



**Request for Qualifications**

**For**

**Financial Advisors**

**Riverbend Water Resources District**

**Issue Date: March 1, 2019**

**Response Deadline: March 21, 2019, 3:00 p.m.**

## REQUEST FOR QUALIFICATIONS FOR FINANCIAL ADVISORS

### I. INTRODUCTION

#### A. General Information

1. Riverbend Water Resources District (hereinafter “RIVERBEND”) is located in Bowie, Cass, and Red River Counties and is chartered by the Texas Legislature (2009) as a conservation and reclamation district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution, as set forth in Title 6, Special District Local Laws Code, Subtitle L, Municipal Water Districts, Chapter 9601, with statutory powers including the authority to acquire any and all storage rights and storage capacity in a reservoir or other water source inside or outside the boundaries of the district, and to acquire the right to take water from that reservoir or source, subject to the rights or permits held by municipalities or other persons. A primary goal of RWRD is to provide a sustainable water supply for water user groups within the region.
2. RIVERBEND is in need of certain financial advisory services as more fully described below (hereinafter “Services”). This Request for Qualifications (hereinafter “RFQ”) is intended to secure one or more qualified and affordable individual(s)/firm(s) to provide potentially all, part or none of such services. This is an RFQ to select service providers to meet the service needs of RIVERBEND. It consists of this transmittal only, and contains the instructions for the preparation of quotes, costs breakdown, minority business enterprise inquiry, and timeframe. Cost breakdowns in any quote shall include an hourly rate for each employee, inclusive of all direct costs, for services to be provided. Any quote should also include the qualifications to be required of each person designated to perform billable services.
3. Respondents are to submit a written quote that presents the Respondent’s qualifications, understanding of work to be performed, and description of fees. The Respondent’s quote should be prepared simply and economically and should provide all the information pertinent to its qualifications that respond to the Scope of Services listed herein.
4. Individual(s)/firm(s) responding to this RFQ should have a knowledgeable background and have experience in providing general financial advisory services. Interested firms must submit the following materials by **Thursday, March 21, 2019 by 3:00 PM** to be considered:
  - a. One (1) original and nine (9) copies of the proposal;
  - b. One (1) pdf version on a flash drive of the proposal;
  - c. Respondents should send or hand-deliver the completed proposals to the following address:

**RIVERBEND WATER RESOURCES DISTRICT**  
**Attention: Elizabeth Fazio Hale,**  
**Executive Director/CEO**  
**228 A Texas Avenue**  
**New Boston, TX 75570**

5. The District reserves the right to terminate this process at any time and no guarantee is expressed or implied that obligates the District to contract service(s) for the proposed project(s).
6. The District reserves the right to reject any or all proposals submitted. There is no expressed or implied obligation for the District to reimburse responding individual(s)/firm(s) for any expenses incurred in preparing proposals in response to this request.
7. The District reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether or not that proposal is selected.
8. Inquiries concerning the request for proposals may be made to:  
**Elizabeth Fazio Hale**  
**lizfazio@rwrdd.org**
9. After evaluation by the selection committee, a recommendation will be made to the Riverbend Board of Directors for approval. Upon approval by the board of directors, negotiations will commence with the selected firm. If a satisfactory contract cannot be negotiated with that firm, Riverbend shall formally end negotiations with that firm and consider the next most favored provider and attempt to negotiate with that firm. Riverbend reserves the right to reject any and/or all proposals and to waive any and/or all technicalities and informalities received in response to this RFQ.
10. **Lobbying of selection committee members, District Board Members, and Staff will not be permitted nor tolerated during the RFQ solicitation period.**

**B. Term of Engagement**

1. The term of the initial agreement will be for a one-year period beginning on or about **May 1, 2019** and ending on **April 30, 2020**.
2. After the initial agreement period, the contracting period may renew on an annual basis.
3. Either party may terminate this agreement, in whole or in part, with a 10-day written notice.

**C. Minority and Women Business Enterprise Participation Requirement**

This project will not have a MWBE participation requirement but all MWBEs are highly encouraged to apply.

**II. SCOPE OF SERVICES**

**A. General Scope of Services**

The District may select an individual(s)/firm(s) that it determines to be the most qualified to perform the work as defined in the scope of work. **Please be advised**

**that an individual(s)/firm(s) determined to be the most qualified to perform the work will be required to submit information pursuant to Chapter 2252 of the Texas Government Code and in compliance with HB 1295 as passed by the 84th Regular Legislative Session.** This form should be completed in conjunction with the submission of the proposal to the District.

**B. Specific Scope of Work**

The successful firm will provide the following services:

1. Analyze and make recommendations regarding RIVERBEND's overall present debt structure, refunding, advance refunding, net present value savings compared with the value of call options, etc.;
2. Analyze and make recommendations regarding future debt issues. (RIVERBEND is currently looking at its financing options relating to new water infrastructure on Wright Patman Lake. This debt issue is expected to be approximately \$200 million or more);
3. Analysis of the total life cycle costs associated with debt issuance. This may include whether RIVERBEND should issue its own debt or participate in State or Federal programs;
4. Working with underwriters, bond counsel, etc. to properly structure debt issues, minimize insurance costs, and maximize the benefits to RIVERBEND relating to debt issuance. This would include recommendations regarding fixed or variable rate bonds, interest capitalization, coupon rates, redemption provisions, serial or term bonds, additional bond tests, etc.;
5. Review legal and other documents to ensure that the end result is a completed financing that is in the best interests of RIVERBEND and its Member Entities;
6. Review marketing plan, pre-pricing analysis, and all costs associated with the bond financing, ensuring the most favorable bond terms to RIVERBEND;
7. Analyze and advise on the possibility of credit enhancement, where and whether to seek a bond rating on the issue, etc.;
8. Participate in meetings as requested, including due diligence and presentation to the Riverbend Board of Directors; and/or
9. Work with the District's Executive Director/CEO in the performance of any additional scope of work listed.

**C. Services**

1. Services may be provided at RIVERBEND headquarters unless directed otherwise by the Chair;
2. Subcontracting of work under this RFQ/contract is not allowed;
3. There will be no guarantee of a minimum level of services to be acquired by RIVERBEND; and

**D. Minimum Qualifications**

1. A minimum of ten (10) years of prior experience in the business of providing financial advisory services to issuers of tax-exempt debt in Texas.
2. Experience with various debt instruments including bonds, notes, commercial paper, variable rate issues, leases, and other alternate financing instruments.
3. Experience with enterprise system financing including but not limited to water, wastewater, drainage, airport, transportation, and public venue infrastructure.
4. Experience with obtaining credit supports and bond insurance.
5. Experience with rating agencies and hands-on experience with the credit rating process. Knowledge and experience with ratings criteria used not only by the major credit rating agencies, but also the typical large institutional purchasers of tax-exempt debt.
6. Experience with refinancing and other negotiated underwritings, including refinancing of State loans, restructuring of existing debt, underwriter selection, timing of issues, and pricing.
7. Adequate and experienced staff to assess and complete arbitrage rebate analysis in conformance with regulatory requirements including but not limited to performing the analysis, advising RIVERBEND, issuing formal reports and schedules, and completing all required forms for submission to the U.S. Department of Justice (Internal Revenue Service). Page 13 of 16 RFQ No. 2012-01-PM 8. Adequate qualified and experienced staff with previous municipal finance experience. Key staff members must be willing and available to respond to questions from RIVERBEND’s financial staff on a continuing basis.
8. Adequate technical support to meet the needs of a water supply district.
9. Ability to testify in litigation and rate cases, including cases within the purview of state and federal regulatory agencies.
10. Ability to assist with financial and management studies of various municipal and enterprise services/functions, perform fee analysis studies, assist in labor negotiations, conduct compensation analysis, assist with federal and state grant/loan applications, and other similar requests and or assignments from RIVERBEND.

**E. Schedule and Deliverables**

The District will attempt to adhere to the following schedule. The District reserves the right to change the schedule as needed and will notify firms who register with the District of any significant changes:

|  |                |
|--|----------------|
| Advertise Request for Qualifications (“RFQ”) | March 1, 2019  |
| Deadline for submittal of response to RFQ    | March 21, 2019 |
| District notifies selected firm on or about  | March 27, 2019 |

Contract negotiations with selected firm and  
finalize contract

April 1 – April 30, 2019

Notice to proceed with legal services

May 1, 2019

### **III. PROPOSAL REQUIREMENTS**

The response to this RFQ should be as concise as possible while adhering to the format and information requirements described below.

Please limit your response to a maximum of twelve (12) single sided letter-sized pages with minimum font size 10, not including cover pages. The response to this RFQ will consist of the following sections:

Section 1 – General Information and Statement of Interest

Section 2 – Short biography and photograph of individual(s)/firm team members

Section 3 – Description of Relevant Experience

Section 4 – Resume and References

Section 5 – Potential Legal Conflicts

Section 6 – Signed HB 1295 Disclosure Form

Section 7 – Schedule of Hourly Billable Rates for Services

#### **A. SECTION 1 - GENERAL INFORMATION**

Provide the following information about each individual(s)/firm(s) participating in the services:

1. Name and address of individual(s)/firm(s) (include county);
2. Firm(s) contact name and information;
3. Number of years in business;
4. List of professional licenses and certifications; and
5. Statement of Interest.

#### **B. SECTION 2 – BIOGRAPHY AND PHOTO**

Provide the following information about each individual(s)/firm(s) participating in the services:

1. Short biography of each individual; and
2. Photograph of each individual.

#### **C. SECTION 3 – DESCRIPTION OF RELEVANT EXPERIENCE**

Provide a description of relevant experience (limit one page per individual).

All Respondents shall include a list of a minimum of three (3) references, for similar services only, who could attest to the Respondent's knowledge, quality of work, timeliness, diligence, and flexibility. Include names, contact persons, and phone numbers of all references;

**D. SECTION 4 – RESUME and REFERENCES**

Provide the following information about each individual(s)/firm(s) participating in the services:

1. An abbreviated resume for each individual(s) identified and describe the specific qualifications and experience of the individual(s), including professional licenses and certificates; and
2. List of a minimum of three (3) references, for similar services only, who could attest to the Respondent’s knowledge, quality of work, timeliness, diligence, and flexibility. Include names, contact persons, and phone numbers of all references.

**E. SECTION 5 - CONFLICTS**

Provide a description of any conflicts of interest or potential conflicts, as follows:

1. Provide an affirmative statement that the firm is independent of the District as defined by the U.S. General Accounting Office’s Government Auditing Standards (1988); and
2. List any and all engagements within the last three (3) years that are or might otherwise be a conflicts of interest with the District.

**F. SECTION 6 – HB 1295 COMPLIANCE**

1. Provide a signed form in compliance with HB 1295. Texas House Bill 1295 (effective 1/1/2016) requires individual(s)/firm(s) to complete Form 1295 and disclose all interested parties to the proposed project/contract. The firm must log in to the state website at <https://www.ethics.state.tx.us/tec/1295-Info.htm>, complete the form online, print, sign, notarize and include with the proposal.

**G. SECTION 7 – SCHEDULE OF RATES**

Provide a schedule of hourly billable rates for type of services, i.e. monthly retainer, rate to attend meetings, rate to attend court, rate for document drafting/review, etc.

**IV. EVALUATION CRITERIA**

The proposals will be evaluated based on the following criteria:

- Quality of the Response - The degree to which the Respondent has responded to the purpose and scope of specifications, e.g., services to be provided – flexibility of Respondent to meet RIVERBEND needs, conformance in all material respects to this RFQ, etc. 20%
- Capability - Respondent has the capability in all respects to perform fully the contract requirements and the moral and business integrity and reliability that will assure good faith performance as required by these specifications. Also includes Respondent’s capability and skill to provide the products or perform the services stated in these specifications. 40%

- Experience - Respondent's experience in providing the services as requested in these specifications. 40%

**V. CONTRACT**

- A. The successful Respondent will be required to enter into a Personal Services Agreement (hereinafter "Agreement") with RIVERBEND. Any Agreement shall be in accordance with the contract format required by RIVERBEND.
- B. The Agreement is subject to the review and recommendation of the Board Chair, including a price acceptable to both the District and the selected individual(s)/firm(s).
- C. The Agreement will be monitored for acceptable services rendered throughout the contract period.
- D. Cancellation of Agreement – RIVERBEND shall have the right to cancel and terminate any Agreement, in part or in whole, for any reason or for no reason, without penalty, upon 10-day notice to the individual(s)/firm(s). Individual(s)/firm(s) shall not be entitled to lost profits or any further compensation not earned prior to the time of cancellation.

END OF REQUEST FOR QUALIFICATIONS