

**REQUEST FOR QUALIFICATION FOR  
GROUNDWATER SUSTAINABILITY AGENCY LEGAL SERVICES**

**INTRODUCTION**

The Santa Rosa Plain Groundwater Sustainability Agency, Sonoma Valley Groundwater Sustainability Agency, and Petaluma Valley Groundwater Sustainability Agency (collectively, Agencies) are seeking statement of qualification submittals from attorneys or firms with experience representing public agencies to provide General Counsel legal services for the Agencies.

The Agencies are primarily interested in a firm's or attorney's experience in relation to general counsel needs and water law, specifically related to the Sustainable Groundwater Management Act. The legal services provided may include general public agency governance, public meetings and public records issues, water rights, intergovernmental agreements with other groundwater sustainability agencies or public agencies, revenue options, and public contracting issues. Preference will be given to local respondents.

A firm or attorney selected as General Counsel will serve at the pleasure of the Governing Board of each Agency. If the Agencies, collectively or individually, determine to award a contract for general counsel legal services as a result of this RFQ, it will enter into a contract establishing the terms and compensation for the subject services.

**BACKGROUND INFORMATION**

On September 14, 2014, Governor Brown signed into law three bills collectively referred to as the Sustainable Groundwater Management Act (SGMA). SGMA requires the formation of groundwater sustainability agencies (GSAs) in state-designated medium and high priority basins. Sonoma County has three medium priority basins: Santa Rosa Plain, Sonoma Valley, and Petaluma Valley. As authorized by SGMA, the GSA-eligible entities have formed a Joint Powers Authority for each basin with the intent to work together to implement the requirements of SGMA. The Agencies were formed in as follows:

*Santa Rosa Plain Groundwater Sustainability Agency* was formed through a JPA between the cities of Cotati, Rohnert Park, and Santa Rosa, Town of Windsor, County of Sonoma, Sonoma County Water Agency, Gold Ridge Resource Conservation District, and Sonoma Resource Conservation District. This agency anticipates entering into a participation agreement with mutual water companies and CPUC regulated water corporations to allow them to participate in the GSA.

*Sonoma Valley Groundwater Sustainability Agency* was formed through a JPA between the City of Sonoma, County of Sonoma, North Bay Water District, Sonoma County Water Agency, Sonoma Resource Conservation District, and Valley of the Moon Water District.

*Petaluma Valley Groundwater Sustainability Agency* was formed through a JPA between the City of Petaluma, County of Sonoma, North Bay Water District, Sonoma County Water Agency, and Sonoma Resource Conservation District.

The Agencies were formed for the purpose of developing, adopting, and implementing a Groundwater Sustainability Plan each for each basin in order to implement SGMA's requirements and achieve the sustainability goals outlined in SGMA. The Agencies intend to coordinate their activities where appropriate and to involve the public and local stakeholder through outreach and engagement in developing and implementing the GSP.

## **SCHEDULE**

To the extent achievable, the following schedule shall govern the RFQ. The Agencies reserve the right to modify the dates below.

Availability of the Request for Qualifications: **June 23, 2017**

Deadline for Submission of Interpretation and/or Questions: **July 6, 2017**

Closing Date for the Request for Qualifications: **July 13, 2017**

## **QUALIFICATIONS**

1. Firm or individual attorney must have at least 10 years of public law experience representing public agencies, special districts, municipal governments, or joint powers authorities in California.
2. All attorneys performing services must be admitted to practice in the State of California and be members in good standing with the State Bar of California.
3. The attorney with primary responsibility for the services provided to the Agency (“Lead Counsel”), must have at least 5 years of experience providing general counsel legal services for local public agencies, special districts, or municipalities.
4. Demonstrated legal expertise in the following practice areas as they relate to public agencies, special districts, municipal governments, and joint powers authorities in California:
  - a. Laws and regulations that pertain to the governance of public entities including, but not limited to, California joint powers authorities, special districts, water districts, irrigation districts and municipalities. The relevant laws and regulations include, but are not limited to, the Ralph M. Brown Act; Public Records Act; Political Reform Act; conflicts of interest laws; general public entity and municipal law; the California Government Code and California Water Code; and operating procedures and rules of order relative to the conduct of joint powers authorities, special districts, water districts, irrigation districts and municipalities.
  - b. Sustainable Groundwater Management Act.
  - c. Water rights matters in state courts and before the State Water Resources Control Board.
  - d. Public financing and revenue mechanisms, including experience with Propositions 26 and 218.
  - e. Environmental law, including: California Environmental Quality Act (CEQA); federal National Environmental Policy Act (NEPA); California and federal Endangered Species Acts; federal Clean Water Act and the California Porter-Cologne Water Quality Act.
  - f. Governance of public agencies, special districts, municipalities, and joint powers authorities, including amendments and bylaws, and experience interfacing with counsel for joint powers member agencies.
  - g. Public contracting and procurement processes.
  - h. Other relevant areas pertaining to special district and public entity law.

5. Lead Counsel shall typically attend all Governing Board meetings, and the attorney must be accessible to provide legal assistance to the Agency on an urgent basis, from time to time.

## **SUBMISSION REQUIREMENTS**

Submission Materials and any questions should be sent to Brittany Jensen, Interim Administrator for the Santa Rosa Plain Groundwater Sustainability at [Brittany@goldridgercd.org](mailto:Brittany@goldridgercd.org)

1. Cover letter (no longer than 1 page)

The cover letter should convey a clear understanding of the requirements and objectives, and why the Respondent is uniquely qualified to be awarded a contract.

2. Respondent's Qualifications

Summary of overall qualifications and experience of the Respondent.

3. Proposed Respondent Team

The Proposal shall identify the Lead Counsel who will be primarily responsible for providing legal services to the Agency, and other attorneys and staff to be assigned to the Agency legal matters. Please include the qualifications, training, and certifications of Lead Counsel, and all other attorneys and staff who will perform the services outlined herein.

4. Fee Schedule

This section should identify the billing rates for listed personnel, as well as other costs or expenses that would be charged in conjunction with the work.

5. Conflicts

This section should identify whether Respondent anticipates it would need to obtain conflict waivers from any existing clients and how Respondent anticipates addressing any potential conflicts with respect to any member agencies and/or between GSAs.

6. References

The names, addresses, and telephone numbers of three (3) public agency clients who have contracted with the Respondent for services similar to those described in this RFQ within the last five years.

## **EVALUATION CRITERIA**

The following criteria will be used by the Agencies in evaluating submissions:

1. Experience and competence of the identified key areas of service identified in the Qualifications.
2. Reference recommendations.
3. Comprehensive rates.

Oral presentations and written questions for further clarifications may be required of some or all of the respondents.