

**RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION
(RGVMPO) / LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL
(LRGVDC)**



Request for Qualifications

General Legal Services / Contracts Review

No: 2024-04

RELEASE DATE:

June 12, 2024

SUBMISSION DEADLINE:

June 28, 2024, by 5pm (CST)

Lower Rio Grande Valley Development Council / Rio Grande Metropolitan Planning
Organization 301 W Railroad St. Weslaco, TX 78596

WWW.LRGVDC.ORG / WWW.RGVMPO.ORG

SCHEDULE OF EVENTS

SOLICITATION SCHEDULE

Release Date of Request for Qualifications:..... June 12, 2024

Last Day to Submit Written Questions:..... June 24, 2024

Statement of Qualifications Submission Deadline:..... **June 28, 2024, by 5:00 P.M. CST**

- *Official Time Clock is LRGVDC Phone System*

Bid Opening..... July 01, 2024

Anticipated Submission Review and Evaluation:..... July 08, 2024 *(May be Subject to change)*

Anticipated Award Date..... July 15, 2024 *(May be Subject to change)*

The LRGVDC and RGVMPO reserve the right, in its sole discretion, to change the above dates. Notices of changes to items directly impacting the Original RFQ or proposal process will be submitted to each Offer of record as having received a Statement of Qualifications.

AUTHORIZED AGENCY CONTACT

The following will be the means of contact with the LRGVDC/RGVMPO and potential Statement of Qualification submitters.

- Submitters may refer questions and inquiries via email only to lrgvdc@lrgvdc.org. Questions submitted to any member of the LRGVDC / RGVMPO email directly will not be considered.
- No phone or in-person inquiries regarding the proposal shall be conducted.
- Questions submitted in writing, via email, will be answered within 3 business days.
- Inquiries, questions, and responses shall be posted as addendums on the LRGVDC website. Submitters should frequently check for any updates. [LRGVDC - Procurement](#)

PROPOSAL SUBMISSIONS

Interested parties should submit one *(1) original signed, (7) copies and one (1) electronic file of the Statement of Qualifications*. Original documents need to be identified with “Original” lettering on the front page. The electronic file would need to be formatted as a Microsoft Word document or Adobe PDF and saved on a USB flash drive (USB drivers will not be returned and will be considered property of the LRGVDC). Proposals must include all forms and required documentation. *Incomplete submissions will not be considered and deemed disqualified.*

A transmittal letter must accompany the SOQ that is being submitted. All submissions must be received in the offices of the Lower Rio Grande Valley Development Council (details below) no later than 5:00 P.M. Central Standard Time, June 28, 2024. The LRGVDC/RGVMPO is not responsible for lateness or non-delivery of mail, carrier, etc. The date/time stamp at the receptionist area of the LRGVDC shall be the official time of receipt. *Proposals received late will not be considered or returned.*

Statement of Qualifications contents considered confidential/proprietary by the Submitter, shall be clearly identified and subject to confirmation by the LRGVDC and RGVMPO. Should the material not be deemed confidential/proprietary, the Submitter may withdraw the designated materials from consideration prior to review and the evaluation process.

All Statement of Qualifications shall be submitted via sealed envelope displaying name of offeror and project title addressed to the following:

**Hand Delivered
Or
Mail To:**

**Asst. Director of Bus. Operations
LRGVDC – Procurement Dept.
Building D
301 W Railroad
Weslaco, Texas 78596**

RFP Title: General Legal Services / Contracts

LRGVDC office hours of operation are:.....Monday – Friday / 8:00am to 5:00pm CST

The Lower Rio Grande Valley Development Council will be closed Thursday July 4th, 2024, in observance of the Independence Day holiday.

INSTRUCTIONS & RESPONSIBILITIES

Professional Legal Firms or Individual Attorneys must be licensed to practice law in the State of Texas and be a member in good standing of the Texas Bar.

The LRGVDC/RGVMPO shall pay no costs or other amount incurred by any entity in responding to this RFQ. The LRGVDC/RGVMPO reserves the right to refuse and reject any and all submitted proposals that are deemed incomplete and/or missing any required information in response to this RFQ. All proposals will become part of the LRGVDC/RGVMPO official procurement files and will be available for public inspection.

GENERAL INSTRUCTIONS

- Proposers should carefully read the information contained herein and submit a complete response to all requirements and questions as directed.
- Statement of qualifications, which are qualified with conditional clauses, or alterations, or items, not called for in the RFQ documents, or irregularities of any kind are subject to disqualification by LRGVDC/RGVMPO, at its option.
- Each statement of qualifications should be prepared simply and economically, providing a straightforward, concise description of your firm's ability to meet the requirements of this RFQ. Emphasis should be on completeness, clarity of content, responsiveness to the requirements, and an understanding of RGVMPO's needs.
- LRGVDC/RGVMPO makes no guarantee that an award will be made as a result of this RFQ and reserves the right to accept or reject any or all statement of qualifications, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ or resulting Agreement when deemed to be in LRGVDC/RGVMPO's best interest. Representations made within the statement of qualifications will be binding on responding firms. LRGVDC/RGVMPO will not be bound to act by any previous communication or statement of qualifications submitted by the firms other than this RFQ.
- Failure to comply with the requirements contained in this Request for Qualifications may result in the rejection of your statement of qualifications.
- Statement of qualifications must be signed by Proposer's company official(s) authorized to commit such statement of qualifications. Failure to sign and return these forms will subject your statement of qualifications to disqualification.
- Responses to this RFQ must include a response to the statement of qualifications' requirements set forth in the solicitation document.

PROPOSER REPONSE

General: Your statement of qualifications “Technical Proposal” should clearly define,

- (i) Your Firms Qualifications and Experience.
- (ii) Your Firm’s total capacity and capabilities.
- (iii) Your qualifications to perform the work.
- (iv) Your ability to perform the services outlined in the Scope of Services,
- (v) Your understanding of the RGVMPO.
- (vi) What differentiates you from your competitors.

REQUIRED ATTACHMENTS

Proposers shall complete all noted Attachments and submit with Statement of Qualifications, Attachment Number.

Attachment Number	Attachment Title
Attachment No. 1	Solicitation Request Acknowledgement Form
Attachment No. 2	DBE Certification Form
Attachment No. 3	Conflict of Interest Questionnaire <i>*note</i>
Attachment No. 4	Suspension and Debarment Certification

** NOTE:* When completing this Questionnaire, please be certain to answer each and every question; indicate “Not Applicable”, if appropriate. Please sign and date.

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BACKGROUND INFORMATION

LOWER RIO GRAND VALLEY DEVELOPMENT COUNCIL

The Lower Rio Grande Valley Development Council (LRGVDC) is one of twenty-four (24) state planning regions and association of local governments formed under Texas Law to address issues and planning needs that cross the boundaries of individual local governments. The LRGVDC coordinates planning efforts, provides a regional approach to problem solving through cooperative action and provides direct services, when applicable. The designated geographical service area is the 3,643 square miles of Cameron, Hidalgo, and Willacy Counties. The LRGVDC is comprised of programs in the fields of economic development, public safety, transportation, environmental services and health and human services. Funding to support these programs originates from local, state, and federal sources. LRGVDC is governed by a twenty-seven (27) member Board of Directors of whom two-thirds are required to be elected officials of the designated boundaries.

Mission Statement

To promote and encourage cooperation among local units of government in order to improve the region's health, safety, and general welfare and to plan for future development.

RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION

The RGVMPO is a federally funded program that works with Rio Grande Valley communities and the Texas Department of transportation (TxDOT) to plan for the region's future transportation needs, within the urbanized areas of the Rio Grande Valley. The MPO also serves as a collaborative structure of committees and organizations that creates partnerships to address this region's needs.

The RGVMPO is responsible for the regional planning process for all modes of transportation. The MPO provides technical assistance to the local governments of the Rio Grande Valley in planning, coordinating, and implementing transportation decisions for this area.

The RGVMPO administers all federal funds for urban transportation improvements in the Rio Grande Valley, including road and highway expansion, maintaining the existing infrastructure through pavement management systems, safety transportation planning (includes the creation of designated freight routes and bicycle/pedestrian paths), emergency response planning, rail studies and transit planning.

RGVMPO Partners

- [City of Pharr](#)
- [City of Brownsville](#)
- [City of McAllen](#)
- [Hidalgo County](#)
- [Valley Metro](#)
- [US Fish and Wildlife](#)
- [Cameron County](#)
- [City of Edinburg](#)
- [City of Mission](#)
- [Hidalgo County RMA](#)
- [Federal Highway Administration](#)
- [Rio Grande Valley Partnership](#)
- [Cameron County RMA](#)
- [City of Harlingen](#)
- [City of San Benito](#)
- [Texas Department of Transportation](#)
- [Federal Transit Administration](#)
- [Lower Rio Grande Valley Development Council](#)
- [Starr County](#)

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SCOPE OF SERVICES

Introduction

The Rio Grande Valley Metropolitan Planning Organization is seeking Statement of Qualifications from interested attorneys and law firms to provide legal services on a as needed or case-by-case basis in accordance with the terms, conditions and requirements set forth in the Request for Qualifications (RFQ).

Project Scope:

Qualified Parties will focus on reviewing and enhancing contractual agreements and legal compliance. The selected provider will conduct thorough evaluations of any new and existing contracts with vendors. Identifying potential risks and areas for improvement by offering recommendations for amendments or renegotiations to ensure compliance and mitigate legal issues. Additionally, the provider will review MOUs between the MPO and local governments, offering legal guidance on interpretation, compliance, and potential amendments. Furthermore, the provider will review federal regulations such as 23 CFR Part 450, 2 CFR Part 200, and other relevant laws governing transportation planning and funding, providing legal analysis and interpretations to ensure adherence to regulatory requirements. The RGVMPO/LRGVDC will be selecting an experienced attorney and/or law firm to provide high quality and timely legal options and advice to the Rio Grande Valley Metropolitan Planning Organization Executive and administrative staff, especially with respect the following categories of work:

1. Review Contracts between MPO and Consultants:

- Analyzing and evaluating existing contracts between the Metropolitan Planning Organization (MPO) and its consultants / vendors.
- Identifying potential legal risks, inconsistencies, or areas for improvement within these contracts.
- Providing legal advice and recommendations for contract amendments or renegotiations to ensure compliance and mitigate risks.

2. Review MOU between MPO and Local Governments:

- Scrutinizing Memoranda of Understanding (MOUs) between the MPO and local governments.
- Assessing the legal implications and obligations outlined in these agreements.
- Offering legal guidance on the interpretation of terms, compliance with relevant regulations, and potential amendments to enhance clarity or address emerging issues.

3. Review and Interpret 23 CFR Part 450, 2 CFR Part 200, and Other Laws:

- Examining federal regulations such as 23 CFR Part 450, 2 CFR Part 200, and other pertinent laws governing transportation planning and funding.

- Providing legal analysis and interpretations to ensure adherence to regulatory requirements.
- Advising on any legal implications of proposed projects or policies in relation to these statutes.

4. **Contract Duration:**

- The contract duration is initially set for one year, with the possibility of renewal for up to four additional years, totaling five years.
- The legal services provider should be aware of this timeframe and commit to delivering consistent, high-quality legal support throughout the contract period.

Attorney submitting statement of qualifications under this RFQ must be able to meet and/or exceed all the categories of work identified above.

EVALUATION OF QUALIFICATIONS

The RGVMPPO's Technical Proposal Review Committee (TPRC) will review all Statement of Qualifications to determine which proposers have qualified for consideration according to the criteria stated herein. Upon completion of the independent reviews each TPRC member will individually score each proposal. Then the TPRC will meet to collect all scores and aggregate the scores from all members and rank the technical proposals. TPRC will then prepare and make a recommendation of the top ranked Statement of Qualifications (SOQs) to the Technical Advisory Committee (TAC). The RGVMPPO Policy Board will have the final decision on the selection of the Proposer.

Evaluation Criteria

Statement of Qualifications will be evaluated using the following criteria:

- **Experience and Expertise:** Assess the attorney firm's experience in providing legal services related to transportation planning, contract review, and regulatory compliance. Evaluate the firm's track record in handling similar projects and their expertise in relevant areas of law.
- **Qualifications of Legal Team:** Review the qualifications and expertise of the legal team members who will be assigned to the project. Consider factors such as their education, specialized training, relevant certifications, and years of experience in transportation law and contract review.
- **Understanding of MPO Needs:** Evaluate the firm's understanding of the MPO specific needs, objectives, and challenges. Consider whether the firm has demonstrated comprehension of the intricacies of transportation planning, funding regulations, and legal requirements.
- **Resources and Capacity:** Evaluate the firm's resources, including personnel, technology, and support staff, to ensure they have the capacity to handle the scope and volume of work required by the MPO. Consider whether the firm has sufficient resources to provide timely and comprehensive legal support throughout the contract period.

Scoring

Evaluation Criteria	Available Points
Experience and Expertise	30
Qualifications of Legal Team	30
Understanding of MPO Needs	20
Resources and Capacity	20
Total Points	100

Eligibility for Award

In order for a proposer to be eligible to be awarded the contract, the statement of qualifications must be responsive to the solicitation and the LRGVDC/RGVMPO must be able to determine that the proposer is responsible and has the resources and capacity to perform the resulting contract satisfactorily. Responsive statement of qualifications are those that comply with all material aspects of the solicitation, conform to the solicitation documents, and meet the requirements set forth in this solicitation. Statement of qualifications, which do not comply with all the terms and conditions of this solicitation, will be rejected as non-responsive.

General Terms and Conditions

Any terms and conditions attached to a Response will not be considered unless specifically referred to in the Response. TEX GOVT CODE § 2155.0012

It is anticipated that the contract term for contract(s) awarded resulting from this solicitation, if any, will be one (1) year with the option to renew for four (4) one-year terms.

Conflict of Interest

Respondent represents and warrants that the provision of goods and services or other performance under the contract will not constitute an actual or potential conflict of interest or reasonably create an appearance of impropriety. Respondent will disclose in writing to LRGVDC/RGVMPO any and all existing or potential conflicts of interest relative to the performance of this RFQ.

Any firm or attorney who is ultimately selected to provide legal services to the RGVMPO will be prohibited from engaging in or carrying on any legal activity on behalf of any client which is directly adverse to the LRGVDC and RGVMPO or their interests, without the specific

written consent of the LRGVDC Board of Directors and RGVMPO Transportation Policy Board. Waivers will be evaluated on a case-by-case basis. Any firm or attorney engaged to represent the RGVMPO shall have a continuing duty to disclose such information.

Suspension and Debarment

Respondent certifies that it and its principals are not suspended or debarred from doing business with the state or federal government as listed on the State of Texas Debarred Vendor List maintained by the Texas Comptroller of Public Accounts and the System for Award Management (SAM) maintained by the General Services Administration.

Respondent certifies that the offering entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity. Entities ineligible for federal procurement are listed at <http://www.sam.gov>. TEX GOVT CODE § 2155.077

Termination

The LRGVDC/RGVMPO shall have the right to terminate any contract for legal services at any time, with or without cause. The decision to terminate shall be at the sole discretion of the RGVMPO Transportation Policy Board. The contracting firm or attorney will be paid for all services actually rendered and all costs actually incurred prior to the date of termination, and such payment for services already completed shall be the total compensation due to such firm or attorney for termination.

Tax Liability

The Proposer certifies that:

- It has no unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.
- Is not delinquent in any tax owed the State of Texas under Chapter 171, Tax Code; signing and submitting the statement of qualifications is so certifying to such non-delinquency.

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Attachment 1

**RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION
(RGVMPO) / LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL
(LRGVDC)**

Solicitation Request Acknowledgement Form

Solicitation Number: _____

Solicitation Title: _____

The undersigned hereby proposes and agrees to be bound by the requirements, terms and conditions and any and all amendments issued by the LRGVDC/RGVMPO and made a part of this RFQ as set forth or referenced in this RFQ. The undersigned further certifies that he/she is legally authorized to make the statements and representations in its response to this solicitation and that said statements and representations are true and accurate to the best of his/her knowledge. The undersigned understands and agrees that when evaluating bids and making an award decision, the LRGVDC/RGVMPO relies on the truth and accuracy of the statements and representations presented in the bid response. Accordingly, District has the right to suspend or debar the undersigned from this process and/or terminate any contract award that may have resulted from this solicitation if LRGVDC/RGVMPO determines that any statements or representations made were not true and accurate. If awarded the undersigned agrees to furnish all services as described on the scope of services and any negotiations thereafter.

EXECUTED this ____ **day of** _____, 20____ .

Signature: _____

Printed Name: _____

Title: _____

Firm: _____

SWORN TO AND SUBSCRIBED before me by _____,
on the ____ day of _____, 20____ .

Notary Public, State of Texas

Commission Expiration

This Acknowledgement must be filed with the Lower Rio Grande Valley Development Council and be maintained as part of the permanent procurement record.

Attachment 2

**RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION
(RGVMPO) / LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL
(LRGVDC)**

Disenfranchised Business Enterprise (DBE) / Historically Underutilized Business (HUB)
Proposer Identification FORM

Solicitation Number: _____

Solicitation Title: _____

(Reproduce as necessary)

I HEREBY DECLARE AND AFFIRM THAT I AM THE _____ and duly
(Title – Owner, President, CEO, etc.)
authorized representative of _____ and I hereby declare and affirm
(Name of Firm)
that I am a certified DBE and/or HUB.

This firm has current DBE certification from the following agencies and/or state(s):

*A copy of the current certification letter notifying the firm that it has been DBE/HUB certified
must be attached to this form.*

☐ Check if Not Applicable. *(must sign below)*

(Sign)

(Date)

(Printed)



CONFLICT OF INTEREST QUESTIONNAIRE**FORM CIQ****For vendor doing business with local governmental entity****This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.**

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

SUSPENSION AND DEBARMENT CERTIFICATION

Federal Law (A-102 Common Rule and OMB Circular A-110) prohibits non-federal entities from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. LRGVDC does not do business with parties that have been suspended or debarred.

Firms receiving individual awards and all sub-recipients must certify that their organization and its principals are not suspended or debarred by a federal agency.

Before an award can be made to your firm, you must certify that your organization and its principals are not suspended or debarred by a federal agency.

I, the undersigned agent for the firm named below, certify that neither this firm nor its principals are suspended or debarred by a federal agency.

Name of Firm: _____

Signature of Authorized Official:

Printed Name:

Date Signed:
