



Jefferson Transit Authority

63 4 Corners Road, Port Townsend, WA 98368
(360) 385-3020, Fax: (360) 385-2321

No: 2021-09

REQUEST FOR QUALIFICATION

In accordance with the following and in compliance with all applicable terms and conditions, unless otherwise noted, the undersigned offers and agrees, if the Qualification is accepted, to furnish items or services for the prices proposed and delivered or furnished to designated points within the time specified. It is further understood and agreed, with respect to all terms and conditions accepted by the Responder and Jefferson Transit Authority (JTA), that this Qualification and accompanying attachments may, at JTA's discretion, serve as the basis of this service contract.

ISSUE DATE:		REQUEST NUMBER:		DESCRIPTION:	
02/01/2022		2021-09		Legal Counsel	
DEPARTMENT:		RESPONSE DEADLINE (DATE/TIME):		CONTRACT ADMINISTRATOR	
Finance		02/28/2022		Jayme Brooke	
Revision:	Date:	Brief Description:		Contact:	

JEFFERSON TRANSIT AUTHORITY

Request for Qualification

for

Legal Counsel for Jefferson Transit Authority

RFQ 2021-09

Address questions regarding this RFQ to:

Jayme Brooke

jbrooke@jeffersontransit.com

63 4 Corners Road

Port Townsend, WA 98368

(360) 385-3020 ext. 110

REQUEST FOR QUALIFICATION

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REQUEST FOR QUALIFICATION**SECTION 1 – Purpose****1. PURPOSE:**

Jefferson Transit Authority (JTA), a public transportation provider formed under RCW 36.57, is requesting qualifications from firms and individuals interested in providing services encompassing the traditional scope of work including legal counsel, opinions, and consultation. Attendance at meetings may be required occasionally.

SECTION 2 – GENERAL REQUIREMENTS**1. PROJECT REQUIREMENTS:** The Respondent must comply with each of the following requirements:

- a. Cover Letter
- b. Addenda to RFQ (if any)
- c. Qualification
- d. Supplements to Qualifications (if any)
- e. One original qualification, clearly marked, including five (5) copies if not submitted electronically
- f. Minimum three (3) references

2. ADDENDA TO RFQ:

JTA reserves the right to make any changes in the RFQ as deemed appropriate. Any and all changes shall be made by written addendum, which shall be issued by JTA to all prospective respondents who have been personally issued copies of the RFQ from JTA.

3. SUBMITTAL OF QUALIFICATIONS:

- a. Qualifications will be received by JTA until 02/28/2022. Any qualification received after the prescribed deadline will not be considered.
- b. Qualifications will not be accepted by facsimile transmission.
- c. Qualifications shall have the name and address for delivery as follows:

Email Delivery:

Jefferson Transit
Attn: Grants & Procurement Coordinator
jbrooke@jeffersontransit.com

Mail or Hand Delivery:

Jefferson Transit Authority
Attn: Grants & Procurement Coordinator
63 4 Corners Road
Port Townsend, WA 98368

JTA prefers qualifications be received by email. JTA makes no provision for specifically collecting mail from its mail box prior to the deadline. Qualifications submitted by mail should, therefore, be mailed in ample time to arrive at or before the actual due date. JTA shall not be liable for checking the mail box immediately prior to the time of opening.

REQUEST FOR QUALIFICATIONS: Jefferson Transit Authority

REQUEST FOR QUALIFICATION**4. STATEMENT OF QUALIFICATIONS REQUIREMENTS:**

This section describes mandatory descriptions and submittals that must be addressed in or included with each qualification. Failure to address or include all of the items discussed in this section may subject the qualification to immediate rejection. JTA will be the final authority in determining the responsiveness of a qualification. Statements of Qualification (SOQ) will be evaluated based on the criteria listed in the evaluation criteria.

Qualifications [one (1) original plus four (4) copies] must be submitted in accordance with requirements set forth in the RFQ NO LATER THAN 02/28/2022. Late qualifications will not be accepted and will be returned to the respondent unopened.

To achieve a uniform review process and obtain the maximum degree of comparability, respondents are required to organize qualifications in the following manner. *Qualifications that deviate from this organizational structure or are missing key information elements may be considered non-responsive.*

a. Letter of Transmittal addressed to the Grants & Procurement Coordinator as follows:

Jayne Brooke, Grants & Procurement Coordinator
Jefferson Transit Authority
63 4 Corners Road
Port Townsend, WA 98368

The letter of transmittal must include:

1. Jefferson Transit Legal Counsel RFQ
 2. Name of respondent
 3. Location of the respondent
 4. Brief description of respondent's qualification
 5. Identify all professional members of respondent's team
 6. A statement of validity pursuant to Section 3
- b. **Description of firm:** This part of the qualification should contain a brief, one page history of the firm, firm organization, number and type of personnel, and the location of the firm's office. The respondent shall provide information demonstrating to JTA that it has the necessary resources to provide the services required in a satisfactory manner.
- c. A list of three client references regarding reputation and qualifications of the law firm/private attorney.
- d. **Appendices A & B:** Fill out Appendices A & B, as applicable, and return with all RFQ materials.

REQUEST FOR QUALIFICATION**5. RFQ EVALUATION SCHEDULE**

The following timeline will be observed in evaluating qualifications received:

02/01/2022	RFQ Issue Date
02/02/2022-02/25/2022	Question and Answer Time Frame
02/28/2022	Qualifications Due
03/07/2022-03/11/2022	Interview Period (If necessary)
03/14/2022	Contract Award

Proposers who submit a response to this RFQ may be required to attend an interview or give an oral presentation of their response to JTA. If JTA determines interviews are necessary, a time schedule will be established after all qualifications are received. All costs involved shall be the responsibility of the respondent.

SECTION 3**1. DESIRED QUALIFICATIONS:**

Respondent will possess, at a minimum:

- a. Each attorney in the proposed team must possess a Juris Doctorate degree and have graduated from a law school accredited by the American Bar Association;
- b. Each attorney in the proposed team must be a member in good standing of the Washington State Bar Association;
- c. The proposed designated attorney must have a minimum of five years' experience in the field of municipal law with particular experience in land use and public work construction.

Disclosure of any pending litigation or judgments rendered against the law firm/private attorney in any matter relating to professional activities of the firm, including any pending complaints to the Washington State Bar Association

2. REQUIRED SERVICES:

- a. Provides legal advice, counsel, services, consultation, and opinions to the General Manager and JTA Administrative team on a wide variety of assignments, including but not limited to: contract review, compliance with state regulatory departments, laws against discrimination, construction of public works, purchasing and procurement, leasing, purchase and sale of property, basic employment legal matters, public disclosure issues, and tort law. The attorney's advice includes methods to avoid civil litigation.
- b. Furnishes legal representation for JTA at Board meetings and at other meetings when requested.
- c. Appears before courts and administrative agencies to represent JTA's interests.
- d. Prepares and reviews ordinances and resolutions, contracts, and other documents for legality and acceptability.
- e. Coordinates with other special counsel as-needed to assure proper management of legal issues, coordination and transition of legal issues among special counsel.
- f. Assists JTA officials and employees to maintain awareness of ethical and fairness standards, and to avoid potential conflicts of interest, prohibited transactions, and the appearance of prohibited transactions.
- g. Prepares legal opinions at the request of JTA.

REQUEST FOR QUALIFICATION

- h. Provides the General Manager and administrative team legal perspective and advice on various agency issues.
- i. Performs other legal services and tasks as determined by the General Manager.

SECTION 4 – EVALUATION CRITERIA

Statements of Qualification (SOQ's) are to be prepared in such a way as to provide clear, concise, and straightforward delineation of the respondent's capabilities to satisfy the requirements of the RFQ. Emphasis should be placed on:

1. Conformance to RFQ requirements
2. Experience of proposed legal counsel
3. Overall completeness and clarity of SOQ content

The submittal requirements and criteria outlined below will be used to evaluate and rank the responses.

JTA reserves the right to request clarifications or additional information from any respondents after the SOQ's are received.

1. Firm/Team Overview:
 - a. Years in Business
 - b. Annual Volume
 - c. Current Workload
2. Relevant Experience:
 - a. Firm History
 - b. Relevant Experience with similar agencies
 - c. Three Client References
3. Experience of Personnel Assigned to JTA
4. Why Your Firm:
 - a. Provide a narrative explaining what makes your firm most qualified for JTA

The evaluation committee will recommend a course of action to the JTA Board of Directors. The Board of Directors will be the final determinant of which respondent offers the greatest benefit to JTA.

REJECTION OF QUALIFICATIONS:

JTA may reject any qualification that is not in the required format, does not address all the requirements of this RFQ, or that JTA believes is excessive in cost or otherwise not in the interest of JTA to consider or accept. In addition, JTA may cancel this RFQ, reject all qualifications, and seek to conduct a new RFQ.

REQUEST FOR QUALIFICATION**SECTION 5 – ACCEPTANCE CRITERIA**

1. All qualifications will be evaluated based on current JTA procurement policy (available online at www.jeffersontransit.com).
2. JTA reserves the discretion to request additional documentation and interview respondent as necessary to determine their actual experience and capabilities to satisfy the requirement of the Scope of Work.
3. JTA reserves the discretion to accept or reject any and all qualifications without cause and to waive any informality or irregularities and to make an award deemed in its own best interest, and re-advertise if necessary.
4. Request for Qualifications will be accepted by the Jefferson Transit Authority's Grants & Procurement Coordinator at their administrative offices located at 63 4 Corners Road, Port Townsend, WA 98368, (360) 385-3020, or via email at jbrooke@jeffersontransit.com until the date/ time specified above. There can be no exceptions or late submittals.
5. This agreement is subject to a financial assistance contract between the Washington State Department of Transportation (WSDOT) and the Federal Transit Administration (FTA) and the appropriations of the State of Washington. Respondents will be required to comply with all FTA, state, and local rules and regulations where applicable.
6. JTA is an Equal Opportunity Employer and hereby notifies all entities that it will affirmatively ensure that any Disadvantaged Business Enterprises (DBE's) will be afforded full opportunity to submit qualifications in response to this RFQ and will not be discriminated against on the grounds of any legally protected classifications.

REQUEST FOR QUALIFICATION**SECTION 6 – AGREEMENT TO TERMS**

By signing this request, if it is accepted by JTA, the respondent acknowledges and agrees to be bound by the conditions set forth in this RFQ, and scope of work, and any amendments.

NAME & ADDRESS of FIRM:	Additional Information:	
	Telephone/Fax No.:	
	Federal Employer Identification No.:	
	State Contractor License No.:	
CONTACT E-MAIL:	Prompt Payment Discount (if offered):	___% for payment within ___days/net ___days.

CHECK ONE: **INDIVIDUAL** **PARTNERSHIP** **CORPORATION** **LLC**

ACCEPTANCE

The above Request for Qualification has been accepted by, and all terms of the Request for Qualifications agree to by:

Signature

Signature

Tammi Rubert

Printed Name

Printed Name

General Manager

Title

Date

Title

Date

REQUEST FOR QUALIFICATION**EXHIBIT A****PROTEST AND APPEAL PROCEDURES**

JTA will utilize the following Protest and Appeal Procedures to provide an internal review process to prospective firms who respond to solicitations and to selected firms for the administration of resulting contracts.

If either prospective or actual respondents (herein referred to as “respondents”) believe they have been wronged by a specific action or decision by JTA in the award of or the administration of a contract, they are instructed to follow the procedures set forth below.

Proposers or third parties who can demonstrate a substantial economic interest may protest JTA’s decision regarding (1) a provision of the Request for Qualifications or (2) contract award. All communication concerning a protest shall be in writing and will be open for public inspection.

Protests regarding pre-award actions shall be filed no later than three (3) days before qualification opening or closing date for the receipt of qualifications. Protests regarding contract award shall be filed no later than seven (7) days after contract award by JTA.

STEP ONE

Respondents may appeal or protest an award or action as soon as practical following the event, but no later than five business days. The basis for the protest and appeal must be included at that time. All protests and appeals must be submitted in writing and be addressed to the JTA Grants and Procurement Coordinator. The JTA Grants and Procurement Coordinator will review any information provided and respond in writing within five business days following receipt of the appeal or protest.

STEP TWO

In the event that a respondent is not satisfied with the decision rendered by the Grants and Procurement Coordinator, the respondent shall have the right to appeal to the Finance Manager. The appeal of the Grants and Procurement Coordinator’s decision must be received in the office of the Finance Manager within five business days following receipt of the Grants and Procurement Coordinator’s decision. The Finance Manager will return a written decision to the consultant presenting the appeal within five business days of receipt of the appeal or protest.

STEP THREE

A respondent shall have the right to seek further remedy should the decision of the Finance Manager not be acceptable to the respondent. The respondent shall provide a written appeal to the General Manager within five business days of receiving the decision of the Finance Manager. The General Manager, shall, within five business days, review, with legal consult, the respondent’s written appeal and the Finance Manager’s written decision. The General Manager will return a written decision to the respondent presenting the appeal within five business days. The decision of the General Manager is final.

REQUEST FOR QUALIFICATION**EXHIBIT B****DBE RESPONDANT LIST – DBE AND SBE PROJECT**
2021-09 Legal Counsel

As required by 49 CFR Part 26.11, JTA will to create and maintain a list of all firms bidding on prime contracts and/or quoting subcontracts on U.S. Department of Transportation-assisted contracts. To comply with this provision, JTA requires the following information:

This information is not used in determining award of contract or in evaluating your bid or proposal in any way. Providing this information is voluntary.

Company Name: _____

Company Address: _____

Telephone Number: _____ Fax Number: _____

Email Address: _____

Authorized Signature: _____

Printed Name and Title: _____

Date Signed: _____

Is your firm a Disadvantaged Business Enterprise (DBE) registered with the State of Washington Office of Minority and Women's Business Enterprises?

Yes No

Is your firm a Small Business Enterprise (SBE) meeting the size requirements of 49 CFR Part 26.65 whereby average annual gross receipts for the previous three years do not exceed \$22.41 million (or as adjusted for inflation by the Secretary of USDOT)?

Yes No

How long has your firm been in business? _____

Please check the box that describes your total (national) gross annual receipts:

- | | |
|--|--|
| <input type="checkbox"/> Less than \$500,000 | <input type="checkbox"/> \$3,000,001 - \$3,500,000 |
| <input type="checkbox"/> \$500,000 - \$1,000,000 | <input type="checkbox"/> \$3,500,001 - \$4,000,000 |
| <input type="checkbox"/> \$1,000,001 - \$1,500,000 | <input type="checkbox"/> \$4,000,001 - \$4,500,000 |
| <input type="checkbox"/> \$1,500,001 - \$2,000,000 | <input type="checkbox"/> \$4,500,001 - \$5,000,000 |
| <input type="checkbox"/> \$2,000,001 - \$2,500,000 | <input type="checkbox"/> \$5,000,001 - \$5,500,000 |
| <input type="checkbox"/> \$2,500,001 - \$3,000,000 | <input type="checkbox"/> Greater than \$5,500,000 |
| <input type="checkbox"/> \$2,500,001 - \$3,000,000 | <input type="checkbox"/> Greater than \$5,500,000 |

Please return this form to Jefferson Transit Authority's Grants & Procurement Coordinator, 63 4 Corners Road, Port Townsend, WA 98368 or include it with your SOQ.

REQUEST FOR QUALIFICATIONS: Jefferson Transit Authority