



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/29/12		
Department:		Purchasing		
Department Head		Diane Palmer-Boeck		
Agenda Coordinator (include phone #): <b>Aimee Storm Ext. 7248</b>				
<b>CAPTION</b>				
Approval of the selection of Bond and Disclosure Counsel Services for the City, provided by Fulbright & Jaworski L.L.P., and authorizing the City Manager to execute all necessary documents RFQ 2012-126-C.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2011-12	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		<b>TOTALS</b>		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(s): <b>N/A</b>				
<b>COMMENTS:</b> Securing the services of Fulbright & Jaworski, L.L.P. for bond and disclosure counsel services has no fiscal impact. <b>STRATEGIC PLAN GOAL:</b> Providing bond and disclosure counsel services relates to the City's Goal of a Financially Strong City with Service Excellence				
<b>SUMMARY OF ITEM</b>				
The Finance Department staff recommends the selection of Bond and Disclosure Counsel Services provided by Fulbright & Jaworski L.L.P. Professional Services are exempt from state competitive bidding requirements				
List of Supporting Documents: Memo			Other Departments, Boards, Commissions or Agencies	



**DATE: MAY 10, 2012**

**TO: PURCHASING DEPARTMENT**

**FROM: MYRA CONKLIN, TREASURER**

**SUBJECT: AWARD RECOMMENDATION  
RFQ NO. 2012-126-C  
RFQ FOR BOND AND DISCLOSURE COUNSEL SERVICES**

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This memo is being written to describe the process and methodology used in the selection of Fulbright & Jaworksi to provide bond and disclosure counsel services for the City.

### **Description of Services**

The City of Plano intends to obtain the services of qualified Bond Counsel to assist the City in the administration and the sale and refunding of municipal bonds and other financing vehicles, including services as disclosure counsel and tax advisor. Debt issues may include bonds, certificates of participation, certificates of obligation, tax anticipation notes, contractual obligations, and other instruments.

### **Request for Qualifications (RFQ) Original Respondents**

The RFQ for these services was issued on February 27, 2012. Five (5) respondents submitted proposals by the March 12, 2012 deadline. These included:

1. Andrews Kurth LLP
2. Bickerstaff Heath Delgado Acosta LLP
3. Bracewell & Giuliani LLP
4. Haynes and Boone, LLP
5. Fulbright & Jaworski LLP

### **Evaluation Team**

The evaluation team for proposals associated with these services included participants in the bond issuance cycle (i.e. the finance, legal and treasury departments).

### **Evaluation Criteria**

The City of Plano Purchasing Division worked with the evaluation team to develop a set of evaluation criteria, including their scoring weights, for the Request for Qualifications. The criteria established are as follows:

**1. Experience (45%)**

To assess Respondent’s experience with Texas municipalities’ general obligation, utility system and revenue bond issues and general experience in all types of public financings. Respondent’s demonstrated competence and experience in the practice of public finance law and securities law.

**2. Team Members (45%)**

To assess the qualifications of the public finance staff Respondent proposes to assign to City of Plano public finance transactions including education, position held in firm, and years and types of public financing experience.

**3. References (10%)**

To assess client satisfaction and the Respondent’s competence with municipal issues related under the scope of work in this RFQ.

**Evaluation Process**

The evaluation team met with the Buyer from the City of Plano Purchasing Division to “kickoff” the evaluation process. Each team member was provided a set of proposals to review the scope of services of each firm. Team members were instructed to review all 5 proposals and score each section (as listed above in the “Evaluation Criteria”). The scoring chart that was provided is as follows:

<b>Proposal Evaluation Scoring</b>	
<b>Score</b>	<b>Explanation</b>
0	Non-responsive
1	Merely Responsive
2	Fair (Meets Some Needs)
3	Good (Meets ALL Needs)
4	Above Average (Meets ALL and EXCEEDS some needs)
5	Excellent (Innovatively EXCEEDS ALL Needs)

Evaluation team members then reviewed each proposal and provided a score for each of the sections of the proposal (listed in the Evaluation Criteria above). A meeting was held with the Evaluation team members to discuss the scores. A single score for each of the evaluation criteria was agreed upon by the members. The following were the discussions held on each section:

**Experience**

The evaluation team reviewed each proposal to assess that each firm had prior experience with municipalities within the state of Texas.

### **Team Members**

The evaluation team reviewed the length of service in public finance each attorney possessed.

### **References**

The City of Plano Finance, Legal and Treasury Departments and the Purchasing Division collaborated and developed a set of questions to ask each of the respondents to the RFQ for these services. Treasury staff called each reference for each vendor the agreed upon questions.

Based on the above information, the evaluation team sent a recommendation to the Purchasing Division to award the RFQ to Fulbright & Jaworski based on the scope of services and strength of legal counsel members derived from evaluation and scoring. If bond counsel is not selected, the City would not have the expertise to insure that bond sales are conducted lawfully and in the City's best interest, including all post-sale compliance issues.

Feel free to contact me if you have any questions at (972) 941-7312.