

Financial Affairs  
Richard H. Hinds, Chief Financial Officer

**SUBJECT: AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL FOR  
SPECIAL TAX AND BOND COUNSEL**

The current contracts for Special Tax and Bond Counsel expire in December, 2000.

In order to appoint counsel which will continue to serve in these capacities a new Request for Proposal presented as Attachment "A" is submitted to the Board for approval. The advertisement for the Request for Proposal is presented as Attachment "B". A list of suggested members for the Selection Committee which will submit a recommendation to the Superintendent for consideration by the Board is presented as Attachment "C". The District's financial advisor will serve as non-voting resource to the Selection Committee.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida:

- 1) approve the Request for Proposal presented as Attachment "A";
- 2) approve the advertisement for the Request for Proposal presented as Attachment "B";
- 3) approve the Selection Committee presented as Attachment "C"; and
- 4) appoint a School Board member as a member of the Committee.

THE SCHOOL BOARD  
OF MIAMI-DADE COUNTY, FLORIDA

REQUEST FOR PROPOSAL

SPECIAL TAX COUNSEL  
and  
BOND COUNSEL



Office of Treasury Management

Financial Affairs

**REQUEST FOR PROPOSAL FOR SPECIAL TAX AND BOND COUNSEL**

The School Board of Miami-Dade County, Florida, hereinafter referred to as the "School Board", is seeking to engage Special Tax and Bond Counsel to assist, provide legal advice and all necessary legal services related to the issuance and/or refunding of certificates of participation, general obligation bonds and to provide professional services in other debt related areas including tax anticipation notes, revenue anticipation notes, interest rate swaps and lease-purchases as deemed necessary. The School Board's long-range capital facilities plan anticipates the future issuance of a diverse spectrum of debt. Additionally, the School Board will consider the refunding of outstanding debt obligations to realize economic savings.

Selected Special Tax and Bond Counsel shall be available on or about December 1, 2000 to prepare documents and perform legal work regarding, but not limited to, the activities enumerated in the preceding paragraph.

Selected Special Tax and Bond Counsel is expected to enter into an agreement with the School Board for a fixed period of three years, with a possible extension subject to the School Board's approval of another three years. The School Board, however, reserves the right to cancel the agreement upon thirty days prior notice.

In order to maintain a fair and impartial competitive process, the School Board members will avoid private communications with prospective proposers or their representatives regarding this matter. Any questions regarding the Request for Proposal are to be directed to Mr. Eduardo A. Alfaro, (305) 995-1684. Any questions regarding the District's Minority/Women Business Enterprises are to be directed to Ms. Patricia Freeman at (305) 995-1494.

A selection committee will review all proposals received and may interview a short list of proposers. Any firm included in the short list not present for the session will be automatically disqualified. The Committee will make a recommendation to the Superintendent for further recommendation to the School Board. The criteria for recommending award of this contract shall be based upon Sections I through IV of this request, e.g., experience, personnel, minority/women business enterprise participation and proposed fees. The School Board reserves the right to negotiate fees with proposers.

Proposals should be limited to twenty pages. Any additional materials the proposer may wish to include must be presented in appendix form. The information requested should be presented as set forth in Sections I through IV.

The School Board reserves the right to select more than one proposer for these services.

Joint proposals, those presenting more than one law firm, will not be accepted.

I. Experience in Issuance of Certificates of Participation and General Obligation Bonds

A summary of certificates of participation financings and certificates of participation refundings within the past three years in which the firm has acted as Special Tax Counsel. Particular emphasis should be placed on certificates of participation issued by school districts within the State of Florida. Fees for services and expenses shall be included. The summary shall also include names and telephone numbers of pertinent government officials who may be contacted for references regarding work performed on certificates of participation.

A summary of general obligation financings and general obligation refundings within the past three years in which the firm has acted as Bond Counsel. Particular emphasis should be placed on general obligation bond refunding issues. Fees for services and expenses shall be included. The summary shall also include names and telephone numbers of pertinent officials who may be contacted for references regarding work performed on general obligation bonds.

A summary of tax anticipation notes, revenue anticipation notes, interest rate swaps and individual lease-purchase transactions within the past 3 years in which the firm served, fees for services and expenses shall be included. The summary shall also include names and telephone numbers of pertinent officials who may be contacted for references regarding work performed on these transactions.

II. Personnel

Proposers must designate personnel who will be available as required. Resumés containing professional experience, preparation and background should be presented for each of these individuals.

This section shall also indicate the individual specifically assigned as lead person and the understudy in his or her absence. Replacement personnel are subject to prior approval by the School Board.

III. Scope of Services and Proposed Fee Structure

Candidate firms must provide the District with a scope of services and proposed fee structure for the following types of transactions:

1. Competitive General Obligation Bonds;
2. Competitive General Obligation Refunding Bonds;
3. Negotiated General Obligation Refunding Bonds;
4. Negotiated Certificates of Participation, (equipment and real estate);
5. Negotiated Certificates of Participation Refundings (equipment and real estate);
6. Revenue Anticipation Notes;
7. Tax Anticipation Notes;

8. Other lease-purchases, such as Qualified Zone Academy Bonds (QZAB);
9. Interest Rate Swaps

The District is willing to consider alternative pricing/fee arrangements, such as hourly rates, proposers may wish to provide. It would be useful if estimates based on prior experience were included to facilitate comparisons. Please include any other type of financing transaction that may be of interest to the District.

Additionally, please include in your proposal estimated out-of-pocket expenses with the maximum amount needed per transaction.

IV. Affirmative Action Requirements and M/WBE participation

1. Equal Employment Opportunity

It is the policy of The School Board of Miami-Dade County, Florida that no person will be denied access, employment, training, or promotion on the basis of gender, race, color, religion, ethnic, or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, or disability, and that merit principles will be followed.

Each firm shall be required to indicate its equal employment policy and provide a detailed breakdown by ethnicity, gender and occupational categories of its work force.

2. Minority/Women Business Enterprise (M/WBE) Participation

The School Board of Miami-Dade County, Florida has an active Minority/Women Business Enterprise Program to affirmatively increase the level of Minority/Women Business Enterprise participation to the maximum percentage of total annual expenditures. In order to achieve its assistance levels, the Board provides the maximum opportunity for Minority/Women Business Enterprise participation.

In keeping with this policy, each firm will be required to state its Minority/Women Business Enterprise utilization. If a minority firm, which is woman-owned and operated, Hispanic-owned and operated, or African American-owned and operated is used in conjunction with the scope of work, the firm is to indicate the scope of the minority firm's work, experience in this type of required service, and experience of staff who will participate. All Minority/Women firms must be certified by the Division of Business Development and Assistance prior to contract award.

A quarterly report documenting efforts undertaken by the proposer to maintain the stipulated M/WBE participation will be required. The report shall include the names of the firms, contact persons and expenditures paid to date. The report shall be submitted to the Division of Business Development and Assistance, 1450 Northeast Second Avenue, Room 456, Miami, Florida 33132.

V. Tentative Time Schedule

The following time schedule will be followed in the selection process of Bond Counsel:

July	20, 2000	Advertisement and distribution of RFP
August	20, 2000	Due date for proposal 2:00 p.m.
On or about September 11, 2000		Evaluation of proposals by Selection Committee
On or about September 14, 2000		Interviews of short-list of proposers
September 20, 2000		Recommendation to Superintendent
October	11, 2000	School Board consideration at its regular Meeting

VI. Instructions

An original and ten copies of the proposal must be submitted prior to 2:00 p.m. on August 20, 2000 and shall be forwarded as follows:

Mr. Eduardo A. Alfaro, CPA, Treasurer  
The School Board of Miami-Dade County, Florida  
Office of Treasury Management  
1450 Northeast Second Avenue, Room 615  
Miami, Florida 33132

Proposals received after the 2:00 p.m. deadline will not be considered.

VII. Pricing

Proposer shall submit a fee schedule for the Special Tax and Bond Counsel services associated with the issuance of new and refunding certificates of participation, general obligation bonds, general obligation refunding bonds, tax anticipation notes, revenue anticipation notes, interest rate swaps and lease-purchase agreements. Any other fees and expenses, with a maximum amount per issue of debt shall also be set forth. Please note that payment will be due after closing on debt issued and will be due only on a "successful effort" basis.

VIII. Proposed Letter Agreement

A sample letter of agreement indicating terms and conditions incorporated in the proposal and a specific list of tasks to be performed in the issuance of debt.

IX. Pending Litigation/Claims

Firms shall disclose pending litigation or claims, if any, against the firm or individual lawyers.

X. Selection Criteria

Special Tax and Bond Counsel will be selected on the basis of the firm and its assigned staff who can better meet the requirements of Miami-Dade County Public Schools. Experience and expertise are of the highest importance and appropriate references are to be submitted. Only firms listed in the Attorney's section of The Bond Buyer's Municipal Marketplace Directory - Spring 2000 will be considered. Prices offered are a significant factor and may be subject to negotiation. To facilitate rapid communication and interaction it is desirable that proposers have a staffed office in Miami-Dade County, Florida.

**REQUEST FOR PROPOSAL  
SPECIAL TAX AND BOND COUNSEL**

The School Board of Miami-Dade County, Florida is soliciting proposals for qualified Special Tax and Bond Counsel to provide services to Miami-Dade County Public Schools for a term of three years with a possible three year extension. Proposers are requested to respond by 2:00 p.m., August 20, 2000.

Interested parties who wish to obtain a Request for Proposal for Special Tax and Bond Counsel are to contact Miami-Dade County Public Schools, Office of Treasury Management, at 1450 Northeast Second Avenue, Room 615, Miami, Florida 33132, telephone (305) 995-1684, facsimile (305) 995-2387.

July 24, 2000



Selection Committee  
for  
**Special Tax and Bond Counsel**

Dr. Richard H. Hinds, Chief Financial Officer  
Financial Affairs

Ms. Carol R. Cortes, Deputy Superintendent  
Management and Accountability

Dr. Rose Barefield-Cox, Associate Superintendent  
Bureau of Procurement and Materials Management

Ms. Patricia Freeman, Director  
Division of Business Development and Assistance

Mr. Eduardo A. Alfaro, Treasurer  
Office of Treasury Management

School Board Member

Non-Voting Member, Resource Person  
Ms. Annette L. De Lara, Financial Advisor