



# Renewal Enterprise District (RED)

County of Sonoma | City of Santa Rosa

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Renewal Enterprise District (RED)  
Request for Proposals/Qualifications for Legal  
Services December 4, 2019  
Michelle Whitman  
Executive Director  
637 First Street  
Santa Rosa, CA 95404  
707-543-3087

Submittals due on December 23, 2019  
at  
Renewal Enterprise District (RED)  
Attention: Michelle Whitman  
637 First Street  
Santa Rosa, CA 95404

## **Request for Proposals/Qualifications**

### **Legal Services**

### **Renewal Enterprise District (RED)**

### **Santa Rosa, CA**

## **I. Introduction**

### **A. RED Background**

Given the nature of our housing challenges, accelerating housing production will require new approaches and heightened levels of collaboration across all sectors. The County of Sonoma and City of Santa Rosa recognize a joint obligation to deepen their coordination around planning, entitling, and assembling public financing to make it as easy and cost-effective as possible for builders and developers to produce the needed housing stock that aligns with community values. To that end, the two jurisdictions have formed a Renewal Enterprise District, or RED, as a Joint Powers Authority. The purpose of the RED is to create a trusted, replicable and enduring model of housing and community development to meet the changing needs of the 21st century.

### **B. Jurisdiction and Funding**

The City of Santa Rosa and County of Sonoma formed the RED—a Joint Powers Authority—to deepen their coordination around planning, entitling, and assembling public financing to make it as easy and cost effective as possible for builders and developers to produce the needed housing stock that aligns with our community's values. The William and Flora Hewlett Foundation provided a \$1 million two-year grant to support startup and implementation. The RED has no land use authority of its own.

## **II. Description of Services**

### **A. General Description**

The RED is soliciting proposals from qualified attorneys and/or law firms interested in providing legal services for the JPA. The selected attorney or law firm will be expected to provide a wide range of services to the RED. The RED will consider proposals ranging from individual attorneys offering general counsel coupled with outsourced specialized services to law firms capable of providing general and specialized legal services. The RED reserves the right to continue the use of specialized legal services at its sole and entire discretion as it deems appropriate.

## **B. Scope of Services**

The successful attorney or firm will be expected to provide services including but not limited to the following:

1. Represent and advise the RED Board, Executive Director and officers in all matters of law pertaining to their office. Give advice and opinions on the legality of all matters under consideration by the RED or officers of the RED.
2. Attend and represent the RED's legal interests at RED Board meetings, workshops, and other meetings as specified by the RED. The RED's Attorney may be requested to attend one Board meeting bimonthly and other meetings as needed. Regular RED Board meetings are typically held the last Wednesday of every other month at 1:00 p.m.
3. Provide legal opinions, advice, assistance, and consultation to the RED Board, Executive Director and staff. The range of services routinely requested of the RED's Attorney includes, but are not limited to, the following areas of municipal law:
  - a. the Brown Act;
  - b. the Public Records Act;
  - c. conflicts of interest;
  - d. election law;
  - e. contracts;
  - f. leases and other property transactions;
  - g. personnel and disability laws;
  - h. employee relations and labor negotiations;
  - i. pending and current state and federal legislation and court decisions;
  - j. tort liability and risk management;
4. Provide training and advice to the RED Executive Director and staff related to the Brown Act, AB1234, conflicts of interest, and other legal requirements imposed by statute.
5. Review, approve, and prepare ordinances, resolutions, staff reports, contracts, deeds, leases, and other legal documents required by the RED.
6. Represent the RED in civil litigation brought on behalf of or against the RED as necessary and directed by the RED Board.
7. Perform such other legal duties as may be required to complete the performance of the functions mentioned above.

## **C. Submittal Guidelines and Required Information**

### **A. General Information**

Attorneys or firms interested in submitting proposals must submit one (1) original signature hard copy signed in blue ink, four (4) additional hard copies designated as copies, and one (1) electronic version (PDF) of the proposal on a flash drive by 5 p.m. PST on Monday, December 23, 2019 to:

Michelle Whitman  
Renewal Enterprise District  
637 First Street  
Santa Rosa, CA 95404

Proposals may be submitted in person at the RED office or by mail, but must be received by 5:00 pm on December 23, 2019.

The RED reserves the right to reject all proposals, to request additional information concerning any proposal for purposes of clarification, to accept or negotiate modifications to any proposal following the deadline for receipt, and to waive any irregularities if such would serve the best interest of the RED, as determined by the RED.

Proposals will not be opened publicly and the RED will endeavor to keep the proposals confidential until a preferred service provider is identified for final consideration. The original copy of each proposal will be retained and will become public record after the award of a contract unless the proposal or specific parts of the proposal can be shown to be exempt by law.

The RED requires all proposers to comply with all applicable federal and state laws including but not limited to equal employment opportunity. Contracts are open to all persons without regard to race, religion, color, national origin, sex, age, marital status, handicap, or political affiliation.

Pre-submittal questions about the RFP and RED's current and/or future legal services will be accepted until 5:00 pm on December 11, 2019. Inquiries will only be received and answered by email. Questions regarding this RFP must be submitted via email to [michelle.whitman@renewalenterprisedistrict.org](mailto:michelle.whitman@renewalenterprisedistrict.org). Questions and responses will be posted for all on the RED website at [renewalenterprisedistrict.org](http://renewalenterprisedistrict.org) by 5 p.m. on Wednesday, December 18, 2019.

## **B. Proposal Format and Requested Information**

All proposals must contain specific and succinct answers to all questions and requests for information. Please answer the questions in the format and order presented. Note: resumes will not be considered responsive to any specific question.

1. Letter of Transmittal: Include a brief introduction and history of attorney and/or firm submitting the proposal. Also, include your understanding of the work to be performed. State why proposer is qualified to perform the services requested.
2. Title page: Include the attorney or firm name, address, telephone number, principal contact and email address.
3. Table of Contents: Include clear identification of materials by section and page number.
4. Describe the qualifications of your firm. Include in your response:
  - a. names and resumes of individuals who may be assigned work;
  - b. employment history;
  - c. specialization;
  - d. legal training;
  - e. date of admittance to the California Bar;
  - f. years of practice;
  - g. municipal or other local public sector experience;
  - h. knowledge of and experience with California Municipal Law;
  - i. knowledge of and experience with areas of law identified in section II.B.4 above;
  - j. litigation experience and record of accomplishment;

- k. if any of the attorneys listed in the proposal have been successfully sued for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, provide information on the nature of the incident, the dates on which the matter began and concluded, and results.
5. List specialty services you do not provide and detail how you propose the RED to receive such services.
6. Specify the individual you propose as the main contact for the RED and identify the individual(s) proposed to serve in their absence.
7. Describe the systems/mechanisms that will be established to ensure timely responses to the RED Board, Executive Director, and staff. Identify the response time the RED can expect under your proposal.
8. Provide a minimum of three municipal (preferred) or public agency references for which services have been provided within the past three years. Include the name, title, agency, telephone number, and email address for each reference.
9. Additional information may be provided and will be considered, particularly if this information distinguishes one proposer from another.
10. Billing rates.
11. Copy of your standard contract.

**C. Selection Process and Timeline**

<b>Activities</b>	<b>Due Date</b>
Release of Request for Proposals/Qualifications	December 4, 2019
Deadline for submission of written questions to the Authority	December 11, 2019
Authority Responds to Written Questions <i>(if necessary)</i>	December 18, 2019
Proposals Due and Bid Opening	December 23, 2019
Recommendation for award	January 17, 2020

The RED reserves the right to modify any of the dates in the schedule as deemed necessary.

Proposals will be evaluated on the following factors:

1. Responsiveness to the information requested in the RFP;
2. Potential conflicts of interest that may arise with regard to any work performed for the RED, and has identified a viable solution for the resolution of such conflicts;
3. Understanding of the scope of services required;
4. Proposed solutions to the specific legal needs of the RED;
5. Depth and breadth of experience and expertise in the practice of law, most specifically in those areas most often encountered in municipal government operations;
6. Range and quality of services provided by the proposer;

7. Capability to perform legal services promptly and in a manner that permits the RED Board, Executive Director and staff to meet established deadlines and to operate in an effective and efficient manner;
8. Degree of availability for quick response to inquiries that arise out of day-to-day operating questions and problems;
9. References;
10. Cost of services.