

## A G E N D A



## Recommendation for Council Action

Austin City Council	Item ID	14518	Agenda Number	18.
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Meeting Date:	4/26/2012	Department:	Legal
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## Subject

Authorize negotiation and execution of bond counsel legal services agreements with the following firms (or one of the other qualified responders); Fulbright & Jaworski, LLP; Bracewell & Guiliani, LLP; McCall, Parkhurst & Horton, LLP; Andrews Kurth, LLP, for the bond counsel services for the City for a period of 3 years, with an option to extend for an additional 2 years.

## Amount and Source of Funding

Funding for these services is available in each fiscal year as a portion of the bond proceeds appropriated for bond issuance costs.

## Fiscal Note

Purchasing Language:

Prior Council Action:

For More Information:

Boards and  
Commission Action:

Related Items:

MBE / WBE:

As set forth in Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) no subcontracting opportunities were determined for these contracts therefore no goals were established.

## Additional Backup Information

Pursuant to Texas Government Code, Sections 1201.027 and 2254.003, the City of Austin issued this RFQ for bond counsel for the purpose of providing legal opinions and advising the City in matters pertaining to the issuance, approval, sale, delivery of, and other special issues that may arise from, municipal bonds and other debt instruments authorized by the City of Austin.

The City may select one or more firms with which to contract for the City's bond matters. The City's practice has been to use certain firms for particular types of debt (e.g., General Obligation Bonds, Revenue Bonds) with each firm having expertise both in the types of financing and in tax issues relating to that financing. The number of contracts resulting from this RFQ, the determination of whether the contract should be awarded to one or more bond counsel firms, and the type of bond issues assigned to the various bond counsel are matters within the discretion of the City.

The City has ongoing projects related to, and requiring, the issuance of bonds and similar public finance instruments. The City may therefore require that firms to whom a contract is awarded bring in as co-counsel attorneys who have done previous work on these projects for efficient transition and continuity of services.