

**REQUEST FOR PROPOSALS  
(RFP)**



**Bond Counsel Services  
Sunrise Recreation & Park District  
Series 2020**

**Deadline for Submission: 11:00 AM, Friday, July 17, 2020**

**Under no circumstances will late proposals be accepted**



**We Create Community Through People, Parks and Programs**

**TO:** Prospective Bidders  
**FROM:** Dave Mitchell, District Administrator  
**DATE:** July 1, 2020  
**RE: BID PROPOSALS FOR BOND COUNSEL SERVICES  
SUNRISE RECREATION AND PARK DISTRICT  
SERIES 2020**

**Introduction**

The Sunrise Recreation and Park District (the “District”), in collaboration with County of Sacramento, is seeking proposals from legal firms to serve as bond counsel in connection with the proposed refinancing of the outstanding Sunrise Recreation and Park District (Joint Use Facilities Project) Certificates of Participation (“COPs”), Series 2007.

**Background**

The Sunrise Recreation and Park is a dependent district of Sacramento County, providing recreational services for Antelope, Citrus Heights, and Foothill Farms Communities.

The District is intending to refinance the 2007 COPs, which are secured by lease payments pursuant to the lease agreement with Sacramento County Public Facilities Financing Corporation. The 2007 COPs were issued in June 2007 to finance a portion of the construction of Antelope Community Park’s recreation and park improvements. At the time of the refinancing, the 2007 COPs will be outstanding in the amount of \$5,485,000. The 2020 Bonds will likely be a private placement and issued as 17 1/2-year fixed rate bonds.

Please see Scope of Required Services, Section I.

## NOTICE TO CONSULTANTS

Notice is hereby given that the Sunrise Recreation and Park District of Sacramento County, California, will receive bids as follows:

**BID DATE AND TIME:** **ON OR BEFORE 11:00 AM**  
**FRIDAY, JULY 17, 2020**

**SUBMIT BIDS TO:** **SUNRISE RECREATION AND PARK DISTRICT**  
**Dave Mitchell, District Administrator**  
**via e-mail only, in PDF Format to:**  
**[dmitchell@sunriseparks.com](mailto:dmitchell@sunriseparks.com)**

**FOR:** **CONTRACT #2020-07-COP**  
**BOND COUNSEL SERVICES**  
**SUNRISE RECREATION AND PARK DISTRICT**  
**SERIES 2020**

**PROJECT DESCRIPTION:** The work to be performed under this contract includes the furnishing of all materials, permits, labor, equipment, tax, shipping/freight, transportation, and services necessary for Bond Counsel Services, Sunrise Recreation and Park District, Series 2020.

**QUESTIONS:** Please direct questions in writing to Dave Mitchell, District Administrator, Sunrise Recreation and Park District, by e-mail at [dmitchell@sunriseparks.com](mailto:dmitchell@sunriseparks.com). Deadline for questions is 2:00 PM on Tuesday, July 7, 2020. Addendums and answers to all questions will be posted on the District Website by 5:00 PM on Thursday, July 9, 2020. It is the Consultants responsibility to check the District Website ([www.sunriseparks.com](http://www.sunriseparks.com)) for updates. Proposers are requested not to contact District staff as communications with the District related to this RFP are prohibited until the selection process is complete. **FAILURE TO ADHERE TO THIS REQUIREMENT MAY RESULT IN DISQUALIFICATION.**

The Board reserves the right to reject any or all bids, to waive any informality in any bid, and to determine which bid, in the judgment of the Board, is the highest scoring proposer.

Dave Mitchell  
District Administrator  
Sunrise Recreation and Park District

# SUNRISE RECREATION AND PARK DISTRICT

CONTRACT NO. 2020-07-COP

## BOND COUNSEL SERVICES SUNRISE RECREATION AND PARK DISTRICT SERIES 2020

### **I. SCOPE OF REQUIRED SERVICES**

The scope of required services described below is a general guide and is not intended to be a complete list of all services that may be required. The selected firm will be expected to provide the following services:

- A.** To serve as legal counsel in connection with the undertaking by the District for the financing of the COPs Refinancing.
- B.** Consult and confer with appropriate representatives of the District and its counsel and with its financing consultant or placement agent and other special consultants to the District concerning the proposed financing and its timing, terms and structure, including an analysis of the advantages and disadvantages of each financing technique available to the District as they affect the proposed financing.
- C.** Review, advise and assist in the preparation of the term sheet for the RFP for placement agent/purchaser on behalf of the District.
- D.** Assist in obtaining any governmental approvals necessary as a condition precedent to the public financing program or jurisdiction to undertake same, including review of any environmental impact studies, reports or other proceedings as they relate to the financing.
- E.** Prepare and assist in the negotiation with the placement agent on behalf of the district and approving as to legal sufficiency all documents of a legal nature related to the refinancing including, but not limited to, resolutions, notices, affidavits, certificates, orders, ordinances and contracts.
- F.** Review any insurance arrangements entered into in connection with the public financing program.
- G.** Assist as requested in connection with securing investment ratings for the bonds.
- H.** Prepare and issue Attorneys' legal opinion approving in all respects the legality of the proceedings relating to the financing undertaken in accordance with Attorneys' advice.
- I.** Examine the proofs of bonds, prepare the final closing papers required to effect delivery of bonds and organize and attend the bond closing.
- J.** Perform other services associated with the legality of the financing when such services are requested by an official who has initiated Attorneys' services, including, but not limited to,

appearances before the Board of Supervisors at a reasonable number of public hearings or otherwise, participation in a reasonable volume of meetings and consultations with project proponents or protesters, and delivery of written legal advice concerning particular aspects or issues associated with the legality of a project.

## **II. PROPOSAL SUBMISSION REQUIREMENTS**

Firms interested in providing the legal counsel services described in Scope of Required Services, Section I must submit a proposal addressing sections A – F below and must provide responses in the order listed below. Please do not use a font size smaller than 11. The proposal is limited to no more than fifteen (15) pages, exclusive of the Fee Proposal which must be saved as a separate PDF document titled 'Fee Proposal'. Unresponsive and/or incomplete responses may cause your proposal to be rejected.

### **A. Transmittal Letter (1 page)**

Please provide a transmittal letter addressed to Dave Mitchell, District Administrator, and signed by an officer responsible for the engagement. The transmittal letter, which shall not exceed one page in length, and shall include the following:

1. Name of the proposing firm with the name, address, telephone and email addresses of the proposed lead and backup Bond Counsel(s).
2. Executive summary of proposal.
3. Certification stating that:
  - a. All information submitted in your proposal is true and correct;
  - b. Individual signing the proposal has the full authority to do so on behalf of the firm;
  - c. Fees proposed have not been knowingly disclosed, directly or indirectly, to any other firm responding to this RFP;
  - d. No attempt has been made by your firm to induce any other person or firm to submit or not submit a response to this RFP; and
  - e. Firm will comply with all District policies including, but not limited to, compliance with Child, Family and Spousal Support reporting obligations, waiver of District benefits, conflict of interest, nondiscrimination in employment services, benefits and facilities, and information technology assurances.

### **B. Minimum Qualifications (1 page)**

Describe how the firm meets the minimum qualifications identified in Section IV, Evaluation Criteria, A - Minimum Qualifications below. Please include start and dates for engagements used to meet experience requirements.

### **C. Firm Experience and Qualifications (up to 3 pages)**

1. Provide a brief description of the firm, including its history, size, geographic focus, structure of firm ownership (e.g. publicly held corporation, partnership, etc.) and any parent firm, affiliates, or subsidiaries of the firm. Discuss any recent changes in ownership, management, or staffing, or such changes that are expected to be executed within the next year, if any.
2. Describe the types of legal counsel services your firm has provided to California municipal

clients in the prior three (3) years, not limiting your discussion to debt-issuance work.

3. Describe your firm's other available resources that would be available to assist the lead and backup legal counsel in performing the Scope of Required Services, Section I.
4. Provide three (3) references from California municipal issuers for which your firm has provided legal counsel services in the last three (3) years.
5. Describe the firms' ability to provide relevant market data quickly and accurately, e.g. underwriter spreads, cost of issuance information, market conditions, and access to other related information.

#### **D. Proposed Team Qualifications (up to 3 pages)**

1. Provide a description of the qualifications of the proposed lead and back-up legal counsel, including relevant experience with California municipal issuers, and additional certifications. Be sure to reference the team's qualifications with respect to each of the scope of work items outlined in Scope of Required Services, Section I, items A - J of this RFP.
2. Discuss your team's ability to be accessible and provide a high level of customer services to the District as it relates the scope of services requested in this RFP, including availability for ad-hoc consultation services for District staff.
3. Provide resumes for the proposed lead and back-up legal counsel and their respective office locations, including their direct involvement providing services to California municipal clients in the last three (3) years. (Not included in page count for this section).

#### **E. Legal Proceedings (up to 1 pages)**

Information regarding legal proceedings will not be scored as part of the written evaluation process.

1. Respond to the following questions regarding legal proceedings in connection with any offering of municipal securities:
  - a. Are there now pending any legal actions alleging violations of law in connections with an offering of municipal securities against the firm, any partner of the firm, or any employee of the firm? Describe each such pending action.
  - b. Have there been any settlements or judgments involving such actions within the last five years? Describe each such settlement or judgment, including the nature of the action and the amount of recovery.
  - c. Are there pending any legal or disciplinary matters involving such actions against the firm, any partner of the firm, or any employee of the firm by any state or federal regulatory agency? Describe each such action.
2. In addition, include any information about any criminal indictments or convictions against the firm, its employees, or its former employees (while employed) where the charges involved an offering of municipal securities, and any material pending legal action, settlement, or judgment involving a claim of fraud, whether civil or criminal.

3. Discuss whether or not the firm is a party to any pending litigation with the District.
4. Disclose all contractual or informal financial arrangements/agreements including joint accounts, fee-splitting, profit sharing and consulting agreements of your firm that could impact the District. The disclosure must be complete, accurate, and in sufficient detail to permit the District to make informed decisions as to with whom business is being conducted.

**F. Fee Proposal (Please complete all sections of Appendix A, Fee Proposal and save separate PDF document titled 'Fee Proposal')**

Complete Appendix A, Fee Proposal, utilizing the information identified and outlined in the appendix as well as utilizing the Scope of Required Services, Section I.

**III. SUBMITTAL REQUIREMENTS**

Proposers **must** submit their written proposal to the District on or before the response deadline of Friday, July 17, 2020, 11:00 AM Pacific Time. Written proposals must be submitted **via e-mail only**, in PDF format, to all of the individuals listed below.

**Submissions:**

**Dave Mitchell, District Administrator**  
**Sunrise Recreation and Park District**  
[dmitchell@sunriseparks.com](mailto:dmitchell@sunriseparks.com)

**FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS OF THIS RFP, INCLUDING FAILURE OF A PROPOSAL IN RESPONSE TO THIS RFP TO BE RECEIVED BY THE DEADLINE NOTED ABOVE, MAY RESULT IN DISQUALIFICATION OR REJECTION OF THE PROPOSAL.**

**IV. EVALUATION CRITERIA**

**A. Minimum Qualifications**

All proposers are required to meet the following minimum qualifications:

1. Firm must have provided municipal legal counsel services for a minimum of three (3) municipal clients within the past five (5) years.

**B. Evaluation Criteria**

The District intends to evaluate the proposals based upon the evaluation criteria identified in this section. The firms receiving the highest scores for the written proposals may be invited to oral interviews, at the discretion of the District. If oral interviews are conducted, the final ranking will be based on the outcome of the oral interview scores.

1. Firm Experience (30 points)
  - a. Relevance and depth of experience of firm in providing similar legal counsel services for other California municipal clients.
  - b. Availability of firms' resources to provide superior legal counsel services.
  - c. Results of reference checks from California municipal issuers.

d. Firms' demonstrated ability to have access to market data in support of bond issuance and other legal counsel services

2. Proposed Team Qualifications (35 points)

- a. Relevance and depth of experience of the proposed lead and back-up legal counsel, specifically with respect to California municipal issuers.
- b. Ability of proposed lead and back-up legal counsel to provide consulting services for all work items outlined in Scope of Required Services, Section I, items A-J of this RFP.
- c. Availability of lead and back-up legal counsel to provide support to District staff.

3. Fee Proposal (35 points)

The firm submitting the lowest cost Fee Proposal will receive the maximum points available. The remaining firms will receive points in the following manner: Lowest Fee Proposal divided by firm Fee Proposal cost, multiplied by the maximum points available.

4. Optional Oral Interviews (100%)

The District may, in its sole discretion, conduct oral interviews as part of the selection process for this RFP. Following the evaluation of the written proposals, up to three (3) proposers receiving the highest scores may be asked to participate in the oral interview process. The interview, if conducted, will consist of standard questions and scenarios asked of each of the proposers to assess the firms' ability to provide the scope of required services.

## **V. INSURANCE**

If RFP is awarded Consultant shall always maintain in force during the term of services and any extensions or modifications thereto, insurance as required. Insurance requirements shall be identified within the agreement. It is the responsibility of Consultant to notify its insurance advisor or insurance carrier(s) regarding coverage, limits, forms, and other insurance requirements.

## **VI. LIMITATIONS**

This RFP does not commit the District to award a contract, to defray any costs incurred in the preparation of a Proposal pursuant to this RFP, or to procure or contract for work.

All Proposals submitted in response to this RFP become the property of the District and public records, and as such may be subject to public review.

The District reserves the right to cancel or revise, in part or in its entirety, this RFP including but not limited to: selection schedule, submittal date, and submittal requirements. If the District cancels or revises the RFP, all RFP holders of record will be notified in writing. The District also reserves the right to reject any proposals that do not meet the minimum qualifications or do not conform to the submission requirements outlined in this RFP.

The District reserves the right to request additional information and/or clarifications from any or all responders to this RFP.



## **VII.RFP TIMELINE**

RFP Issued	Wednesday, July 1, 2020
Deadline for Questions	Tuesday, July 7, 2020 2:00 PM
Distribution of Answers	Thursday, July 9, 2020 5:00 PM
Proposals Due	Friday, July 17, 2020 11:00 AM
Optional Interviews	July 20, 2020 – July 24, 2020 TBD
Anticipated Notification of Selected Firm(s)	TBD

**APPENDIX A  
FEE PROPOSAL**

**SUNRISE RECREATION AND PARK DISTRICT**

**CONTRACT NO. 2020-07-COP**

**BOND COUNSEL SERVICES  
SUNRISE RECREATION AND PARK DISTRICT  
SERIES 2020**

For the purposes of the evaluation of the Fee Proposal, complete the table below and fill out all required sections using the information identified. Refer to Scope of Required Services, Section I. Failure to complete all required sections of this Appendix A Fee Proposal may result in rejection of the firms' proposal.

**I. SAMPLE ISSUANCE PRICING**

Provide pricing for the following issuance by completing the shaded cell in the table below:

Type of Issuance	Size of Issuance	Proposer's Cost
COPs	\$5,485,000	

**II. HOURLY RATES**

Provide hourly rates for the lead and any backup financial advisors, and any other staff involved in providing the scope of services. Hourly rates will not be scored as part of the evaluation process but will be used in negotiating the contract to the selected firm.