



**REQUEST FOR QUALIFICATIONS:  
RFQ NO. 2025-01-TEDC**

Professional Legal Services

DEADLINE: \_\_\_\_\_

TOMBALL ECONOMIC DEVELOPMENT CORPORATION

Submission due by \_\_\_\_\_

## REQUEST FOR QUALIFICATIONS (RFQ) FOR LEGAL SERVICES FOR THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION (TEDC)

### 1.0 REQUEST FOR QUALIFICATIONS

#### 1.1 General Information

The Tomball Economic Development Corporation (TEDC) is requesting statements of qualifications and related proposals for legal services. TEDC is a 4B/Type B Corporation formed under the Texas Development Corporation Act of 1979, as amended. The purpose of the TEDC is to use economic development resources to encourage and promote the general economic welfare of the City, its residents and businesses as authorized by the Texas Local Government Code.

The affairs of the TEDC are governed by the Board of Directors, appointed by the City Council of the City of Tomball, and subject to its Articles of Incorporation and Bylaws. The TEDC is funded by ½ cent sales tax reimbursed to the City from the State Comptroller

The TEDC is soliciting Statements of Qualifications (SOQ) from attorneys with experience in Texas municipal law and/or the Development Corporation Act of 1979, as amended. The TEDC requires legal counsel to enable the TEDC to execute its duties consistent with all applicable local, state, and federal laws and regulations. This Request for Qualifications (RFQ) solicits information that will enable TEDC to determine the best suited legal firm that may provide professional legal services for the organization. This solicitation may lead to an hourly contract to provide a full range of legal services to TEDC.

#### 1.2 Detail

This document contains the instructions governing statements of qualifications submitted by interested service providers, the format in which to submit SOQ's, the materials to submit therein, and the general evaluation criteria. A service provider desiring consideration must provide a response in accordance with these instructions and meet all requirements stated herein.

#### 1.3 Intent

The intent of TEDC is to hire a legal firm to provide legal services related to economic development and other matters. The selection will take place through a two-step procurement process, with formal advertising and direct solicitation. TEDC will evaluate all responses in step one and may conduct interviews with short-listed respondents in step two.

TEDC reserves the right to reject any and all qualification statements received in response to this RFQ. TEDC reserves the right to short list respondents and base final selection rankings on personal interviews. TEDC reserves the right to conduct new services selection procedures for current and/or future needs.

## 1.4 Standards

The selection of a legal firm and award of a contract may be contingent upon the funding and approval through the TEDC Board of Directors. Fees provided for in contracts or agreements shall be reasonable. TEDC shall consider fees to be reasonable if they are not in excess of those ordinarily charged by the profession as a whole for similar work. TEDC will negotiate for procurement of professional services, where by competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiations of fair and reasonable compensation.

## 1.5 Right of Rejection

TEDC reserves the right to reject any and all SOQs received in response to this request. TEDC is not obligated to award a contract solely based on this request or to otherwise pay for information solicited.

## 1.6 Schedule and Submittal Deadline

The hourly contract is anticipated to be awarded on or before \_\_\_\_\_. The SOQ Package (See Section 2.2) must be submitted to the TEDC by 12:00 p.m., CDT on \_\_\_\_\_. See Section 2.2 for mailing or delivery instructions.

## 1.7 Texas Public Information Act

All data and information submitted by the legal firms in response to this RFQ may become public information, as provided by the Texas Public Information Act, Texas Government Code Sections 552.001 - 552.026. TEDC does not assume responsibility for asserting legal arguments for confidentiality on behalf of the legal firm.

## 1.8 Cost of Preparing Statement of Qualifications

Package Costs for preparing the SOQ Package and any subsequent materials or presentations shall be the sole responsibility of the prospective legal firm.

## 1.9 Scope of Services

The selected legal firm shall provide timely and professional written opinions and responses to TEDC requests as well as timely and professional billing documents in accordance with the agreed upon contract. It is the intent of this RFQ that a consistent quality of services is provided for all of TEDC legal requirements. The services to be provided by the legal firm, if selected, may include all of the following duties:

- General legal representation on economic development (Type B) including support for real estate projects and public finance.
- Attending TEDC Board of Directors meetings, as needed.
- Representation on Texas Public Information Act matters (Section 552.001 of the Government Code)
- Legal advice regarding governance and board obligations including bylaw revisions and incorporation issues.
- Drafting, review, and negotiations of contracts.

- Advice and/or representation regarding legislative matters.
- Legal advice regarding financial matters.
- Legal advice relating to other Economic Development vehicles such as tax increment financing districts, public---private partnerships and tax credit
- Other legal matters as may be necessary or required

## 2.0 INSTRUCTIONS AND PROCEDURES

### 2.1 SOQ Package Preparation

The Qualification Package will include the following four (4) components and shall be numbered as shown:

1. One page transmittal letter. The letter shall provide the names, title, address (physical and mailing), and telephone number of the official contacts.
2. Statement concerning insurance coverages and liability amounts. Confirmation that the legal firm has in place general liability insurance, worker's compensation, and professional liability insurance.
3. Statement concerning conflict of interest. Those interests of the legal firm that would impede with or interfere in the carrying out the duties and responsibilities of the position of a privileged attorney are deemed conflicting.
4. Statement of Qualifications to include a complete description of the following:
  - A. Background on the firm's organization
  - B. Key personnel that will be assigned to TEDC. The information for each individual must include the following: name, area(s) of expertise, years of experience, and professional licenses(s).
  - C. Present examples of the firm's experience and expertise in providing counsel on the list of expected services detailed in Section 1.9.
  - D. Provide at least three references. References must include name, phone number, email address, location, legal firm's role and responsibility, project description.

### 2.2 Submitting the SOQ Package

The legal firm shall submit the SOQ package electronically via email in a pdf format to Kelly Violette, Executive Director, at [kviolette@tomballtxedc.org](mailto:kviolette@tomballtxedc.org). The SOQ package should be limited to 10 pages.

The submission deadline for SOQs is no later than 12:00PM, CDT, \_\_\_\_\_.

### 2.3 Evaluation Factors

The evaluation factors include:

- The firm's familiarity and previous project experience with municipal law, real estate and economic development. Experience with Public Improvement Districts, Tax Increment Financing districts, public---private partnerships, tax credits and other economic development vehicles.
- Professional qualifications of the individual(s) (including subcontracted

- personnel) who will perform the work.
- The legal firm's performance record and experience (including subcontractors) with similar type clients.
- The firm's experience with the Texas Public Information Act.
- The firm's experience with public finance.
- The legal firm's office locations.
- The legal firm's insurability and status of current work related to litigation or arbitration.
- The legal firm's anticipated workload during period of engagement and availability of personnel.

## 2.4 Inquiries

If any firms have questions or need additional information to clarify the intent of this RFQ, submit questions or requests via email to [kviolette@tomballtxedc.org](mailto:kviolette@tomballtxedc.org) before \_\_\_\_\_ . TEDC will collect these questions and respond to all the RFQ Package holders prior to evaluation.

Should any firms find discrepancies in or omissions from the RFQ, or should they be in doubt as to their meaning, the legal firm shall notify Kelly Violette, Executive Director.

## 2.5 Evaluation Process

- TEDC may call upon anyone they deem necessary to assist with the evaluation.
- TEDC may obtain information from references.
- TEDC may contact the respondents for the purpose of obtaining additional information or clarification during the evaluation period.
- TEDC will evaluate each SOQ received, in accordance with the factors in Section 2.4, based on the contents of the SOQ, any subsequent written clarifications required, and reference information obtained.
- TEDC may rank and determine the highest qualified firm based solely upon the evaluation of the SOQ package, any subsequent written clarifications required, and reference information obtained.
- If TEDC deems it necessary to conduct interviews, TEDC may identify two or more firms to be interviewed using the procedure in Section 2.7.

## 2.6 Interviews

TEDC reserves the right to interview each legal firm that submits a SOQ before the deadline. If interviews are conducted, TEDC will develop a list of questions to be

answered by each firm interviewed and provide additional instructions to be followed. TEDC will select a legal firm upon completion of the interviews.

## 2.7 Notification of Selection

TEDC will notify the legal firm(s) in writing. Upon notification of selection by TEDC, the TEDC and Proposer will attempt to negotiate scope and extent of work to be performed, time for full performance, compensation, and other terms. Final selection of the successful legal firm(s) will be contingent upon approval of the TEDC Board of Directors.