

Attachment B

San Juan County RFP Form

Respondent Information: Provide the following information about yourself and your company.

Respondent Name: ETJLaw, Inc.

Address: P.O. Box 831, Pleasant Grove, Utah 84062 (9992 N. 4000 W., Cedar Hills, UT 84062)

City: Cedar Hills State: Utah Zip: 84062

Business Structure:

Individual or Sole Proprietorship

Partnership

Corporation

Limited Liability Company

Other, list business structure _____

Insurance Certificate: Copy of insurance certificate, or **We are willing to provide an insurance certificate if selected.**

Contact Information: List the one person who San Juan County or their representative may contact concerning your proposal.

Name: Eric Johnson

Telephone Number: 801-520-5333


E-mail: eric@publicprivatelaw.com

Final Bid/Pricing Structure

\$150 per hour

\$6,000 maximum total price for all bond counsel work to issue the lease revenue bonds.

By submitting this proposal, Eric Johnson hereby certifies our willingness to enter into a contract with San Juan County, if selected.

Signature:  Date: January 5, 2024

Mr. Johnson and Mr. Yellowhorse have been bond counsel on literally hundreds of bonds purchased by the Community Impact Board. We routinely coordinate with its special bond counsel, Mr. Bill Prater. Our attorneys have served as bond counsel to numerous other rural Utah counties, including Rich County, Box Elder County, Daggett County, Uintah County, Duchesne County, Carbon County, Emery County and others. Most of these have been accomplished through a local building authority and the majority have been purchased by the Community Impact Board.

Over the last 5 years we have been bond counsel on the following lease revenue bonds involving a local building authority or for long established borrowers, a municipal building authority in which we issue an approving, unqualified opinion as sole bond counsel.

- LBA of Flaming Gorge EMS and Fire District \$227,000 Taxable Lease Revenue Bonds, Series 2023 for a fire station. In addition to the standard bonding process, this also involved annexing the Town of Manila into the Fire District and transferring the property for the fire station from Daggett County to the Fire District. The purchaser was the CIB.
- MBA of Carbon County \$1,434,000 Lease Revenue Bonds, Series 2021 for the Southeastern Utah Health Department Building. In addition to the standard bonding process this involved subleasing the building from the County to the Health Department. The purchaser was the CIB.
- MBA of Duchesne County \$3,949,000 Lease Revenue Bonds, Series 2021 for a library building. CIB was purchaser.
- MBA of the City of Duchesne \$165,000 Lease Revenue Bonds to expand fire station. Bonds are still in process and have not closed. CIB has authorized loan.
- LBA of Elmo Town \$374,000 Lease Revenue Bonds, Series 2020 to expand town hall and fire station. In addition to standard bonding process, the town hall and fire station was previously pledge for a prior bond and so amending documents were needed for the lease and bond authorization. CIB was purchaser.
- LBA of Emery County \$491,000 Lease Revenue Bonds, Series 2021 for energy research center. CIB was purchaser. Grant of \$7,000,000.
- LBA of Helper City \$232,000 Lease Revenue bonds, Series 2018 for fire truck. CIB was purchaser.
- LBA of Helper City \$519,000 Lease Revenue Bonds for public works building. Bonds are still in process and have not closed. CIB has authorized loan.
- LBA of Milford Area Healthcare Service District #3 \$150,000 Lease Revenue Bonds, Series 2018 for ambulance. CIB was purchaser
- LBA of Pinon Forest SSD \$170,000 Lease Revenue Bonds, Series 2021 for office building. CIB was purchaser.
- LBA of Rich County \$3,870,000 Lease Revenue Bonds, Series 2018 for road improvements. CIB was purchaser.
- MBA of Roosevelt City \$3,220,000 Lease Revenue Bonds, Series 2023 for sport complex. CIB was purchaser.
- LBA of Rocky Ridge Town \$1,145,000 Lease Revenue Bonds, Series 2023 for town hall and senior center. CIB was purchaser.
- LBA Town of Springdale \$3,616,000 Lease Revenue Bonds for filtration building. Bonds are still in process and have not closed. CIB has authorized loan.

- MBA of Uintah County \$990,000 Lease Revenue Bonds for road equipment. Bonds are still in process and have not closed. CIB has authorized loan.
- LBA of Upper County Recreation District (Altamont) \$714,000 Lease Revenue Bonds for rodeo facilities. Bonds are still in process and have not closed. CIB has authorized loan.
- LBA of Wales Town \$140,000 Lease Revenue Bonds, Series 2019 for public safety building expansion. CIB was purchaser.
- LBA of Wellington City \$218,000 Lease Revenue Bonds, Series 2020 for fire truck. CIB was purchaser.

We prepare all resolutions and documents related to the bond funding to ensure that we are able to issue an unqualified opinion on the bonds. We find that preparing the documents up front minimizes later delays. Under Utah law, the bonding process takes at least 30 days from start to finish. This is because public notice of intent to issue bonds and public notice of a public hearing are required, along with the noticed public hearing. This notice commences a 30-day contest period. While we can expedite the bonding process, usually it takes 45-60 days to complete the bonding process. However, most of the time the timing for closing on the bonds is dependent on the design and bidding of the building project. The bonding process usually advances faster than the design and bidding of the building. The CIB will require the building to be bid before it will close on the bonds. If the building is already designed and ready for bidding, then we can expedite the bonding process.

Since we began serving Blanding City as its general counsel in 2022, our interest in additional work in San Juan County has grown. We are backing that interest with a discounted proposal for our fees as bond counsel. We propose fees of \$150 per hour with a maximum total bond counsel fee capped at \$6,000. We do not charge for copies or calls or other administrative charges. \$6,000 is an all in maximum fee as bond counsel for your project. This discounted rate will be matched by a similar priority to your project. In short, we very much wish to work with San Juan County and pledge to make your project a top priority for our time and attention, as well as a top priority on discounted fees.

We are willing to enter into a contract with the County. We have read the RFP and agree to be bound by its terms and provisions. Our prices are firm and will not change, unless there is a change in the authorized funding by the CIB. We agree to the controlling law and venues in the RFP. We are attorneys licensed by the Utah State Bar. ETJLaw, Inc. is registered with the Utah Division of Corporations. We agree to the other terms of the RFP and note that in addition to the insurance provisions in the RFP, we also carry malpractice insurance on all our attorneys. We do not claim any protections under GRAMA.

A short resume for each of our attorneys is attached. You will note the exceptional performance of our attorneys in law school. In addition, two of our attorneys were elbow clerks to justices at the Utah Supreme Court where we assisted our respective justices in drafting judicial decisions. And, Joel Yellowhorse is trained as a civil engineer, which background proves to be very useful to our clients on matters related to buildings, land development, water, and all things touching natural resources.

Thank your for considering our proposal. Best wishes with your funding and your project.

All the Best,

A handwritten signature in blue ink, appearing to read "E. T. Johnson", with a long horizontal flourish extending to the right.

Eric Todd Johnson
Robert A. Patterson
Joel Yellowhorse

ERIC TODD JOHNSON

P.O. Box 831, Pleasant Grove, Utah 84062, cell is (801) 520-5333.

EXPERIENCE

- Bond Counsel on hundreds of public projects for essentially all types of public entities, such as cities, counties, school districts, interlocal agencies, local districts, special districts, municipal building authorities, etc. Sole Bond Counsel on more than 100 bond fundings purchased by the Utah Permanent Community Impact Fund Board. Listed in the Redbook as Nationally Recognized Bond Counsel in Utah since 2000.
- Assist communities surmount distressed financial situations, with experience in basically all types of public financings, from among the most sophisticated to the commonplace.
- Provide legal expertise on alternatives and legal formats to advance public projects, and to acquire fee title, easements, or other interests in real property for numerous public bodies, related to public projects.
- Law Clerk to Justice I. Daniel Stewart of the Utah Supreme Court, 1994-95.
- BYU Law School Adjunct Law Professor for State and Local Government Law in 2019.

EDUCATION

- Juris Doctorate - J. Reuben Clark Law School, 1994
 - Order of the Coif (top 3%)
 - Law Review Editor
 - Academic Scholarship
 - International Moot Court
- M.B.A. – with honors, Western Washington University, 1990
- B.S. – Brigham Young University, 1986

REFERENCES

- Bret Reynolds, Flaming Gorge Fire and EMS District, (435) 790-5624, 95 N., 1st W., Manila, Utah 84046.
- Jacob Sharp, District Manager, Castle Valley Special Service District, Utah (435) 381-5333, 20 S., 100 E., Suite 200, Castle Dale, Utah 84513.
- Mike Wilkins, County Clerk/Auditor, Uintah County, Utah (435) 828-5362, 147 E. Main, Vernal, Utah 84078
- Cory Branch, City Administrator, Mapleton City, Utah (801) 806-9104, 125 West Community Center Way, Mapleton, Utah 84664

ROBERT A. PATTERSON

Cell 801.200-5910

EXPERIENCE

- Counsel for numerous for Utah public entities, such as Manti, Highland City, Kamas, Oakley, Nibley, Hyde Park, Mona and other cities, counties, local districts, special districts, etc.
- Provide legal expertise on public projects to acquire fee title, easements, or other interests in real property for public bodies.
- Law Clerk to Chief Justice Matthew Durrant of the Utah Supreme Court, 2015-16.

EDUCATION

- Juris Doctorate - J. Reuben Clark Law School, 2015
 - Order of the Coif (#2 in his class)
 - Law Review Editor
 - Academic Scholarship
- B.S. – with honors, University of Utah, 2012

JOEL YELLOWHORSE

Cell 801.850-8209

EXPERIENCE

- Bond Counsel for numerous Utah public entities, including those funded by the Utah Permanent Community Impact Fund Board. Listed in the Redbook as Nationally Recognized Bond Counsel.
- Counsel to various communities, including Blanding City, Price City, Richfield City, Monroe City, Annabella, Gunnison, Sterling, Price, Goshen, Town of South Ogden City, Mapleton and other cities, counties, local districts, special districts, etc.
- As a trained civil engineer, provide legal expertise on building matters, easements, land title issues, water rights and other matters impacting natural resources.

EDUCATION

- Juris Doctorate - J. Reuben Clark Law School - BYU, 2020
 - Academic Scholarship
- B.S. – with honors, Brigham Young University, 2017 (Civil Engineering).