

**REQUEST FOR QUALIFICATIONS
LEGAL SERVICES**

WEST FORK PUBLIC UTILITY AGENCY



RESPONSES DUE:

Tuesday, April 7, 2026 – 12:00 PM (CDT)

Kristi Gilbert, City of Aurora – WFPUA Designated Representative
kgilbert@auroratexas.gov

NEWSPAPER NOTICE FOR PUBLICATION:

Publication Note: The agency shall publish notice of intent to receive bids once a week for two consecutive weeks in a newspaper of general circulation in the county in which the agency is domiciled. The first publication must appear at least 14 days before the date bids are to be received.

**NOTICE OF REQUEST FOR QUALIFICATIONS
WEST FORK PUBLIC UTILITY AGENCY
WISE COUNTY, TEXAS**

The West Fork Public Utility Agency (“WFPUA”), a public utility agency formed pursuant to Chapter 572 of the Texas Local Government Code, is soliciting **Statements of Qualifications** from qualified attorneys or law firms to provide **legal services** and serve as **primary legal counsel** for the Agency.

The WFPUA was recently established to provide a regional framework for planning, developing, and coordinating water and wastewater infrastructure and services for participating public entities in Wise County, Texas.

Respondents must be licensed to practice law in the State of Texas and in good standing with the State Bar of Texas. Experience in Texas public utility law, water and wastewater law, governmental entities, contracts, procurement, regulatory matters, and related litigation is preferred.

Statements of Qualifications must be submitted electronically in PDF format and received no later than:
Tuesday, April 7, 2026 – 12:00 PM (CDT)

Submittals shall be emailed to:

Kristi Gilbert

City Administrator, City of Aurora
WFPUA Designated Representative

Email: kgilbert@auroratexas.gov

Qualifications submitted by mail, hand delivery, facsimile, or telephone will not be accepted. Late submissions will not be considered.

The Request for Qualifications document and additional information, including any addenda, will be available on the West Fork Public Utility Agency’s website westforkpublicutilityagency.net

The WFPUA reserves the right to reject any or all responses, waive informalities, and select the most qualified respondent in accordance with applicable law.

REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES FOR THE WEST FORK PUBLIC UTILITY AGENCY, WISE COUNTY, TEXAS

SECTION 1 – BACKGROUND:

Wise County is experiencing significant and sustained population growth and development that is expected to continue for decades. Recognizing the increasing strain this growth places on existing water and wastewater resources, the Cities of Alvord, Aurora, Boyd, Bridgeport, Decatur, Newark, New Fairview, Paradise, and Rhome, in coordination with Wise County and regional water entities, began exploring a regional approach to meeting long-term water and wastewater needs.

The mayors of these cities formed the Wise County Mayors Coalition (WCMC) to evaluate regional solutions. Based on studies and information provided by the Upper Trinity Groundwater Conservation District, the WCMC concluded that continued reliance on groundwater alone is unsustainable and that a coordinated regional strategy is necessary to ensure reliable future water supplies and wastewater services.

The WCMC initially pursued creation of a regional water district through state legislative action; however, that effort was unsuccessful. As a result, the participating entities elected to proceed under existing statutory authority and created the West Fork Public Utility Agency (WFPUA) pursuant to Chapter 572 of the Texas Local Government Code. The WFPUA was established to provide a collaborative, regional framework for planning, developing, and coordinating water and wastewater infrastructure and services to support the long-term needs of Wise County and its communities. The WFPUA held its first meeting on January 28, 2026, and is now in the process of soliciting professional services in various areas.

SECTION 2 – GENERAL INFORMATION AND REQUIREMENTS:

- A. **Introduction:** The West Fork Public Utility Agency (WFPUA) is a public utility agency formed under Subchapter C of Chapter 572 of the Texas Local Government Code and is comprised of 15 board members appointed by 13 participating public entities. The WFPUA is seeking qualified attorneys or law firms to provide legal services on behalf of the utility agency. The selected attorney or firm will be expected to provide comprehensive legal advice and representation across various areas of water law. The selected attorney or firm will be responsible for advising the Agency Board, and other contracted on legal matters pertaining to water law, contract law, competitive bidding, litigation, and other relevant legal areas.
- B. **Requirements:** Collecting statements of qualifications in response to this RFQ is the first step in selecting a firm or individual. This RFQ provides the information necessary for respondents to prepare and submit statements of qualifications for consideration by the Agency. The Agency will review submitted qualifications and may make a “most qualified” selection based upon the written qualifications only. If not, then the Agency may conduct interviews with select candidates.
- C. **Public Information:** All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or nonproprietary and are subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552.001, et seq.) after the solicitation is completed. The Agency strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.

D. **Contract:** Any contract resulting from this solicitation will be drafted by the selected most qualified respondent, reviewed by the West Fork Public Utility Agency and approved by its Board.

E. **Clarifications and Interpretations:** Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted as addenda. It is the responsibility of all respondents to obtain this information in a timely manner. All such addenda issued by the Agency before the proposals are due, are considered to be part of the RFQ, and will be posted on the Agency's website. Respondents shall consider only those clarifications and interpretations that the Agency issues by addenda five (5) days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Agency and should not be relied on in preparing qualifications. **ADDENDA AND AWARD INFORMATION WILL BE ISSUED BY THE AGENCY FOR THIS RFQ VIA THE WEST FORK PUBLIC UTILITY AGENCY'S WEBSITE.**

F. **Submission of Qualifications:**

1. Interested parties should submit the following documents for consideration:
 - a. A cover letter expressing interest in providing legal services to the agency.
 - b. Firm profile, including details of relevant experience and expertise in water law.
 - c. Resumes of key personnel who will be involved in providing legal services.
 - d. References from past clients, especially utilities or governmental bodies, including contact information.
 - e. Provide information about the attorney or firm's capability to perform on short notice and in a timely manner. If the attorney appointed is not available, what are other means of responding to requests?
 - f. Describe the attorney or firm's approach to communicating with the Agency in regard to progress reports, status reports, recommendations, status of opinions, etc.
 - g. Any additional information or documentation that demonstrates qualifications.
 - h. Fee schedule and proposed billing rates.
2. The qualifications must be received as an electronic copy in *.pdf format at the email address specified below prior to the deadline. The Agency will not consider any response to this solicitation that is not received at the email address specified by the deadline, regardless of whether it has been otherwise received by the West Fork Public Utility Agency.
3. **DEADLINE AND EMAIL ADDRESS:** The Town will receive qualifications at the time and email address described below

Tuesday, April 7, 2026 – 12:00 PM (CDT)

Kristi Gilbert, City of Aurora – WFPUA Designated Representative
kgilbert@auroratexas.gov

4. The Agency will not accept or consider qualifications that are delivered by mail, hand-delivered, transmitted by telephone or by facsimile (fax).
5. **Point of Contact:** The Agency designates the following person as its representative and point of contact for this RFQ. Respondents shall restrict all contact with the Agency and

direct all questions regarding this RFQ, including questions regarding terms and conditions and technical specifications, to the point-of-contact person:

Kristi Gilbert, City Administrator & WFPUA Designated Representative
City of Aurora
DIRECT LINE: 940-389-6331
EMAIL: kgilbert@auroratexas.gov

6. **Reservation of Rights:** The Town reserves the right to accept or reject any or all statements of qualifications or any part thereof, or waive all technicalities, and to accept the proposal(s) that are determined to provide the best benefit to the Town. Failure to provide any requested information may result in rejection of a statement of qualifications, in whole or in part, at the sole discretion of the Town. However, the Town reserves the right to request additional or clarifying information from an Offer or after a statement of qualifications has been submitted. Such information may be used to further evaluate the Respondent's statement qualifications.
7. **Acceptance of Evaluation Methodology:** By submitting its qualifications in response to this RFQ, the respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" Respondent will require subjective judgments by the Town.
8. **No Reimbursement for Costs:** Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFQ shall be the sole risk and responsibility of the respondent.

SECTION 3 – SCOPE OF SERVICES: The general scope of services requested of the West Fork Public Utility Agency attorney or legal firm are, but not be limited to, the following services:

- A. Provide legal counsel on Texas water law, including statutes, regulations, and case law applicable to public utility agencies, water supply, wastewater services, and related infrastructure.
- B. Drafting, reviewing, and advising on Agency policies, resolutions, orders, rules, regulations, interlocal agreements, contracts, easements, and other legal instruments necessary for Agency operations and governance.
- C. Representation of the Agency in litigation, administrative proceedings, and contested matters before state and federal agencies, including the Texas Commission on Environmental Quality, Texas Water Development Board, and other regulatory bodies.
- D. Provide legal advice related to land acquisition, right-of-way matters, easements, development agreements, and utility-related land use issues within the Agency's service area.
- E. Provide guidance on labor and employment law matters applicable to public entities, including personnel policies, employee relations, and compliance with applicable state and

federal employment laws.

- F. Prepare and provide formal and informal legal opinions regarding Agency authority, governance, operations, and compliance matters.
- G. Advise and assist the Agency in complying with all applicable state and federal laws and regulations, including but not limited to Texas water statutes, environmental regulations, public information laws, and ethics requirements.
- H. Mandatory attendance at regularly scheduled Agency Board meetings, either in person or remotely, and occasional special meetings, as requested, to provide legal advice and guidance. The date and time of regular meetings shall be established by the Agency.
- I. Maintain familiarity with Chapter 572 of the Texas Local Government Code, the Agency's creating and governing documents, policies, rules, procedures, and all other applicable state and federal laws and regulations.
- J. Assist with the negotiation, drafting, administration, and enforcement of contracts, and provide legal support in connection with contract interpretation and dispute resolution.
- K. Demonstrate knowledge of and experience with laws governing public utility agencies, water and wastewater utilities, special districts, and intergovernmental entities in Texas.
- L. Provide such other legal services as may be necessary or requested by the Agency to support its mission and statutory responsibilities.

SECTION 4 – QUALIFICATIONS: Interested attorneys or firms should possess the following qualifications:

- A. **Experience:** Proven experience in Texas public utility and water law, including representation of public utility agencies, water or wastewater utilities, special districts, or similar governmental entities. Demonstrated knowledge of the Texas Local Government Code (including Chapter 572), Texas Water Code, Texas Open Meetings Act, and Texas Public Information Act.
- B. **Expertise:** Specialization in legal areas relevant to public water utility operations, including water and wastewater regulation, environmental compliance, interlocal agreements, land acquisition and easements, contract negotiation, public finance as it relates to utility infrastructure, labor and employment matters, and administrative and civil litigation.
- C. **Track Record:** A demonstrated history of successfully providing legal services to public utility agencies, water districts, municipalities, or comparable governmental entities, including advisory, transactional, and litigation support.

- D. **Resources:** Sufficient staffing, technical resources, and subject-matter expertise to respond promptly and effectively to the Agency’s legal needs, including regulatory deadlines and emergency or time-sensitive utility matters.
- E. **Accessibility:** Availability to provide timely legal counsel, attend regular and special Agency Board meetings as requested, and respond to Agency staff and Board members in a manner consistent with the operational demands of a public water utility.
- F. **References:** Positive references from current or former clients, preferably public utility agencies, water or wastewater districts, municipalities, or other governmental entities with similar operational and regulatory responsibilities.

SECTION 5 – EVALUATION OF QUALIFICATIONS/SELECTION PROCESS:

After the deadline for receipt of RFQs, the Agency will select the most highly qualified proposer(s) based on qualifications, experience, references, and the ability to meet the needs of the Agency.

A committee of individuals designated by the Agency will review the submittals and will make a recommendation to the Agency Board. The Agency Board may conduct interviews with select candidates in a closed meeting (Executive Session), after which one attorney or firm will be selected by an Agency Board vote with the final award of contract to be contingent on successful contract negotiations to secure the requested services at a fair and reasonable price.

Schedule of Events

February 26, 2026	Post RFQ on Website
February 26, 2026	Advertisement for RFQ
March 31, 2026	Last Day Addenda(s) Posted on Agency Website
April 7, 2026	RFQ Submissions Due at 12:00 P.M.
Late April-Early May 2026	Review, Interviews and Selection