



ALAMEDA
LOCAL AGENCY FORMATION COMMISSION

REQUEST FOR PROPOSALS |
General Counsel Services

Issuance Date | March 18, 2025

Submittal Deadline | April 7, 2025

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I. Agency Profile

The Alameda Local Agency Formation Commission (LAFCO) is a political subdivision of the State of California and currently operates under authority of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2001 (Government Code Section 56000). LAFCO is delegated regulatory and planning responsibilities to coordinate the efficient and responsive delivery of local governmental services and highlighted by overseeing the formation, expansion and related changes involving cities and special districts. There are presently 14 cities and 29 special districts subject to LAFCO's jurisdiction in Alameda County.

Decision-making at Alameda LAFCO is directly vested with its 11-member Commission. The Commission is divided between seven regular voting members and four alternate voting members. Representation on the Commission is also divided between four distinct appointee categories: (a) three appointees from the County of Alameda, (b) three appointees from the cities/towns, (c) three appointees from the independent special districts, and (d) two appointees from the general public. State law specifies all Commission members shall exercise their independent judgment on behalf of the interests of the public as a whole and not on behalf of their appointing authorities.

Agency staffing is provided by 2.0 fulltime equivalent employees and supported by a current operating budget of \$818,538 and an available fund balance of \$376,975. LAFCO's financial records are managed by staff and provided by the County of Alameda.

II. Proposal Overview

As part of its transition toward operating independently from County services, Alameda LAFCO is requesting proposals from qualified firms and individual attorneys to enter into a contract to provide legal representation to the Commission and its staff. The successful firm or individual should have expertise in public agency law including experience in administrative, transactional and litigation matters, statutory compliance, contracting, environmental issues (CEQA), personnel and employment, real property tax, land use, planning and zoning law and other legal issues routinely faced by public agencies. Familiarity with the function and purpose of Local Agency Formation Commissions and knowledge of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 is required. Ideally, the firm or individual should have experience in advising public officials, administrators, and employees on the complex and frequently changing laws pertaining to local government administration, organization, and regulation. Experience and expertise in open meeting requirements (the Brown Act), records requests (the Public Records Act), ethics and conflicts of interest, and intergovernmental relations is essential.

III. Proposal Objective

As required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Alameda LAFCO processes boundary change proposals for cities and special districts in Alameda County and regularly updates municipal service reviews and spheres of influence for each agency under its authority. Currently, there are no outstanding legal issues or present or anticipated litigation pertaining to the Commission's activities.

General counsel is expected to assist Alameda LAFCO with the following:

- Serve as LAFCO legal counsel and representative in all Commission matters, including litigation and administrative proceedings as necessary;
- Provide general legal advice to the Commission or the Executive Officer when requested typically on matters of general municipal or administrative law, including CEQA, and on matters relating to the Cortese-Knox-Hertzberg Act or case law specifically involving local government boundaries or organization in California;
- Serve as on-call counsel to the Commission, mainly from a remote location, unless attendance at meetings is requested in advance;
- Attend in-person meetings with the Executive Officer and/or Commission committees when required or maintain telephone and e-mail contact as needed;
- Review and comment upon monthly agendas, staff reports, resolutions, correspondence, administrative policies and other documents prepared by LAFCO staff as requested and in a timely manner;
- Prepare legal opinions on specified issues;
- Prepare and/or review contracts and indemnification agreements on request; and
- Prepare occasional reports and present information at public hearings and represent the Commission as counsel during meetings as needed.

IV. Proposal Requirements

All proposals must be submitted in writing and received by Alameda LAFCO no later than **5:00 p.m. Pacific Standard Time on Monday, April 7th**. Email submittals are encouraged and should be directed to Executive Officer Rachel Jones at Rachel.jones@acgov.org. Mailed or hand-delivered submittals are also welcome at Alameda LAFCO's Administrative Office at 224 West Winton Avenue, Suite 110, Hayward, California, 94544. An Ad Hoc Committee will evaluate each proposal submitted and will forward a recommendation to the Commission for formal action at a public meeting based on the following and weighted criteria. The Commission's Ad Hoc Committee will screen all proposals submitted to Alameda LAFCO for completeness relative to the RFP requirements. The evaluation will be based factors enumerated below. No one factor shall be determinative.

- Background (10%)
Qualifications of both the firm and assigned personnel to LAFCO in legal services for governmental agencies and or similar organizations.
- Relevant Expertise (20%)
Understanding of pertinent legal standards for governmental agencies.
- Reputation (20%)
Client references; three minimum.
- Scope of Services (25%)
Quality and depth of written proposal and proposed services and associated timelines.
- Cost Summary (25%)
Estimated cost to complete scope of work.

The Commission's Ad Hoc Committee reserves the right to request additional information or clarification from respondents in evaluating referenced criteria.

Action	Dates
RFP Issued	Tuesday, March 18, 2025
... Deadline for Questions	March 21, 2025
... Deadline for Responses	March 24, 2025
Deadline to Submit Proposals	Monday, April 7, 2025
Interviews with Selected Candidates	Week of April 14
Contract Award	May 8, 2025
Start Date	May 19, 2025

- * Interviews may be conducted in person or by video conferencing and at the preference of the firm/individual. (Interview type will have no effect on the award.)

- * Alameda LAFCO reserves the right to adjust this timeline as it deems necessary. Notification of adjustments to the timeline shall be provided to all respondents.
- * Alameda LAFCO reserves the right to award a contract, to modify the scope of services required as necessary, and to accept or reject any or all submittals received as a result of this RFP.

V. Proposal Format and Content

All proposals must be accompanied by a cover letter. The cover letter must identify the complete name of the firm and office location submitting the proposal along with its federal identification number. The cover letter must also summarize the proposal in terms of (a) scope of work, (b) schedule and (c) cost. The cover letter must also identify and briefly describe whether there is any potential conflict of interest. As for the actual proposal, it should address the content sections presented below in narrative format. Information should be as concise as possible. Any supporting material included with the proposal should be directly related to one of the context sections.

Firm Descriptions and Statement of Qualifications

Provide a description of the firm, including type of business, years in operation, number of employees, industry specialty and office location(s). Include a statement clearly outlining the firm's qualifications – including certification.

Project Team

Identify the key staff members that would be assigned to the project and their respective office locations. Briefly describe each member's responsibility and relevant work experience.

Related Work Experience and References

Provide a summary of the firm's previous work experience and familiarity with legal issues and services for governmental agencies. Provide a list of at least three client references for the Ad Hoc Committee to contact at its discretion.

Scope of Services

Propose a scope of services to complete the project based on the firm's experience and understanding of LAFCO's needs. The proposed scope of services should be outlined in distinct phases with corresponding timelines and budgeted costs.

Project Costs / Timeline

This includes estimating a reasonable time schedule for services. Also identify the total cost to complete the project as well as detailed line-item costs for specific tasks or phases. This includes options for ongoing maintenance. All hourly rates, fees, and reimbursable costs must be clearly stated.

VI. Other Proposal Information

- **Questions**

All questions seeking clarification on the RFP must be received in writing no later than 5:00 p.m. PST on Friday, March 21, 2025. Responses to submitted questions will be prepared by Alameda LAFCO and sent to all respondents no later than 5:00 p.m. PST on Monday, March 24, 2025. All questions should be e-mailed to Executive Officer Rachel Jones at Rachel.jones@acgov.org.

- **Agreement**

The selected firm or individual's proposal will become part of the agreement. Price quotations and other time dependent information contained in any proposal shall remain firm for a minimum of 90 days from the proposal submission deadline.

- **Property of Alameda LAFCO**

All proposals received will become the property of Alameda LAFCO and will not be returned. Alameda LAFCO reserves the right to copy the materials for internal evaluation purposes.

- **Collusion Among Respondents**

In submitting a proposal, the firm or individual, certifies that it is not party to any collusive actions relating to this RFP.

- **Exceptions**

A firm or individual taking exception to any part of this RFP shall indicate such exceptions in a separate section of their submitted proposal. Failure to indicate any exception will be interpreted as the firm or individual's intent to comply fully with the requirements of this RFP as written.

- **Expenses Incurred**

There is no expressed or implied obligation for Alameda LAFCO to reimburse proponents for any expenses associated with responding to this RFP.

- **Withdrawal of Proposal**

Consultants may withdraw all or portions of their proposal up to the ratification of a contract between Alameda LAFCO and the selected firm. A withdrawal request must be signed by the proponents duly authorized representative and sent to the Executive Officer.

- **Withdrawal of RFP**

Alameda LAFCO retains the right to withdraw, modify, or amend this RFP at any time.

VII. Contact Information

All questions and related inquiries to this RFP should be addressed to the following contact:

Rachel Jones, Executive Officer
224 West Winton Avenue, Suite 110
Hayward, California 94544

T: 510.670.6267 Main

E: Rachel.jones@acgov.org