



**Request for  
Qualifications**

**General Legal Services**

**Capital Area Metropolitan Planning Organization  
May 11, 2023**

**REQUEST FOR QUALIFICATIONS (RFQ)**  
**CAPITAL AREA MPO GENERAL LEGAL SERVICES**

**PURPOSE**

The North Carolina Capital Area Metropolitan Planning Organization (MPO) is seeking a qualified a qualified firm or individual to serve as contract attorney to the agency. The individual or firm acting as agency attorney would be required to perform general legal counsel services including but not limited to: 1) legal services to review and/or prepare agreements and contracts necessary and reasonable to carry out the metropolitan planning process in accordance with 23 CFR 420.113, 2) interpretation of applicable federal, state and local laws, regulations and guidance necessary and reasonable to carry out the metropolitan planning process in accordance with 23 CFR 420.113, and 3) initial review and response to future litigation pertaining to the MPO’s roles in the metropolitan transportation planning “3-C” process. Selected firm(s) or individual(s) will be retained for a period of three fiscal years – July 1, 2023 – June 30, 2026.

**RFQ SCHEDULE**

<b>Advertise RFQ</b>	May 11, 2023
<b>RFQ Question Submittal Deadline - 11 a.m.</b>	May 19, 2023
<b><u>RFQ Response Submittal Deadline - 11 a.m.</u></b>	<b><u>May 26, 2023</u></b>
<b>Tentative Candidate Selection</b>	June 2, 2023
<b>Contract Negotiations</b>	June 2-23, 2023
<b>Anticipated Notice to Proceed</b>	July 1, 2023

**LEAD AND SPONSORING AGENCIES**

The Federal Aid Highway Act of 1962 required that transportation projects in urbanized areas of 50,000 or greater in population be based on a continuing comprehensive urban transportation planning process undertaken cooperatively by the states and local governments. In an effort to complete this transportation planning process in an effective manner, the North Carolina Capital Area Metropolitan Planning Organization was created. The current Capital Area MPO planning area boundary encompasses 1,579.51 square miles and a population of more than 1,000,000.

The Capital Area MPO is tasked with providing a regional, comprehensive and cooperative planning process that serves as the basis for the expenditure of all federal transportation funds in the area. Under Section 134 of the Federal Highway Act of 1973, MPOs are required to prepare long range transportation plans for the planning area with a minimum of a 20-year planning horizon.

The Town of Cary serves as the Lead Planning Agency for the Capital Area MPO. The MPO is required to complete the transportation planning process in a continuing, cooperative and comprehensive manner. In order to accomplish these goals, Capital Area MPO staff has the responsibility of coordinating Technical Coordinating Committee and Executive Board activities, completing a Unified Planning Work Program (UPWP), reviewing and approving the Transportation Improvement Program (TIP), adopting a Metropolitan Transportation Plan (MTP) and a Comprehensive Transportation Plan (CTP), approving changes to the Federal-Aid Functional Classification System, and establishing goals and objectives for the Transportation Planning Process. The MPO also has several assigned responsibilities as part of the Wake Transit governance structure, including developing and adopting the annual Wake Transit Work Program and staffing the Transit Planning Advisory Committee (TPAC).

## **BACKGROUND**

The Capital Area MPO is seeking a qualified firm or individual to serve as contract attorney to the agency. The individual or firm acting as agency attorney would be required to perform three legal counsel services: 1) legal services to review and/or prepare agreements and contracts necessary and reasonable to carry out the metropolitan planning process in accordance with 23 CFR 420.113, 2) interpretation of applicable federal, state and local laws, regulations and guidance necessary and reasonable to carry out the metropolitan planning process in accordance with 23 CFR 420.113, and 3) initial review and response to future litigation pertaining to the MPO's roles in the metropolitan transportation planning "3-C" process.

## **SCOPE OF SERVICES**

In order to be considered, proposals must address each of the requests for information included in this document. In addition, information regarding rates and fees must be submitted for each category below. The scope of services for which fees and rates are requested is divided into three categories as shown below. The selected firm or individual will be required to provide a detailed, itemized billing for each category, on a quarterly basis.

**I. Legal Services to review and/or prepare agreements and contracts necessary and reasonable to carry out the metropolitan planning process per 23 CFR 420.113. General Representation and legal review/interpretation of agreements, contracts and other legal instruments.**

**II. Interpretation of applicable federal, state and local laws, regulations and guidance necessary and reasonable to carry out the metropolitan planning process per 23 CFR 420.113 and any other purposes as requested by the MPO, including those related to local governments, transportation and environmental laws, public records, and open meetings laws.**

### **III. Initial review and response to future litigation pertaining to the MPO's roles in the metropolitan transportation planning "3-C" process.**

All interested parties will have demonstrated ability to provide the legal services described in the scope of services above; possess an expert understanding of applicable state and federal laws and legal principles; and demonstrated ability to undertake and complete the work tasks within allotted timeframes and budgets. It is expected that interested parties will be licensed to practice law in North Carolina. Experience working with and/or representing Metropolitan Planning Organizations is desirable, but not required.

#### **STATEMENT OF QUALIFICATIONS, INTEREST AND EXPERIENCE**

Statements of Qualifications of no more than 5 pages, numbered 1 through 5, plus a one-page cover letter shall be submitted via email to [Shelby.Powell@campo-nc.us](mailto:Shelby.Powell@campo-nc.us) as a digital file in a PDF format, labeled "Capital Area MPO General Legal Services." . Statements of Qualifications will need to include a comprehensive response describing the consultant's knowledge and experience with the tasks described in the above Scope of Services. Statements of Qualifications shall include the following:

1. *General Experience Summary:* The summary will need to emphasize the individual or firm's experience with providing general legal services to public agencies consistent with the requested Scope of Services as presented above.
2. *Project References:* References will need to include a brief project description, contact name, address, telephone number, email address, and provide evidence of similar work completed within the last five (5) years.
3. *Project Team:* Provide resumes for specific personnel that will be assigned to provide the project, including verification that they have experience with similar work and will be available to complete the assigned tasks within the allotted timeframe. Rates for each team member for scope categories I, II and III as applicable should be included.
4. *General Information:* A profile of the individual or firm and description of current projects will need to be included in this section. This section can also be used to provide additional information the firm feels would be useful during the evaluation process.
5. *Vendor ID Numbers:* Any interested respondent must be a registered vendor with the City of Raleigh and the NC Department of Transportation prior to executing a contract with the MPO. If available, vendor identification numbers for both organizations should be provided in the cover letter accompanying the RFQ response.

#### **EVALUATION PROCESS**

Statements of Qualifications will be evaluated according to the firm's relevant knowledge and experience in the tasks described in the Scope of Services and thoroughness in addressing the Statements of Qualifications requirements. Evaluation criteria include, but are not limited to:

- Professional qualifications of the individual or firm, previous experience with similar agencies, and legal competence of consultant team
- Understanding and approach toward scope of services and demonstrated ability to successfully interact with clients
- Appropriateness of organization, key personnel and their availability
- Quality of references
- Ability to undertake project in a timely manner and meet deadlines

The selected individual or firm will be evaluated on the basis of information that is submitted in response to the RFQ. The first task to be undertaken will be to more specifically define work elements that are generally described in the Scope of Services, so that work will be authorized on a task assignment basis based on negotiated hours agreed to as necessary to complete the assigned task.

During this solicitation process, the MPO will ensure that all answers or clarifications to questions posed by interested parties are provided through the MPO website by 5:00 p.m. on May 22, 2023. The Capital Area MPO reserves the right to negotiate a contract (or contracts), with any respondent or other qualified party, and the MPO may enter into contracts with multiple respondents depending on the evaluation of qualifications.

#### **GENERAL INFORMATION**

The Capital Area MPO will not accept faxed information as a valid submission in response to the RFQ. The successful firm must enter into a contract with the Capital Area MPO, which specifies requirements for indemnification, insurance and other applicable policies.

The Capital Area MPO reserves the right to suggest to any or all respondents to this request for qualifications that such respondents form into teams of individuals or firms or organizations deemed to be advantageous to the Capital Area MPO in performing the scope of work. The Capital Area MPO will suggest the formation of such teams when such relationships appear to offer combinations of expertise or abilities not otherwise available. Respondents have the right to refuse to enter into any suggested relationship.

The Capital Area MPO may reject any or all of the submissions as it deems in its best interests. The Capital Area MPO reserves the right to waive any irregularities or technicalities when it deems the public interest will be served thereby.

This request for qualifications does not commit the Capital Area MPO to award a contract, to pay any costs incurred in preparation of a response to this invitation, or to procure or contract for services or supplies. The Capital Area MPO reserves the right to accept or reject any or all responses received as a result of this request for qualifications, or to cancel this request in part or in its entirety if it is in the best interest of the Capital Area MPO to do so.

Commencement of an engagement with any selected firm(s) is subject to negotiations of terms acceptable to CAMPO. Attachment A: Federal Requirements is included as a consideration for

this Request for Qualifications.

**METHOD OF COMPENSATION**

Submissions by interested firms should include proposed billable rates for all professionals who may be providing services under engagement with the MPO. Proposed rates may be subject to negotiation by the MPO before entering into an engagement letter with the selected firm(s). Proposed rates are subject to review and approval by NCDOT, and should not exceed NCDOT-approved rates as applicable.

**MPO CONTACT INFORMATION**

Questions regarding this RFQ must be received no later than 11 a.m. on May 19, 2023 (email versions are acceptable; no phone calls). Based on questions received, the project manager will provide clarification or further information through the project website, if needed. Questions may be emailed to [Shelby.Powell@campo-nc.us](mailto:Shelby.Powell@campo-nc.us).

**All Statements of Qualifications in response to this RFQ must be received no later than 11:00 A.M. on May 26, 2023.**

**Please forward Statements of Qualifications no later than 11:00 a.m. on May 26, 2023 via email to [Shelby.Powell@campo-nc.us](mailto:Shelby.Powell@campo-nc.us). The subject line should read “Legal Services RFQ Response.”**