



State of West Virginia
Office of the Attorney General

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Attorney General

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Request for Proposal for Legal Services To Represent the West Virginia Municipal Bond Commission

The West Virginia Municipal Bond Commission (hereinafter the "Commission") has requested assistance in securing legal representation to assist with its ongoing obligations and duties.

More specifically, the Commission seeks legal representation to advise and assist it, on an as needed basis, with issues including, but not limited to, those arising from the Commission's role as a fiscal agent for revenue bond issues for municipalities and their utilities, public service districts, and state agency revenue college and universities bonds. The Commission is also appointed as fiscal agent for all general obligation bond issues of the county commissions, municipalities, and school districts of the State of West Virginia.

Qualified law firms or attorneys are invited to submit a proposal on or before November 12, 2015, to assist with the representation of the Commission. Selection of a winning proposal or proposals, if any, will be made as soon as possible after that date with representation to commence forthwith upon selection.

Background

The Commission has requested assistance in securing legal representation to assist with its ongoing obligations and duties.

More specifically, the Commission seeks legal representation to advise and assist it, on an as needed basis, with issues including, but not limited to, those arising from the Commission's role as a fiscal agent for revenue bond issues for municipalities and their utilities, state agency revenue college and universities bonds, and public service districts. Along with general obligation bond issues of the county commissions, municipalities, and school districts of the State of West Virginia.

Accordingly, the Commission seeks an attorney with at least 15 years bond experience and particular experience as follows:

- Revenue and General Obligations Bond issuance, redemption, and maintenance;
- Fiscal agent duties, rights and documentation;
- Local and US Security purchases and redemption

State Capitol Building 1, Room E-26, 1900 Kanawha Boulevard East, Charleston, WV 25305

- Drafting Legislation and serve in an advisory position about Legislation
- Municipal, public service district, County, and School Districts' operational, legislative and bonding law;
- Lending authorities responsibilities and rights

Scope of Representation

The client is the Commission. An attorney or firm, if any, will be selected for each of the separate legal matters set forth above, and will work in close coordination with the Commission, as well as the organization's legal counsel, to provide the legal services in question for a period of one-year with an option of two, one year extensions.

Conflict of Interest Information

In addition to disclosing any prior representation of the Commission, the bidding firm or attorney should disclose matters where they have previously been adverse to the Commission as well as any other matter(s), that could impact a conflict analysis for this potential client.

Your Proposal

No specific form is required of your proposal, but it should address those factors identified in the Attorney General's Outside Counsel Policy,¹ and should also address your experience and demonstrated skill (via references, example documents, and/or a descriptive narrative) in the following practice areas:

1. Revenue and General Obligations, bond issuance, redemption, and maintenance;
2. Fiscal agent duties, rights and documentation;
3. Local and US Security purchases and redemption

¹ Pursuant to the Outside Counsel Policy, the Attorney General shall consider the following factors when determining the most competitive proposal for legal services:

- Whether the private attorneys possess the requisite skills and expertise needed to handle the legal matters in question;
- Whether the private attorneys possess requisite staffing and support to handle the scope of the litigation or matter;
- Whether the private attorneys, or any members of the private attorneys' law firm, have been subject to reprimand by the West Virginia State Bar, or other entities, for unethical conduct;
- Whether the private attorneys have been peer rated, and if so, what peer ratings they have received, along with any other recognitions or awards for legal services;
- The estimated fees, costs and expenses of the private attorneys to perform the legal services requested;
- The willingness of the private attorneys to enter into alternative billing arrangements;
- Whether the private attorneys are in compliance with all applicable laws of the State of West Virginia;
- Any potential conflicts of interest between the private attorneys and the State;
- Any relevant input from the state entity client, if applicable, regarding the needed legal services; and
- Any such other relevant factors as may be identified by the Attorney General.

4. Drafting Legislation and serve in an advisory position about Legislation
5. Municipal, public service district, County, and School Districts' operational, legislative and bonding law; and
6. Lending authorities responsibilities and rights.

In addition, your proposal should disclose any prior legal work you have performed for the Commission, as well as any experiences that may particularly qualify you for the requested legal representation.

If you propose to bill hourly rates, please state them separately for each attorney or paralegal to be assigned to this representation and indicate the approximate proportion of total time that will be billed at each rate. Computerized legal research tools, such as WESTLAW or LEXIS, may not be billed as an expense. Please state your per-unit costs (if any) for expenses such as copying; whether you will bill for travel expenses and at what rate; and whether and how you bill for any additional attorney-time while traveling. Representations made in your proposal will supersede any conflicting terms that are less favorable to the client appearing in any written contract or invoice.

Evaluation and Acceptance

Your proposal will be evaluated by the Commission. Any and all proposals may be rejected. Your proposal should be addressed to:

Sara Rogers, Executive Director
West Virginia Municipal Bond Commission
900 Pennsylvania Ave
Suite 1117
Charleston, West Virginia 25302

This Request for Proposal shall be known as RFP # 49, and any and all correspondences relating to this Request for Proposal should reference RFP # 49. All proposals must be received by email at sara.l.rogers@wv.gov no later than Thursday, November 12, 2015, at 5:00 p.m. Any questions regarding this request for proposal should likewise be directed to Sara Rogers at 304-558-3971.

Retention of the selected attorney or firm, if any, is conditioned upon execution of a written contract. In no event will any such contract preclude the termination of the representation at any time by official action of the Commission.

Thank you for considering this Request for Proposal.