



BEE CAVE
TEXAS

AGENDA

Regular Meeting

BEE CAVE DEVELOPMENT BOARD

Tuesday, December 10, 2024

4:30 PM, City Hall

4000 Galleria Parkway

Bee Cave, Texas 78738-3104

THE CITY OF BEE CAVE DEVELOPMENT BOARD MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT THE CITY SECRETARY OFFICE AT (512) 767-6641 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.

A quorum of the Planning and Zoning Commission and/or City Council may be in attendance at the Meeting. No action will be taken by the Commission or Council.

1. Call meeting to order
2. Roll Call
3. Consent Agenda

All Consent Agenda items listed are considered to be routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public view.

- A. Consider approval of the minutes of the Regular Session conducted on October 22, 2024.
4. Review role of the Bee Cave Development Board and general administration.
5. Discuss Strategic Plan, associated timeline, meeting dates and consultant.

6. Discuss and consider action to authorize staff to proceed with a Request for Qualifications (RFQ) for legal services and select members to serve on a selection subcommittee.
7. Adjournment

The Board may go into closed session at any time when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session a quorum of the Board must be present, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session.



*Economic Development Board Meeting
12/10/2024
Agenda Item Transmittal*

Agenda Item: 3.A.
Agenda Title: Consider approval of the minutes of the Regular Session conducted on October 22, 2024.
Board Action: Consider approval
Department: City Secretary
Staff Contact: Jo Ann Touchstone, City Secretary

1. INTRODUCTION/PURPOSE

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
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MINUTES
Regular Meeting
Bee Cave Development Corporation
Tuesday, October 22, 2024
4:30 P.M., City Hall
4000 Galleria Parkway
Bee Cave, Texas 78738-3104

THE BEE CAVE DEVELOPMENT CORPORATION MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (512) 767-6641 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.

A quorum of the Planning and Zoning Commission and/or City Council may be in attendance at the Meeting. No action will be taken by the Commission or Council.

A recording of this meeting will be available to the public on the City's website.

1. Call meeting to order - With a quorum present, the meeting of the Bee Cave Development Board was called to order at 4:39 p.m. on Tuesday, October 22, 2024.
2. Roll Call –

Present:

Christian Alvarado, Director
Andrea Willott, Director
Tony Lockridge, Director
Travis Askey, Director
Kevin Hight, Director
Jesse Lokken, Director
John Dashtara, Director
Jonathan Libby, Director

City Staff:

Julie Oakley, City Manager
Carly Pearson, Director of Planning and Development
Ryan Henry, City Attorney
Jo Ann Touchstone, City Secretary

Roger Velasquez, Multimedia Specialist
Lanie Marcotte, Director Parks & Facilities

3. Pledge of Allegiance.
4. Administer Oaths of Office – City Secretary Jo Ann Touchstone Administered Oaths of Office to Travis Askey, Jonathan Libby, Jesse Lokken and Andrea Willott.
5. Consent Agenda
 - a. Consider approval of the minutes of the Regular Session conducted on August 27, 2024.

Board member Askey moved to approve the consent agenda. Board member Hight seconded and the motion passed unanimously.

6. Discuss and consider action on the selection of a President, Vice President and Secretary to the Bee Cave Development Board – Board member Willott moved to appoint Kevin Hight as President. Board member Askey seconded and the motion passed unanimously. Board member Hight moved to appoint Christian Alvarado as Vice President. Board member Askey seconded and the motion passed 6-1 with Board member Alvarado opposed. Board member Hight moved to appoint John Dashtara as Secretary. Board member Askey seconded and the motion passed unanimously.
7. Discuss Strategic Plan and associated timeline – Planning and Development Director Pearson presented.
8. Discussion regarding administrative items, future meeting times and dates – The board discussed meeting December 10th for a joint session with City Council regarding the Strategic Plan. A November date will be proposed should any business arise.
9. Adjournment – Meeting adjourned at 4:53 p.m.

(SEAL)

Kevin Hight, President

Jo Ann Touchstone
City Secretary



*Economic Development Board Meeting
12/10/2024
Agenda Item Transmittal*

Agenda Item: 4.

Agenda Title: Review role of the Bee Cave Development Board and general administration.

Board Action: Discuss

Department: Administration

Staff Contact: Carly Pearson, Director of Planning and Development

1. INTRODUCTION/PURPOSE

The purpose of this agenda item is for the Bee Cave Development Corporation Board to discuss and review the role of the Bee Cave Development Board and general administration and standards in the City of Bee Cave.

2. DESCRIPTION/JUSTIFICATION

a) Background

The Bee Cave Economic Development Board has several new members starting for Fiscal Year 2024-2025, and new staff members at the helm of its administration. The Board and staff will review its role in the City of Bee Cave, its partnership with its governing body, which is City Council, and the administration, best practices and procedures for the activities of the Corporation and Board.

b) Issues and Analysis

The Board has determined that an introductory, informational, and overview session related to the administration and activities of the Bee Cave Economic Development Board will be useful, necessary, and beneficial.

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Staff will provide the Board with an informational presentation and session regarding the administration of the Bee Cave Development Corporation.

ATTACHMENTS:

Description	Type
□ Presentation	Backup Material



BEE CAVE ECONOMIC DEVELOPMENT CORPORATION

BCEDC Board Welcome & Informational Overview

WHAT IS AN EDC?

The Development Corporation Act of 1979 gives cities the ability to finance new and expanded business enterprises in their local communities through economic development corporations (EDCs). Chapters 501, 504 and 505 of the Local Government Code outline the characteristics of Type A and Type B EDCs, authorize cities to adopt a sales tax to fund the corporations and define projects EDCs are allowed to undertake.

In 1991 the Legislature authorized a Section 4B sales tax, a one-half cent sales tax to be used by certain cities to promote a wide range of civic and commercial projects

BCEDC IS A 4B CORPORATION



WHAT CAN A 4B EDC DO?

The Type B sales tax may be used for any project eligible under Type A rules and several other project types, including quality of life improvements. Type B corporations may pay for land, buildings, equipment, facilities, targeted infrastructure and improvements for:

professional and amateur sports and athletic facilities, tourism and entertainment facilities, convention facilities and public parks;

related store, restaurant, concession, parking and transportation facilities;

related street, water and sewer facilities; and

affordable housing.

To promote and develop new and expanded business enterprises that create or retain primary jobs, a Type B EDC may fund:

public safety facilities;

recycling facilities;

streets, roads, drainage and related improvements;

demolition of existing structures;

general municipally owned improvements; and

maintenance and operating costs associated with projects.

Type B EDCs also may seek voter approval to spend Type B sales tax funds for a water supply, water conservation program or cleanup of contaminated property.



The Section 4B tax also can be used to fund the provision of land, buildings, equipment, facilities, expenditures, targeted infrastructure and improvements that are for the creation or retention of primary jobs for projects such as manufacturing and industrial facilities, research and development facilities, military facilities, including closed or realigned military bases, transportation facilities, sewage or solid waste disposal facilities, recycling facilities, air or water pollution control facilities, distribution centers, small warehouse facilities, primary job training facilities for use by institutions of higher education, regional or national corporate headquarters facilities, eligible job training classes, certain career centers and certain infrastructural improvements that promote or develop new or expanded business enterprises.



However, the Section 4B tax can additionally fund projects that are typically considered to be community development initiatives. For example, authorized categories under Section 4B include, among other items, land, buildings, equipment, facilities, expenditures, and improvements for professional and amateur sports facilities, park facilities and events, entertainment and tourist facilities, and affordable housing. Also, the Section 4B tax may be expended for the development of water supply facilities or water conservation programs. As of September 1, 2005, certain Section 4B development corporations are allowed to do projects that promote new and expanded business development, which could include retail projects.

SMALL TOWNS BIG IMPACTS

1

Type B EDCs created by cities with a population of 20,000 or less may use sales tax proceeds to fund projects that promote new or expanded business development that do not create or retain primary jobs.

2

A Type B EDC serving a city with fewer than 20,000 residents is exempt from holding public hearings for projects eligible under Type A rules (primary = infrastructure). However, these small cities must give the resolution at least two separate readings if the funding agreement is for \$10,000 or more.

3

All Type B corporations, regardless of city population, must hold public hearings on all other types of projects. In addition, all Type B corporations must wait 60 days from the first public notice of the nature of a project before providing funds.

Promotion



A CORPORATION IS LIMITED TO SPENDING NOT MORE THAN 10 PERCENT OF ITS CURRENT ANNUAL REVENUES FOR PROMOTIONAL PURPOSES IN ANY GIVEN YEAR. NONETHELESS, UNEXPENDED REVENUES SPECIFICALLY SET ASIDE FOR PROMOTIONAL PURPOSES IN PAST YEARS MAY BE EXPENDED ALONG WITH 10 PERCENT OF CURRENT REVENUES WITHOUT VIOLATING THE CAP.



A PROMOTIONAL EXPENDITURE "MUST ADVERTISE OR PUBLICIZE THE CITY FOR THE PURPOSE OF DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES."

Powers



Power to Expend Tax Proceeds.



Powers of a Nonprofit Corporation.



Financial Transaction Powers.



Exemption from Federal, State and Local Taxation.



Duty to Comply with Open Meetings Act and Public Information Act.




Limited Tort Liability Protection.

Performance Agreements

- Section 4B corporations cannot simply provide gifts of sales tax proceeds. The Texas Attorney General has noted expenditures of sales tax proceeds must be made pursuant to a contract or other arrangement sufficient to ensure that the funds are used for the intended and authorized purposes. In 2003, legislation was passed requiring certain written performance agreements.
- The Texas Legislature now requires Section 4B corporations to enter into a written performance agreement with a business enterprise when corporations provide funding or make expenditures on behalf of a business enterprise in furtherance of a permissible Section 4B project.



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- This performance agreement between the corporation and the business enterprise at a minimum must contain the following:
 - a schedule of additional payroll or jobs to be created or retained; (2) the capital investment to be made by the business enterprise; and (3) the terms under which repayment must be made by the business enterprise to the Section 4B corporation should the business fail to meet the performance requirements specified in the agreement.
 - When a Section 4B board pursues a project, it is required to obtain city council approval of the project.. They must provide public notice and hold a public hearing prior to pursuing a project, and the public has 60 days to petition for an election to be called on whether to pursue the project.
 - Section 21 of the Development Corporation Act provides that the city shall approve all programs and expenditures of the development corporation and shall annually review any financial statements of the corporation.

Observations from Peer City Review

Characteristics of the primary economic development entities for Texas cities reviewed:

Cities generally focus on development programs whereas marketing and recruitment is generally led by non-city entities such as Chambers of Commerce;

Strong city oversight for economic development corporations is required by state law; –

Act as a supplemental source of financing for infrastructure and commercial growth within the confines and definitions of the state statutes;

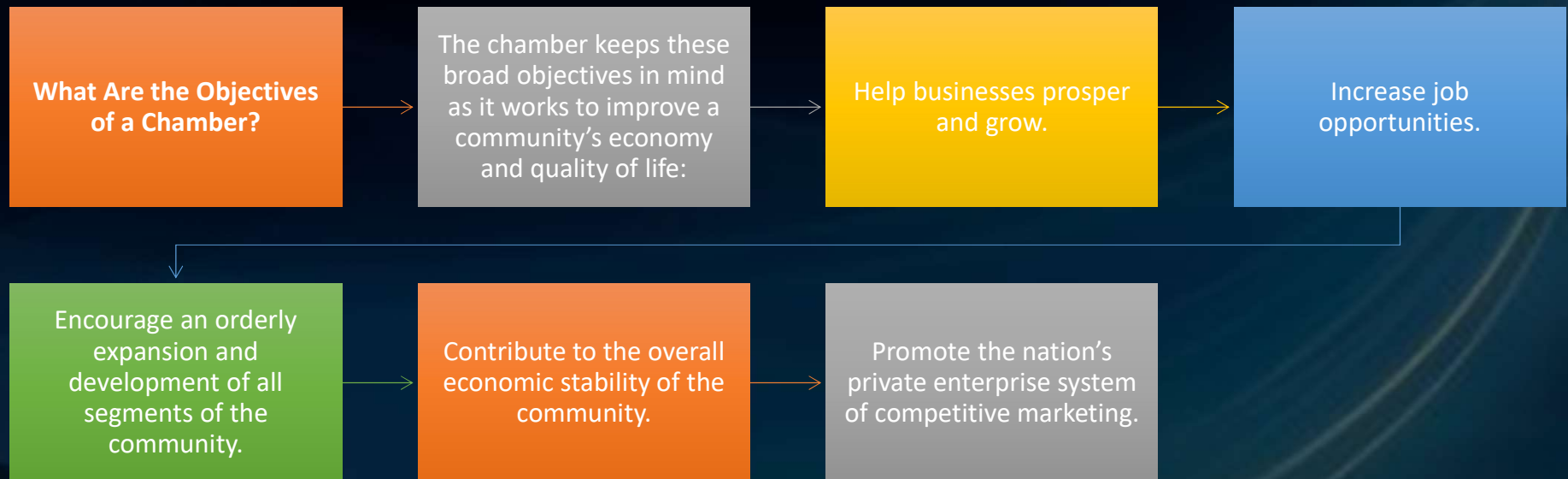
Use of TIFs and limited special purpose usage such as business and job expansion and retention.

What is a Chamber?

- **What Is a Chamber?** A chamber of commerce is a voluntary partnership of businesses and professionals working together to build a healthy economy and improve the quality of life in a community. As a chamber works to accomplish these goals, it must champion many different functions: economic developer and planner, tourist information center, business spokesperson, economic counselor and teacher, government relations specialist, human resources adviser, and public relations practitioner.
- **Who Are Chamber Members?** Chamber members are businesses, organizations, and individuals concerned with the socioeconomic climate of a community.



What can/does a Chamber do?



What are HOT Funds?



Hotel Occupancy
Tax Funds



Governed by their
own state statutes



For the purpose of
tourism



Separate funds for
separate purposes



Spent and overseen
directly by City
Council

How can they work together?



Partnerships between EDC Boards, their governing city, and the local chambers of commerce are all important to economic development efforts across different communities.

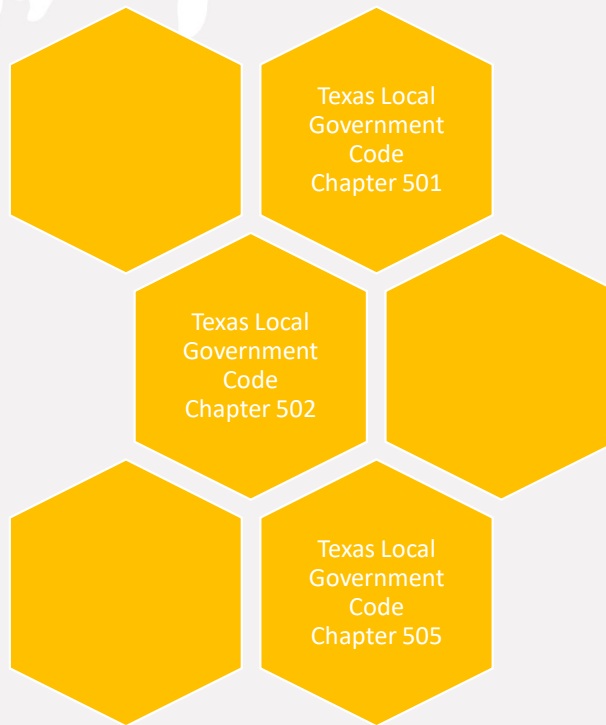


By partnering, the city's EDC and other organizations can leverage unique assets, incentives, and connections to attract businesses, improve quality of place, and transform cities into thriving communities.



Bee Cave, like many other cities, can build a partnership between its city government and its EDC and chamber to jointly generate and promote economic development. The working relationship between these entities can produce results.

State Law Governs; City Council is the Governing Authority



Real Objectives and Outcomes (examples)

- Denton Ecodev partnership [Denton Economic Development Partnership | Denton, Texas \(dentonedp.com\)](http://dentonedp.com)
- Roundrock [Economic Development Partnership - Round Rock Chamber](#)
- New Braunsfels [Frequently Asked Questions | New Braunfels Chamber \(chamberinnewbraunfels.com\)](http://chamberinnewbraunfels.com)

PARTNERSHIPS BETWEEN THE CITY & THEIR EDC, and even at times the chambers of commerce are a common way in which cities carry out economic development activities. While EDC activities and expenditures are governed strictly by state law and the City Council approval, partnerships and activities can vary in several ways, ranging from scope of agreement, to funding levels, to performance agreements that will benefit City initiatives.

• CORE ECONOMIC DEVELOPMENT ACTIVITIES SHARED ACROSS COMMUNITIES. While communities may differ in program specifics, most utilize partnership agreements between cities and chambers to deliver common marketing, recruitment, and retention activities. Most City-EDC partnerships focus on a core set of economic development activities and services, such as implementing strategic plans, hosting prospecting tours and visits, and providing support to small businesses and business expansion for primary jobs.

• PERIODIC REPORTING AND REVIEWS BETWEEN CITIES AND CHAMBERS. Given the funding, activity and performance approval relationship between cities and their EDC, it is no surprise that EDC activities require periodic reporting to cities about progress made toward partnership goals, including leads generated, site visits conducted, and jobs created, and of course, budget and fiscal impacts. The frequency with which reports and presentations are delivered varies from every quarter to once a year based on the by-laws, but must in all cases meet state law requirements of reporting to Council. Reports from the EDC are typically easily paired with meetings with city leadership and/or presentations to city council members about progress made toward economic development goals.

• SPECIFIC, GOAL-ALIGNED TARGETS AND METRICS. Though the number of metrics tracked in EDC partnerships varies, best practice indicates that metrics and targets can be more meaningful and measurable when they are specific and goal-aligned. Some communities choose to have only a few metrics focused on the outcomes that matter most to them, such as per capita income, number of new employers, and number of new jobs each year. Others track a longer list of performance measures but indicate how each measure aligns to a goal. For example, tracking the number of site visits made to existing employers is in service of a broader strategy to demonstrate appreciation for existing businesses and to increase the likelihood of retention from year to year. Communities with strong City-EDC partnerships choose metrics that directly relate to broader strategies and goals so that each tracked metric feeds their understanding of progress made and improvements needed.



STRATEGIC PLANNING

TRACKING BROADER SOCIAL AND ECONOMIC INDICATORS. The forthcoming strategic planning process may generate other metrics and indicators that should be tracked through the partnership between the City and Chamber. While we do not know exactly what those additional metrics will be, we recommend considering a few broader social and economic indicators to better understand the economic health and vitality of Bee Cave. Innovative cities often look beyond traditional business retention and expansion metrics to other indicators that tell a story about the overall economic health and quality of place in their city. The City-EDC partnership may have an indirect influence over some of these broader indicators, but we believe tracking these metrics can be helpful to the work of the partnership, to other economic development stakeholders, and to the broader community.

Conclusion

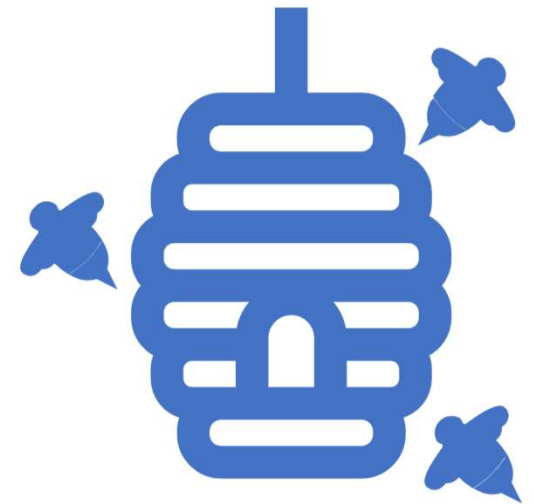
The City of Bee Cave and its Type 4B Economic Development Corporation Board are joint partners in the success of Bee Cave.

The City Council is the Governing Authority of the EDC Board.

State law, Texas Local Government Code Chapters 501-505, govern all activities, approval authority, and expenditures of Economic Development Corporations.

Partnerships with the City, who has broader powers and revenue sources such as HOT Funds, and with local Chambers of Commerce, often expand the reach of successful initiatives for economic growth and prosperity.

Such goals that align with the City initiatives and Board Strategic Plan can be successfully implemented with many tools available to the Economic Development Corporations in cities in Texas.





Questions



*Economic Development Board Meeting
12/10/2024
Agenda Item Transmittal*

Agenda Item: 5.

Agenda Title: Discuss Strategic Plan, associated timeline, meeting dates and consultant.

Board Action: Discuss

Department: Administration

Staff Contact: Carly Pearson, Director of Planning and Development

1. INTRODUCTION/PURPOSE

The purpose of this agenda item is for the Bee Cave Development Corporation Board to discuss and review next steps and timeline for the Strategic Plan.

2. DESCRIPTION/JUSTIFICATION

a) Background

The Bee Cave Economic Development Board has approved the initiative of beginning a Strategic Plan for the Bee Cave Development Corporation. The Board and staff will discuss recommended next steps and dates for the BCDC Strategic Plan.

b) Issues and Analysis

Discussion of the next steps for the BCDC Strategic Plan and a joint session related to the administration and activities of the Strategic Plan next steps will be useful, necessary, and beneficial.

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Staff will lead the Board in a discussion regarding the next steps and the administration of the Bee Cave Development Corporation Strategic Plan.



*Economic Development Board Meeting
12/10/2024
Agenda Item Transmittal*

Agenda Item: 6.

Agenda Title: Discuss and consider action to authorize staff to proceed with a Request for Qualifications (RFQ) for legal services and select members to serve on a selection subcommittee.

Board Action:

Department: Administration

Staff Contact: Carly Pearson, Director of Planning & Development

1. INTRODUCTION/PURPOSE

The Bee Cave Development Corporation (BCDC) requires legal counsel to enable the BCDC to execute its duties consistent with all applicable state local, state, and federal laws and regulations.

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

The intent of this agenda item is to authorize staff to prepare and submit a Request for Qualifications in order for the Board to hire a legal firm to provide legal services related to economic development and other matters. The selection may use a two step procurement process, with the formal review of solicitation respondent proposals in step one and conducting interviews of short-listed respondents in step two.

Staff requests the Board of Directors to select two to three members of the body to serve on a subcommittee to bring forward a recommendation.

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

A potential recommendation from the subcommittee may be provided in the first calendar quarter of 2025.

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
☐ Draft RFQ	Backup Material



BEE CAVE
TEXAS

Simply Elevated

Request for Qualifications
for
Legal Services
Bee Cave Development
Corporation

December 2024

Bee Cave Development Corporation
4000 Galleria Parkway
Bee Cave, Texas 78738

RFQ Release Date
RFQ Due Date

December 11, 2024
January 10, 2025

1.0 Request for Qualifications

1.1 General Information

The Bee Cave Development Corporation (BCDC) Board of Directors (Board) requests the submission of Statements of Qualifications (SOQ) for legal services. This Request for Qualifications (RFQ) solicits information that will enable the BCDC to determine the best suited firm that may provide professional legal services for the organization. This solicitation may lead to an hourly contract to provide a full range of legal services to the BCDC.

1.2 Detail

This document contains the instructions governing statements of qualifications submitted by interested service providers, the format in which to submit SOQs, the materials to submit therein, and the general evaluation criteria. A legal services provider desiring consideration must provide a response in accordance with these instructions and meet all requirements stated herein.

1.3 Intent

The BCDC seeks to hire a qualified, experienced law firm to perform legal services in a cost efficient, proactive manner. The selection may take place through a two-step procurement process, with formal advertising and solicitation. The BCDC will evaluate all responses in step one and conduct interviews with short-listed respondents in step two.

The BCDC reserves the right to reject any and all qualification responses received in response to this RFQ. The BCDC reserves the right to short-list respondents and base final selection rankings on interviews. The BCDC reserves the right to conduct new services selection procedures for current and/or future needs.

1.4 Standards

The selection of a legal firm and award of a contract may be contingent upon the funding and approval through the BCDC Board of Directors, and any funding approval requirements applicable to the BCDC. Fees provided for in contracts or agreements shall be reasonable. The BCDC shall consider fees to be reasonable if they are not in excess of those ordinarily charged by the profession as a whole for similar work. The BCDC will negotiate for procurement of professional services, whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiations of fair and reasonable compensation.

1.5 Right of Rejection

The BCDC reserves the right to reject any and all SOQs received in response to this request. The BCDC is not obligated to award a contract solely based on this request or to otherwise pay for information solicited.

1.6 Schedule and Submittal Deadline

The hourly contract is anticipated to be awarded by January 30, 2025. The SOQ Package (See Section 2.2) must be submitted to the BCDC by 12:00 p.m., CDT on January 10, 2025. See Section 2.2 for mailing and/or delivery instructions.

1.7 Texas Public Information Act

All data and information submitted by the legal firms in response to this RFQ may become public information, as provided by the Texas Public Information Act, Texas Government Code Sections 552.001 – 552.026. The BCDC does not assume responsibility for asserting legal arguments for confidentiality on behalf of the legal

firm.

1.8 Cost of Preparing Statement of Qualifications

Package costs for preparing the SOQ package and any subsequent materials or presentations shall be the sole responsibility of the prospective legal firm.

1.9 Scope of Services

The selected legal firm shall provide timely and professional written opinions and responses to BCDC requests as well as timely and professional billing documents in accordance with the agreed upon contract. It is the intent of this RFQ that a consistent quality of services is provided for all BCDC legal requirements. The services to be provided by the selected legal firm may include, but not be limited to, the following duties:

- General legal representation on economic development and Type B Economic Development Corporation and Board activities
- Attending regular board meetings, and occasional special called meetings
- Assisting the Board in maintaining compliance with the Texas open government laws and the Texas Public Information Act
- Legal advice regarding governance and board obligations including bylaw revisions and incorporation issues
- Drafting, review, and negotiations of contracts and legal documents
- Advice and/or representation regarding legislative matters
- Legal advice regarding financial matters
- Other legal matters as may be necessary or required

2.0 Instructions and Procedures

2.1 SOQ Package Preparation

RFQ responses must adhere to the requirements outlined in this section. The qualification package will include the following four (4) components and shall be numbered as shown below:

1. One page transmittal letter: The letter shall provide the names, title, address (physical and mailing), and telephone number of the official contacts.
2. Statement concerning insurance coverages and liability amounts: Confirmation that the legal firm has in place adequate general liability insurance, workers' compensation, and professional liability insurance.
3. Statement concerning conflict of interest: Those interests of the legal firm that would impede with or interfere in the carrying out the duties and responsibilities of the position of a privileged attorney are deemed conflicting.
4. Statement of Qualifications to include a complete description of the following:
 - a. Background on the firm's organization

- b. Key personnel that will be assigned to the BCDC. The information for each individual must include the following: name, area(s) of expertise, years of experience, and professional license(s).
- c. Present examples of the firm's experience and expertise in providing counsel on the list of expected services detailed in Section 1.9 Scope of Services.
- d. Provide at least three references. References must include name, phone number, email address, location, legal firm's role and responsibility, and project descriptions.

2.2 Submitting the SOQ Package

To be eligible for consideration under this request, one (1) electronic copy **and** three (3) printed copies of each proposal must be submitted by 12:00 p.m. local time on Friday, January 10, 2025, to the address below. Proposals received after 12:00 p.m. on Friday, January 10, 2025, will not be accepted.

One (1) electronic copy of this proposal sent by email to the City Secretary at the following email address: jtouchstone@beecavetexas.gov

Three (3) written proposals must be delivered by mail, express mail or in person to:

Jo Ann Touchstone, City Secretary
City of Bee Cave
4000 Galleria Parkway
Bee Cave, Texas 78738

Proposals received after the due date will not be considered. Questions regarding this RFQ, or the services requested, will be accepted via e-mail on or before 12:00 p.m. Friday, January 3, 2025. Such questions shall be for clarification purposes only. Subsequent changes, if any, will only be transmitted by written addendum and posted on the City's website. Addendums and answers to submitted questions will also be available on the City's website.

Questions regarding the RFP must be submitted via e-mail to:

Julie Oakley, City Manager joakley@beecavetexas.gov

Questions regarding this RFQ must not be directed to Bee Cave Development Corporation Board Directors or other City staff.

2.3 Evaluation Factors

The following evaluation criteria includes the firm's:

1. Familiarity and previous project experience with municipal law and economic development.
2. Professional qualifications of the individual(s) who will perform the work.
3. Record and experience with Type B Development Corporations and similar type clients.
4. Experience with the Texas Public Information Act and Texas Open Meetings Act.
5. Familiarity with applicable local, State and Federal laws.
6. Experience with public finance.
7. Office locations.
8. Insurability and status of current work related to litigation or arbitration.

9. Anticipated workload during the engagement period and availability of personnel.
10. Overall responsiveness to this RFQ.

2.4 Evaluation Process

- The BCDC may call upon anyone they deem necessary to assist with the evaluation.
- The BCDC may obtain information from references.
- The BCDC may contact the respondents for the purpose of obtaining additional information or clarification during the evaluation period.
- The BCDC will evaluate each SOQ received, in accordance with the factors in Section 2.3, based on the contents in the SOQ package, any subsequent written clarifications required, and reference information obtained.
- The BCDC may rank and determine the highest qualified firm based solely upon the evaluation of the SOQ package, any subsequent written clarifications required, and reference information obtained.
- If the BCDC deems it necessary to conduct interviews, the BCDC may identify two or more firms to be interviewed and provide an oral presentation. The individual that will be assigned as the contact for the engagement will be expected to be present at the interview and make the oral presentation.

2.5 Notification of Selection

The BCDC will notify the legal firm in writing. Upon notification of selection by the BCDC, the BCDC and respondent will attempt to negotiate scope and extent of work to be performed, time for full performance, compensation, and other terms. Final selection of the successful legal firm will be contingent upon approval of the BCDC Board of Directors.