



**REQUEST FOR QUALIFICATIONS
LEGAL BOND COUNSEL SERVICES
RFQ NO. 18-0927-02**

TO ALL PROSPECTIVE RESPONDENTS:

You are hereby invited to submit your Request for QUALIFICATIONS for Legal Bond Counsel Services.

The original QUALIFICATIONS and the required number of copies must be received in a sealed envelope that has respondents name and address in the upper left corner and the attached label affixed in the lower left corner.

All QUALIFICATIONS are subject to staff analysis. LVWD reserves the right to accept or reject any and all QUALIFICATIONS received and waive any and all technicalities.

**1557 FM ROAD 1110
CLINT, TEXAS 79836**

**RFQ OPENS:
September 27, 2018 @ 4:00 P.M.**

LOWER VALLEY WATER DISTRICT

NOTICE TO RESPONDENTS

REQUEST FOR QUALIFICATIONS FOR LEGAL BOND COUNSEL;

RFQ NO. 18-0927-02

September 11, 2018

Re: Request for Qualifications for Legal Bond Counsel; RFQ No. 18-0927-02

Important Notice

It is the Respondents responsibility to ensure that they have all pertinent information regarding solicitations, including all amendments prior to submitting their offer. Please check the website, even after submitting a RFQ, to ensure that you have all amendments as they may be posted at any time, up to and including the day of RFQ opening.

The LOWER VALLEY WATER DISTRICT (LVWD), is soliciting QUALIFICATIONS for Legal Bond Counsel Services. QUALIFICATIONS will be received by LVWD until 4:00 P.M., Local Time, Thursday, September 27, 2018, at which time only the names of the submittals will be read aloud.

Any questions and/or comments about this RFQ should be submitted through E-Mail with Subject: "Questions on Request for QUALIFICATIONS for Legal Bond Counsel Services RFQ No. 18-0927-02" email to Gabrelle Diaz, RFQ Specialist, at gdiaz@lvwd.org, no later than Wednesday, September 19, 2018.

Contract for services may be contingent upon the release of funds from federal, state or local funding and/or funded by Lower Valley Water District. Any contract or contracts awarded under this RFQ, where applicable, are expected to be funded in part or completely by a loan or grants from federal, state, or local funding agencies. Neither the State of Texas nor any of its department, agencies, or employees are or will be a party to this RFQ, or any resulting contract.

Some contracts will be subject to the Environmental Protection Agency's (EPA) "fair share policy" which includes EPA approved "fair share goals" for Minority Business Enterprise (MBE) & Women Business Enterprise (WBE) firms in the Services procurement category. EPA's policy requires that applicants and prime contractors make a good faith effort to award a fair share of contracts, subcontracts, and procurements to SMWBE's. Although EPA's Policy does not mandate that the fair share goals be achieved, it does require the District and prime contractors to demonstrate a good faith effort in accomplishing these goals. The current fair share goals for the State of Texas are as follows:

LOWER VALLEY WATER DISTRICT

Procurement Category	MBE Goal Percentage (%)	WBE Goal Percentage (%)
Construction	19.44%	12.13%
Equipment	16.28%	15.29%
Services	20.41%	18.32%
Supplies	25.34%	12.14%

Any questions and/or comments about this RFQ should be submitted through E-Mail with Subject: "Questions on LEGAL BOND COUNSEL RFQ NO. 18-0927-02" email to Gabrelle Diaz, RFQ Specialist, at gdiaz@lvwd.org, no later than Wednesday September 19 2018.

RFQ REQUIREMENTS:

All QUALIFICATIONS must be **sealed** and received in the Purchasing office, LVWD, 1557 FM Road 1110, Clint, Texas 79836 prior to RFQ opening. All RFQ's must be submitted on the attached RFQ form and shall conform to terms and conditions set forth in this Request for QUALIFICATIONS (RFQ). Please make and retain a copy of your Response (RFQ) for your records. Do not bend, fold, or staple RFQ form. The envelope containing your QUALIFICATIONS must be plainly marked on the lower left corner: LVWD has provided a label to attach. **Respondents must sign, in ink, the RFQ form where indicated. Unsigned RFQ's will not be read. RFQ's will be opened at 4:00 P.M., Local Time, Thursday, September 27, 2018.**

The LVWD reserves the right to accept or reject any or all RFQ(s), to waiver technicalities and to award the RFQ(s) deemed most advantageous and in the best interest of the District. No RFQ's may be withdrawn after the RFQ opening.

Please direct all questions pertaining to this RFQ by email with subject line as indicated above-gdiaz@lvwd.org, Gabrelle Diaz, RFQ Specialist.

Gabrelle Diaz
RFQ Specialist

LOWER VALLEY WATER DISTRICT

REQUEST FOR QUALIFICATIONS FOR LEGAL BOND COUNSEL SERVICES; RFQ NO. 18-0927-02 RFQ SPECIFICATIONS

Lower Valley Water District will be accepting sealed QUALIFICATIONS for Legal Bond Counsel Services;

Information and Instruction to Respondents

BACKGROUND AND BOND ISSUANCE OPPORTUNITY

The Board of Directors of the Lower Valley Water District is requiring the services of legal bond counsel to allow for planning of financing options related to water and waste water projects such as extension of lines to provide services to needed areas in the District, the construction of water and waste water treatment centers, etc. The District is requesting QUALIFICATIONS from offerors to serve as legal bond counsel.

INTRODUCTION TO THE RFQ PROCESS

QUALIFICATIONS shall be addressed as shown and instructed on the **Instruction to Respondents** delivered or mailed to Lower Valley Water District, Attention Purchasing Department, 1557 FM Road 1110, Clint, Texas, 79836. The telephone number is (915) 791-4480 Ext. 1083. Only QUALIFICATIONS in the possession of the Purchasing Department by **4:00 P.M., local time, on Thursday, September 27, 2018 shall be considered for contract award.**

TERM OF AGREEMENT

The overall period of performance shall be effective from **date of contract award through a period to be determined through contract negotiations unless terminated sooner by one or both parties.**

I. SCOPE OF SERVICES

The Retained Firm(s) will be subject to supervision and direction of the Chief Financial Officer for the Lower Valley Water District and any other persons designated by the Board of Directors. The Services to be provided include, but are not limited to, the following;

1. Advising Lower Valley Water District (District) both orally and in writing, concerning: the suitability of the Issuance for effectively accomplishing the District's objectives; the legality of the Issuance, evaluating its compliance, in substance and procedure, with applicable laws, including but not limited to federal securities laws and regulations and federal and state tax laws and regulations; and other issues related to the Issuance as may be requested from time to time by the District.

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2. Advising the District on legal procedures and practices in the bond market for the Issuance, including advice on the structuring and marketing of the Issuance;
3. Preparing or assisting in the preparation of any document related to the Issuance as deemed necessary and/or as requested by the District, including but not limited to bond authorization, bond ordinance or resolution, indenture, prospectus, preliminary official statement, official statement and/or requested by the District.
4. Assist the Lower Valley Water District in preparing for bond election, drafting bond proposition (ballot), scheduling, related notices, ordinances, and all other required documents for calling bond elections.
5. Issuing legal opinions, including opinions on the authorization, tax status and the binding effect of the Issuance and on the lawful use of the proceeds of the Issuance, as may be required by the bond market for the Issuance, or as requested by the District.
6. Performing all litigation services related to the Issuance, including, but not limited to: preparation and filing of pleadings, briefs, and other documents related to the Issuance; providing any and all support for any administrative protest related to the Issuance, if applicable; and performing all court and/or administrative appearances, including, but not limited to, hearings, trials, and appeals;
7. Briefing the Chief Financial Officer and other LVWD's staff members designated by the Board of Directors, regularly and upon request, concerning structuring of the Issuance, documents and other matters related to the Issuance; and
8. Attend Regular Board Meetings and/or Finance Committee Meetings with reference to the authorization and issuance of bonds to the extent required or requested.
9. Represent the District in the preparation of any bond purchase contracts and insuring that all participants, including underwriters and investment banking firms, whether retained by or contracting with the District, disclose all conflicts of interest to and with the District's and any other parties involved in the bonds.
10. Providing such other legal services related to the issuance as may be necessary or required and as may be requested from time to time by the District's Chief Financial Officer.

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11. Prepare any IRS filings required by federal tax law.
12. Assist in the preparation of specified sections of the Preliminary Official Statement and the Final Official Statement, with the understanding that bond counsel will not be expected to independently verify other data contained in the Official Statement and that the Official Statement may so state.
13. Make prospective legal recommendations on credit enhancement options, legality and feasibility of synthetic products, commercial paper and bond refunding and refinancing.
14. Assist the District in presentations to the major rating agencies in order to obtain ratings for the bonds.
15. Prepare certain certificates and reviewing such other documents as is customary and necessary in order to structure and issue bonds.
16. Provide assistance on legislative matters affecting Lower Valley Water District (District).
17. Supervise the printing and binding of the bond transcripts and provide a hard copy and an electronic copy of the bond transcript.
18. Submit bond transcript to the Attorney General for approval.
19. Assist in the preparation of closing documents, provide instructions and advice for closing and attend closing as required or requested.
20. Assist the District in connection with legal services involving loans or grants from local, state or federal agencies.
21. Rendered opinions regarding eligible investments under the Texas Public Funds Investment Funds Act.
22. Assist with Investment Policy revisions per legislative changes to the Texas Public Funds Investment Act.
23. Provide all other services usually necessary and required of all full-service bond counsel, whether specifically outline in the scope of services or not.

The Retained Firm(s) must perform all of the Services in a manner consistent with the highest, generally-accepted level of care and skill ordinarily exercised by professionals performing services of a similar nature, considering standards, state-of-the-art practices and governmental requirements existing at the time of the Services are performed.

II. Instruction to Participating Firms:

LOWER VALLEY WATER DISTRICT

The Lower Valley Water District (District), is requesting QUALIFICATIONS from qualified legal firms interested in providing bond counsel services to the District. Firms with relevant Municipal Utility District (MUD) bond counsel experience and qualifications are encouraged to submit their statement of interest and qualifications. Preparation of submittals will be at the expense of the legal firm.

The following instructions should be followed:

1. Please respond specifically to all information requested in this Request for QUALIFICATIONS or indicate on the attached acknowledgement form why no response is given.
2. Please limit response to relevant material; additional information must be submitted in the form of supplementary information under separate cover.
3. Identify the questions being answered in the introduction to each response.
4. To be considered, Respondents must submit a complete response to this Request for QUALIFICATIONS (RFQ). Responses shall be submitted in sealed envelopes(s) or package(s) must clearly indicate the name of the Request for QUALIFICATIONS. Submittals shall include one (1) stamped original and six (6) copies.

III. Submission Requirements/Contents

A firm wishing to be considered for the bond counsel contract is requested to submit on a firm's letterhead, a statement which provides information on the following points, numbered and headed as indicated. Responding firm should refer to Section II, Instructions to Participating Firms for the response format. Firms should be aware that the content of the successful RFQ response will become a part of the subsequent contractual documents. Failure to accept this obligation may result in the cancellation of any award.

1. Information on the firm

- a) Name and address of the firm. If the firm has a permanent office within the El Paso County/Texas region, indicate the name, type, address, telephone number and number of employees in such office.
- b) History of the firm, indicate how the firm was founded and how long the firm has provided bond counsel services to issuers of tax-exempt debt.
- c) Organization of the firm, including a discussion of any recent or proposed changes in management or ownership.

LOWER VALLEY WATER DISTRICT

d) Provide an organizational chart of the firm.

2. Qualification of Firm

- a) Discuss the firm's experience relative to Section IV, Qualifications. Include in this discussion a list of at least three municipal clients to include name, and phone number which the firm and the representative assigned to the client company and have served in the capacity of bond counsel during the past five years. Include clients with both outstanding general obligations and water and sewer system revenue bonds that the firm currently has under contract as bond counsel.
 - b) Discuss the firm's capabilities in detail to provide the services listed in section I, Scope of Services.
 - c) Discuss the firm's approach in assisting municipal clients in developing general obligation and revenue bond financing programs. Identify techniques used to lower financing and/or issuance costs.
 - d) Discuss the firm's approach to rating agency meeting, including material, media, and staff preparation, etc.
 - e) Discuss the firm's approach to timely securing Bond Purchase Agreements with major bond purchasers.
 - f) Discuss the firm's ability to provide testimony in litigation cases concerning debt issuances of municipal sub-political government.
3. Identify the specific individuals who will be assigned to the Lower Valley Water District and provide brief resumes for each highlighting their experience with similar municipal client experience, if any. Indicate each individual role relative to the Lower Valley Water District. Indicate each individual's availability and the minimum notice required by the firm to guarantee availability.
 4. In a separate sealed envelope, provide fee schedules as described in Section VI, Fees. List any estimated out-of-pocket expenses to be paid by the Lower Valley Water District. Explain how your firm controls out-of-pocket expenses. Please note that a separate engagement letter will be accepted for the authority.
 5. Identify and discuss any potential conflicts of interest, including those dealing with other jurisdictions in the State of Texas or the County of el Paso.

The Lower Valley Water District is subject to the Texas Open Records Act. However, certain types of information may be exempt from disclosure under the Act. Firms submitting information which they deem confidential proprietary must clearly mark and identify such information page by page. The Lower Valley Water

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District will, to the extent allowed by applicable law, endeavor to protect such information from disclosure. The final decision as to what information must be disclosed under the Open Records Act lies with the Texas Attorney General. As general rule, information pertaining to Invitations for RFQs may be released after the RFQ opening; however, information relative to Request for QUALIFICATIONS/Qualifications shall not be released by the Lower Valley Water District until a contract has been awarded.

IV. Qualification

A potential Bond Counsel firm should meet the following qualifications:

1. Five (5) years successful municipal utility practice.
2. Experienced and adequate number of support staff to meet requirements for expertise and timely response.
3. Experience with various debt instruments including tax-exempt and taxable bonds, notes, commercial paper, variable rate obligations, swaps, leases, contract revenue and conduit financings.
4. Experience with rating agencies and detailed familiarity with municipal, water and wastewater credit rating process.
5. Knowledge of rating criteria used by major credit rating agencies and experience with obtaining credit supports and bond insurance.
6. Experience with the Texas Bond Review Board and Office of the Attorney General in relation to public financings.
7. Experience and expertise in addressing federal tax issues related to tax exempt and taxable debt obligations.
8. All respondent law firms shall comply with the Code of Professional Responsibility of the State Bar of Texas and other applicable law regarding conduct, including conflicts of interest.

V. Criteria for Selection

This procurement will comply with applicable policy and procedures of the Lower Valley Water District. Any exceptions shall be submitted in writing and be attached hereto. The successful firm will be selected by the Board of Directors of the Lower Valley Water District during its Regular or Special Board Meeting. The administration will submit recommendation of successful firm using the evaluation factors outlined below.

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The Lower Valley Water District reserves the right to require oral presentations by any or all firms. These factors shall be applied to all eligible, responsive firms in comparing the RFQ's and selecting the bond counsel. Award may be made without discussion with Bond Counsel firms after RFQ's are received. RFQ's should, therefore, be submitted on the most favorable terms.

All costs directly or indirectly related to preparation of a response or oral presentation, if any, required to supplement and/or clarify an RFQ shall be the sole responsibility of and shall be borne by your firm.

The Lower Valley Water District will use the following evaluation criteria for selecting the best qualified firm.

- a) Prior demonstrated applicable experience.
- b) Qualifications and availability for service in areas of required expertise.
- c) The Offer's quality of the services
- d) Fee schedule (as noted in Section VI)
- e) References

VI. Fees

The Lower Valley Water District is requesting firm's fee QUALIFICATIONS be based on the following fee structure:

Fee schedule for short and long-term debt submitted on a transactional basis, expressed as a rate per \$1,000 debt issued.

A simultaneous sale of similarly secured bonds or certificates should be billed as one issue.

For services not directly associated with the issuance of debt, provide either an hourly fee for each attorney and paralegal who will provide legal services to the Lower Valley Water District. State how out-of-pocket will be billed.

Fee schedule should be included separately.

**GENERAL INFORMATION
REQUEST FOR QUALIFICATIONS FOR
LEGAL BOND COUNSEL; RFQ NO. 18-0927-02**

Questionnaire to Determine Principal Place of Business Under Article LGC2252.002 Texas revised Civil Statutes.

GENERAL INFORMATION:

LOWER VALLEY WATER DISTRICT

1. Legal Name of Business: _____
2. Street Address: _____
3. Post Office Box (if any) or Mailing Address if different from question #2:

4. City: _____ State: _____ Zip: _____
5. Telephone Number: _____
6. Nature of Business (i.e., automobile dealer, electrical contractor, etc.):
7. _____
8. Type of Business Organization (check one):
_____ Sole Proprietorship _____ Other Legal Entity
_____ Partnership (General or Limited) _____ Corporation

QUESTIONS RELATED TO PRINCIPAL PLACE OF BUSINESS:

1. In what State is your principal place of business? _____
2. In what State, if any, is your business incorporated? _____
3. If business is a corporation, furnish the name and address of the agent for services:

4. Is your business authorized to do business under the laws of the State of Texas?

5. Do you transact business in more than one State? _____
If so, list all States in which you transact business: _____

6. In what State are most of your activities conducted? _____
7. List the total gross sales of your business within the last two calendar years?

8. In what State does your business earn the largest percentage of its revenues?

What percentage is earned in Texas? _____
9. In what State is largest percentage of the capital? _____
Assets of your business located? _____
What percentage is in Texas? _____

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- 10. Give the address of your general office where centralized control of your business is conducted? _____

- 11. In what State does the largest percentage of full-time equivalent employees of your business reside permanently? _____
How many full-time equivalent employees reside permanently in Texas?

- 12. Give the name and residential address(es) of the officer(s), sole proprietor or partners of the business: _____

Owner or Officer

Print Name

Print Title

**STANDARD TERMS AND CONDITIONS
REQUEST FOR QUALIFICATIONS FOR
LEGAL BOND COUNSEL; RFQ NO. 18-0927-02**

1. RFQ Responses:

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a. Respondents are encouraged to submit RFQ's on any or all items or services their firms can provide. All prices are to be your lowest and best net price, F.O.B. Destination, on each item. Unit price for each item offered need to include all applicable discounts. In case of error in extension, unit price will govern.

b. RFQ's will not be accepted and tabulated unless the **QUALIFICATIONS Acknowledgement Form** of the RFQ is filled out completely and contains an original signature, in ink, by an authorized representative of the company. Each RFQ form response shall be typewritten or handwritten in ink. Unsigned RFQs will be considered a **NO RFQ**.

2. **Estimated Quantities:** The quantities shown on the RFQ form are estimated, based on projected use. It is specifically understood and agreed that these quantities are approximate. Any increase in quantities will be paid for at the quoted RFQ price, unless required by law to be re-bid. It is further understood that the supplier will not have any claim against the District for the purchase of quantities less than the estimated amount.

3. **Product Standards:** When a brand name and identification number are shown on the RFQ form, they indicate an acceptable standard, the features of which must be considered when quoting equals. This brand name is used only to establish a quality level, and basic features required. RFQs on equivalent or better are encouraged but must be accompanied with appropriate information for evaluation purposes. Failure to include such information will disqualify the RFQ on that item. If quoting on other than referenced specifications, RFQ must identify manufacturer, brand, model, etc., of the article being offered. If other than brand(s) specified is offered, complete descriptive information in literature form of each article being RFQ must be included with RFQ. Even if Respondent takes no exception to specifications of reference data, he will be required to furnish brand names, models, etc., as specified.

4. **Awarding RFQs:** The recommendation for awarding RFQ's or QUALIFICATIONS shall include an assessment of at least the following:

- a) Individual item price
- b) Total price of all items
- c) Delivery dates
- d) Terms and conditions
- e) Location of vendor
- f) Quality of material
- g) Safety features
- h) Past performance of products and vendor
- i) Transportation charges
- j) Good business practices
- k) Conformance to appropriate local, state, and federal ordinances, statues and regulations

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5. **Right to Re-bid:** The District reserves the right to re-bid any item contained in this RFQ invitation, when fair market value of the item(s) is reduced by a factor of ten (10) percent.
6. **Price Per Unit:** Unit prices are to be based on the unit of measure requested on the RFQ form provided such as each, pound, serving, pair, gross, foot, pint, gallon or ounce. Failure to do so will disqualify the RFQ on that item. **All charges, including delivery charges must be included in the RFQ price.**
7. **Prices Submitted:** The District reserves the right to award on a basis of a low total, a low RFQ by item, or in any combination that will best serve the interest of the District. Pricing must include all shipping, handling and related transportation costs.
8. **Deviation:** List any deviations from the specifications on the accompanying deviation form. Respondents must list all deviation for products offered as equals to specific products.
9. **Term of Contract:** RFQ prices must prevail for a period of one year from the date of award unless stated otherwise in the Special Term and Conditions and/or RFQ Specifications of the attached RFQ Invitation.
10. **Extensions:** The District reserves the option to renew this contract for an additional period(s) if service is satisfactory, escalation does not exceed five (5) percent per year, and the renewal is agreed to by both parties. In no event shall the length of the agreement exceed three (3) years.
11. **Purchase Order:** Vendor agrees that no deliveries will be made unless they are in receipt of properly executed Purchase Order issued by Lower Valley Water District for items to be delivered. The District is under no obligation to pay any vendor for delivery of goods or services without receipt of Purchase Order. Request for supplies, material, and/or services will be made through an official Purchase Order as needed by District.
12. **Invoices:** The vendor/contractor should e-mail invoices to PAYABLES@LVWD.ORG. Invoices will be paid net 30 from receipt of invoice by Lower Valley Water District. Vendors are required to submit invoice by e-mail. Invoices should be itemized and reflect Purchase Order Number and RFQ Number. Do not include Federal Tax, State Tax, or City Tax. The District will furnish a tax exemption certificate.
13. **Failure to Honor RFQ Prices:** Any vendor failing to honor a RFQ submitted or delivers items not meeting specifications may be removed from the RFQ list for a period of two (2) years. Items delivered not as specified on the award will be the responsibility of the vendor to recover and credit to the District at no expense to the District.

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14. **Failure to Respond to RFQ Invitation:** Failure to participate in two (2) successive RFQ invitations will constitute grounds to remove a vendor from the RFQ list.
15. **RFQ Withdrawal:** A vendor may withdraw its RFQ at any time prior to the scheduled time of opening. Any request by a Respondent to withdraw a RFQ must be in person or in writing and submitted to the Purchasing Office prior to scheduled opening time. Subsequent of the RFQ opening, a RFQ cannot be withdrawn for a period of sixty (60) days.
16. **Request for Interpretation and Clarification:** If any Respondent is in doubt as to the meaning of any part of this RFQ document he or she may submit a written request for an interpretation at least seven (7) days prior to opening of RFQ's. The person submitting the request will be responsible for its prompt delivery. An interpretation of the proposed documents will be made by addendum when needed to uniformly communicate with all vendors. An addendum will be e-mailed to each company receiving a set of RFQ documents. The District will not be responsible for any other explanation or interpretation of the proposed documents.
17. **Contesting RFQ Award Recommendations:** Vendors wishing to contest a recommendation for award of RFQ's and/or present additional information relevant to the RFQ will be required to submit a letter stating the reason(s) for contesting the recommended award of RFQ's and any information relevant to the RFQ award. The letter is to be submitted to the General Manager no less than forty-eight (48) hours prior to the meeting of the Board of Directors where this RFQ is on the agenda for action.
18. **Penalties for Non-Performance:** If at any time, the contractor/vendor fails to fulfill or abide by the terms, conditions, or specifications of the contract, the District reserves the right to:
- a) Purchase on the open market and charge the contractor the difference between contract and actual purchase price, or
 - b) Deduct such charges from existing invoice totals due at the time, or
 - c) Cancel the contract within thirty (30) days written notifications of intent.
19. **Conflict of Interest:** No employee of the District shall have a direct financial interest in any contract with the district, nor shall an employee have a direct financial interest in the sale to the District of any land, equipment, supplies and materials, or service. Any violation of this policy will render the contract involved void, unless such contract or sale is approved by the Board after all full disclosure.
20. **Certification Regarding Debarment:** The Contractor certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction (contract) by any governmental department or agency. If the Contractor cannot certify this statement, attach a written explanation for review by LVWD.

LOWER VALLEY WATER DISTRICT

21. **Indemnification:** The Respondent shall comply with the requirements of all applicable laws, rules, and regulations and shall exonerate, indemnify and hold harmless the Lower Valley Water District (“District”) from any and all Liability or Damages resulting from failure to do so.

In addition, the Respondent agrees to keep, save and hold the District harmless from any and all actions, liabilities, damages, judgments, costs and expenses including reasonable attorney’s fees, in case an action is filed or does in any way accrue against the District, its officials, officers, and employees in consequence of the contract for any negligent act or omission of the vendor in the provision of merchandise under the contract, or that may result from the carelessness or lack of skill of the Respondent or the Respondents agent, contractors, assigns, or employees. In the event a judgment is recovered against the District for any such liability, costs or expense, such judgment shall be conclusive against the vendor.

It is specifically understood and agreed by the Respondent that such indemnity is indemnity by the Respondent to indemnify and protect the District from Liability, Claims, Suits, Losses, Damages or Cause of action to the Respondents Negligence, Error or Omission.

22. **Delivery of Items:** All items are to be delivered to the **Lower Valley Water District’s, 13002 Gateway East, Clint, Texas 79836, attention: Fleet Department**, unless otherwise a specified in the purchase order sent to the Seller by the Buyer pursuant to which the goods are delivered.

23. **Warranty:** All equipment items awarded as a result of this RFQ will be covered by an all parts and labor warranty, including any and all transportation charges, for a period of at least one year.

24. **Statement of Delivery:** A specific statement of delivery after receipt of order (ARO), for each item must be made a part of this RFQ and will be a significant determiner in the award for an item where price differences exist.

25. **Tax Exemption:** The Lower Valley Water District is exempt from all local, state and federal taxes. Tax exemption certificates will be provided upon request.

26. **Failure to Meet all Terms and Conditions:** Failure to meet all Standard Terms and Conditions may constitute grounds for invalidating the RFQ(s).

27. **RFQ Document:** This agreement is composed of the following; Instruction to Respondent, General Conditions, Special Conditions, Standard Terms and Conditions, RFQ Form, Reference, Specifications, Deviations and all Addendums and Forms.

LOWER VALLEY WATER DISTRICT

**RFQ AND ADDENDUM ACKNOWLEDGEMENT FORM
REQUEST FOR QUALIFICATIONS
LEGAL BOND COUNSEL; RFQ NO. 18-0927-02**

(PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION)

LOWER VALLEY WATER DISTRICT

“The undersigned affirms that he/she is duly authorized to execute this contract, that this company, corporation, firm, partnership or individual has not prepared this RFQ in collusion with any other Respondent and that the contents of this RFQ as to prices, terms, or conditions of said RFQ have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this RFQ.”

COMPANY’S NAME: _____

ADDRESS: _____

PHONE: _____

FAX NUMBER: _____

RFQDER (Signature): _____

RFQDER (Print Name): _____

POSITION with Company: _____

**SIGNATURE of Company
Official Authorizing This RFQ:** _____

**Company Office
(Print Name):** _____

Official Position: _____

.....
The Fader hereby acknowledges receipt of the following listed addenda and agrees that all addenda issued are made part of the contract documents, and the Respondent further agrees that his/her abides/includes all changes resulting from said addenda.

ADDENDUM NO. _____ **DATE** _____

ADDENDUM NO. _____ **DATE** _____

ADDENDUM NO. _____ **DATE** _____

REFERENCES

The Respondent must list four (4) references, listing firm name, address, telephone number, and contact person to whom they have provided similar equipment, material or services for a period of not less than six (6) months.

LOWER VALLEY WATER DISTRICT

COMPANY NAME:	
ADDRESS:	
CONTACT PERSON:	
TELEPHONE NUMBER	

COMPANY NAME:	
ADDRESS:	
CONTACT PERSON:	
TELEPHONE NUMBER	

COMPANY NAME:	
ADDRESS:	
CONTACT PERSON:	
TELEPHONE NUMBER	

COMPANY NAME:	
ADDRESS:	
CONTACT PERSON:	
TELEPHONE NUMBER	

**DEVIATIONS
REQUEST FOR QUALIFICATIONS
LEGAL BOND COUNSEL; RFQ NO. 18-0927-02**

SEALED RFQ QUALIFICATIONS

RFQ NO. 18-0927-02

OPENING DATE: 09/27/2018

OPENING TIME: 4:00 PM

**DESCRIPTION: LEGAL BOND
COUNSEL SERVICES.**

**DATED MATERIAL-DELIVER
IMMEDIATELY**

**Please cut out and affix this RFQ
label (above), to the outermost
envelope of your QUALIFICATIONS
to help ensure proper delivery!**

LATE RFQS CANNOT BE ACCEPTED!