

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a contract with **Luvaas Cobb** for General Counsel Services.

Board Meeting Date: December 5, 2017

Project Name/Contract#: General Counsel Services / RFP 045-2017

Primary Contact: Sue Fahey Ext. 7688

Purchasing Contact: Ramie Alkire Ext. 7413

Contract Amount:

Original Contract Amount: \$ 750,000 (Over 5 years)

Additional \$ Previously Approved: \$ N/A

Invoices over last approval: \$ N/A

Percentage over last approval: N/A %

Amount this Request: \$ 750,000

Resulting Cumulative Total: \$ 750,000

Contracting Method:

Method of Solicitation: Formal RFP

If applicable, basis for exemption: N/A

Term of Agreement: December 6, 2017 – December 5, 2022

Option to Renew? Annually up to 5 years

Approval for purchases "as needed" for the life of the contract Yes

Proposals/Bids Received (Range): 2 (\$195/hourly rate - \$295/hourly rate)

Selection Basis: Highest Ranked Proposer

The Board is being asked to approve a new contract with **Luvaas Cobb** of Eugene, OR for General Counsel Services. EWEB requires the services of a qualified legal firm to provide general legal services. In addition to general counsel, EWEB may appoint special counsel for other projects if desired. EWEB currently utilizes the services of several other legal firms to provide specialized counsel in the areas of Human Resources, Bonds, and Power Resources.

In September 2017, EWEB issued a Formal Request for Proposals (RFP) for general counsel services. Twenty-one (21) entities reviewed the RFP between the State of Oregon's Procurement site (ORPIN) and EWEB's bid page. ORPIN sends out automatic notifications to registered firms interested in the specific type of services in our RFP. Staff also proactively reached out to several firms in advance of the closing date.

EWEB received two (2) responses: (1) Luvaas Cobb of Eugene, OR and (2) Harrang Long Gary Rudnick PC of Eugene, OR. The responses were evaluated by a cross-functional team based on the weighted criteria stated in the RFP which consisted of Knowledge of Laws, Rules, and Service Philosophy (25%); Staff and Resources (20%); Fees (15%); Firm Background and Experience (15%); Relevant Case Results (15%); Transition Management Plan (5%); and References (5%).

Luvaas Cobb was found to be responsive and received the highest score in the evaluation of proposals. They scored high in Knowledge of Laws, Rules, and Service Philosophy; and Fee Schedule. Luvaas Cobb maintains a valuable historical perspective and broad range of expertise in municipal utility legal matters. Luvaas Cobb has an extensive history of representing public entities, having served as legal counsel for school districts since the 1950's. Staff has successfully negotiated a contract, and has issued a Notice of Intent to Award, pending Board approval.

The total contract amount will be approximately \$750,000 over the total five-year period. The contract amount is based on historic costs of which the hourly rate has not changed since 2008.

ACTION REQUESTED:

Management requests the Board approve a new contract with **Luvaas Cobb** of Eugene, OR for General Counsel Services. The total Finance division budget is \$9 Million for 2017 and the proposed budget for 2018 is \$8.6 million. This item will be budgeted annually.

SIGNATURES:

Project Coordinator: _____

Manager: _____

Purchasing Supervisor: _____

Executive Officer: _____

Board Approval Date: _____