid (IFB) or Request for Proposal (RFP) are expected to be funded in part by a loan from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this IFB, RFP, or any resulting contract.
3. RFQ's are issued in accordance with Section 2254 of the Texas Government Code (Professional Services Act).
4. 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) firms. 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/dbe.

5. The City of is an affirmative action/equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin. Small, minority, and women-owned business enterprises are encouraged to submit proposals.
6. Contract Terms and Negotiation Schedule - The consultant for *Bond Counsel, Financial Advisor, Engineering* and *Rate Consultant* services is expected to negotiate an agreement for services that is acceptable to the City. If an acceptable contract cannot be negotiated, the City may formally end negotiations and begin negotiating with the next highest qualified person or firm.
7. The City reserves the right to negotiate with any and all engineers or firms that submit proposals, as per the Texas Professional Services Act. Qualified SBE, MBE and WBE firms are encouraged to submit proposals in response to this invitation. The City affords Affirmative Action to qualified small, minority and women-owned businesses. Please note that the successful respondent is required to make a "good faith effort" toward affording opportunity for qualified SBE, MBE, and WBE participation and submit, if required, supporting documentation to the TWDB.

V. **Receipt of Proposals**

If your firm is interested in being considered as the Engineer for the City, proposals must be received no later than **5:00 PM** (local time) on **Friday, February 2, 2024**, at the office of the City. One (1) copy of the proposal must be sealed and clearly marked on the face of the shipping material "TWDB ENGINEERING RFP".

City of Munday
121 E. Main St.
Munday, Texas 76371

**FINANCIAL ADVISOR
REQUEST FOR PROPOSALS
AND
STATEMENT OF QUALIFICATIONS**

To provide advice and professional recommendations to the City of Munday, Texas (the "City") for various capital financing projects and provide assistance with possible loan, grant or disadvantaged funding through the Texas Water Development Board ("TWDB").

A. INTENT OF PROPOSAL

The City is soliciting Request for Proposals ("RFP") and Statement of Qualifications from interested qualified professionals to provide: strategic financial planning; analysis of market conditions; recommended investments of bond proceeds; and provide recommendations to the City for financing through programs established by TWDB. The City reserves the right to accept or reject any or all proposals for any reason it finds to be in the best interest of the City.

The City 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 Financial Advisor shall include, but are not limited to, the following:

- Direction and coordination of all programs of financing, specifically including preparation and coordination of filing an application with the TWDB for loan or grant assistance
- Advise the City of current bond market conditions
- Recommend method of sale of debt instruments
- Advise publications of forthcoming sales
- Arrange for reports of independent consultants
- Recommend as to the advisability of obtaining credit ratings and coordinate preparation and submission of information to rating agencies
- Coordinate, prepare and submit required information to recognized bond insurance companies for insurance qualification, including for a TWDB loan
- Coordinate efforts for delivery of debt instruments and preparation and verification of closing figures
- Maintain liaison with Bond Counsel in preparation of all legal documents
- Counsel in selection of paying agent/registrar
- Print all debt instruments
- Deliver schedule of annual debt requirements on debt instruments
- Attend meetings as requested
- Advise of changes in Federal and State laws and regulations
- Advise on investment of funds as requested
- Advise and assist in exercising any call and/or refunding
- Advise and assist in the development of long-range financing plan
- Provide all financing planning services as requested
- Testify in litigation as requested
- Make recommendation on matters of credit enhancement

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 municipalities in Texas and other information relevant to the provision of Financial Advisory services. The following information shall be included in your proposal:

1. This contract is contingent upon release of funds from the Texas Water Development Board (TWDB).
2. Any contract or contracts awarded under this Invitation for Bid (IFB) or Request for Proposal (RFP) are expected to be funded in part by a loan from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this IFB, RFP, or any resulting contract.
3. RFQ's are issued in accordance with Section 2254 of the Texas Government Code (Professional Services Act).
4. 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) firms. 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/dbe.
5. The City of is an affirmative action/equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin. Small, minority, and women-owned business enterprises are encouraged to submit proposals.
6. Contract Terms and Negotiation Schedule - The consultant for *Bond Counsel, Financial Advisor, Engineering and Rate Consultant* services is expected to negotiate an agreement for services that is acceptable to the City. If an acceptable contract cannot be negotiated, the City may formally end negotiations and begin negotiating with the next highest qualified person or firm.
7. The City reserves the right to negotiate with any and all engineers or firms that submit proposals, as per the Texas Professional Services Act. Qualified SBE, MBE and WBE firms are encouraged to submit proposals in response to this invitation. The City affords Affirmative Action to qualified small, minority and women-owned businesses. Please note that the successful respondent is required to make a "good faith effort" toward affording opportunity for qualified SBE, MBE, and WBE participation and submit, if required, supporting documentation to the TWDB.

D. SELECTION CRITERIA

The City shall use the following selection criteria and point system to evaluate and score each proposal.

| <u>Criteria</u> | <u>Points</u> |
|------------------------------------|---------------|
| Experience | 40 |
| Capacity to perform | 40 |
| Familiarity with the City and TWDB | 10 |
| Affirmative Action | 10 |
| Total | 100 |

F. RECEIPT OF PROPOSALS

If your firm is interested in being considered as Financial Advisor for the City, proposals must be received no later than **5:00 PM** (local time) on **Friday, February 2, 2024**, at the office of the City. One (1) copy of

the proposal must be sealed and clearly marked on the face of the shipping material "TWDB FINANCIAL ADVISOR RFP".

City of Munday
121 E. Main St.
Munday, Texas 76371