REQUEST FOR PROPOSAL (RFP) FOR “LEGAL REPRESENTATION CONCERNING WATER RIGHTS AND NATURAL RESOURCES”

Colorado Springs Utilities (“Utilities”) is an enterprise of the City of Colorado Springs, a Colorado home rule City. Utilities operates and provides electric generation, transmission and distribution services, natural gas distribution, municipal water treatment and distribution, and wastewater collection and treatment services for residential and commercial customers within the City and, to a limited basis, outside of the City.

The City Attorney’s Office is soliciting proposals from qualified law firms or individual attorneys licensed to practice law in the State of Colorado who have specialized knowledge and experience in Colorado water, water quality, and natural resources law, to perform legal services including, but not limited to, the preparation and filing of water rights applications and statements of opposition to water rights applications in Water Divisions 2 and 5 on behalf of Utilities and representation in negotiations pertaining to Utilities’ current and future water resources projects as well as the administration of Utilities’ existing water rights. Both the firm and lead attorney or attorneys selected must have substantial experience in (1) representing and advising governmental entities and municipal utilities with respect to water law and natural resources law; (2) prosecuting water rights applications and statements of opposition; and (3) drafting, and negotiation of agreements, permits and licenses required by local, state and federal agencies related to water supply and distribution projects. Given Utilities’ extensive water rights portfolio and the number of water resources related projects that are on-going or expected to begin in the near future, it is anticipated that Utilities will require related legal services every year going forward.

The firm and/or individual attorney selected will not serve as the exclusive water counsel for the City, and the City will continue to utilize its City Attorney’s Office and other outside counsel as it deems in its best interest. The selected firm and/or attorney shall work cooperatively with the City Attorney and her designated attorneys within the City Attorney’s Office. The firm and its attorneys dedicated to the services will also work closely with Utilities’ Chief Water Services Officer and their staff under the general direction of the City Attorney and her designated attorneys within the City Attorney’s Office.

The selected firm or attorney will be required to execute a standard form City Attorney’s Office retention agreement, which will provide for services during the current fiscal year, but which may thereafter be annually amended to include services in subsequent fiscal years. A copy of the standard form is available on request.
If interested in responding to this invitation, please send a written proposal on or before the deadline to:

Kandi Anthony, Legal Administrator
Office of the City Attorney
City of Colorado Springs
30 S. Nevada Ave., Ste. 501
Colorado Springs, CO 80903
TEL: (719) 385-5909
FAX (719) 385-5535
E-Mail: kandi.anthony@coloradosprings.gov

Proposals will be reviewed by the City Attorney’s Office as they are submitted. The City may choose to have a meeting or conference call with one or more respondents. Final selection of a firm/individual attorney will be made after receiving a satisfactory conflicts check from qualified responders.

It is the City Attorney’s intent to enter a retention agreement with the selected firm or individual setting forth the Scope of Legal Services and fees for representation in the matter.

Responses shall be thorough yet concise, and shall be prepared at the sole expense of the respondent. The selection will be based upon and evaluated using the following criteria. **At a minimum, proposals should address the following information:**

- Qualifications, background and experience of the licensed attorney(s) who will be providing the requested legal services and representation and of any attorneys who will be assisting the lead attorney.
- A description of any prior training or experience of the licensed attorney(s) relevant to the services described herein, including prior experience representing municipal entities.
- A description of the process by which the licensed attorney(s) or the licensed attorney’s law firm will check for conflicts that would disqualify the firm or the licensed attorney(s) from providing the requested legal services.
- The hourly rates for the licensed attorney(s) who will be providing the requested legal services and representation, and for any paralegal or support staff who will be assigned to assist the licensed attorney(s). Proposals should include a rate schedule per licensed attorney(s) and support staff.
- Any other information the licensed attorney or the licensed attorney’s law firm believes would assist the City in this selection process.

**Please submit your proposal to the address, fax, or e-mail listed above as soon as possible, but not later than the Proposal Due Date first shown above.** If submitting
via fax or e-mail, please call to confirm receipt if you do not receive acknowledgment of receipt. The City reserves the right to re-solicit for additional submittals if a sufficient number of qualified applicants are not received.