

COLORADO REAPPORTIONMENT COMMISSION

Request for Proposal (RFP) for Legal Services

RFP DEADLINE SUBMISSION: FRIDAY, 5:00 P.M., JUNE 17, 2011

INTERVIEWS: Week of June 20

Submit Sealed RFP to: Jeremiah Barry
Staff Director,
Colorado Reapportionment Commission
1313 Sherman Street, Suite 122
Denver, Colorado 80203-1782

Include: Cover Letter
Responses to Scope of Work
Responses to Additional Information

No. of Copies: 3 (three)

The Colorado Reapportionment Commission (Commission) is seeking legal counsel to advise and guide the Commission throughout the reapportionment process and to provide appellate representation, if necessary.

About the Commission

Under the Colorado Constitution, Article V, §§ 46-48, the Commission is charged with reapportioning the state's 35 Senate Districts and 65 House Districts every 10 years. An 11-member panel, the Commission consists of four legislative leaders or their designees, three persons appointed by the Governor, and four persons appointed by the Chief Justice of the Colorado Supreme Court. Members of the 2011-2011 Commission are:

- Chair Mario Carrera (Unaffiliated-Parker, appointed by Chief Justice)
- Vice Chair Wellington Webb (D-Denver appointed by Governor)
- Dolores S. Atencio, Esq. (D-Denver, appointed by Chief Justice)
- Gayle Berry (R-Grand Junction, appointed by Governor)
- Senator Morgan Carroll (D-Aurora, designated by the Senate Majority Leader)
- Representative Matt Jones (D-Louisville, designated by the House Minority Leader)
- Professor Robert Loevy (R-Colorado Springs, appointed by Chief Justice)
- Mario Nicolais, Esq. (R- Lakewood, designated by the Senate Minority Leader)
- Arnold Salazar (D-Alamosa, appointed by Governor)
- Steve Tool (R-Windsor, appointed by Chief Justice)
- Rob Witwer, Esq. (R-Evergreen, designated by the Speaker of the House)

The Commission's work is supported by Jeremiah Barry, Esq. and other state staff from the Office of Legislative Legal Services and the Legislative Council Staff. Beginning May 9, 2011, the Commission meets weekly, typically on every Monday (excepting national holidays) to conduct Commission business and take public testimony on proposed plans. As the Commission's work is deadline-driven, it must meet the following deadlines:

August 1, 2011	Preliminary plan published
October 7, 2011	Final plan submitted to Colorado Supreme Court
November 9, 2011	All arguments and evidence submitted to Colorado Supreme Court
December 14, 2011	Plan filed with the State if plan approved by Supreme Court

Scope of Work

Provide legal counsel, advice and guidance to the Commission on legal issues that may arise during the reapportionment process at the request of the Commission. The scope of work may include:

- Assess maps and plans/documents to determine whether they meet constitutional standards;
- Assess expert reports, if any, flag legal issues and advise Commission;
- Assess and advise on implications of racial bloc voting analysis of districts;
- Advise on Voting Rights Act implications;
- Assist in handling and responding to open records requests under the Colorado Open Records Act, C.R.S. § 24-72-201 et seq.;
- Assist in handling and responding to any open meetings issues that may arise, including those pertaining to privileged executive sessions, pursuant to the Open Meetings Act, C.R.S. § 24-6-402;
- Prepare necessary legal memorandum to Commission that may include issues arising under the Colorado Constitution, Colorado law and/or the Voting Rights Act;
- Review and organize Commission hearing summaries;
- Assist with drafting of Commission's preliminary and final reports;
- General advice and guidance to the Commission; and
- May be asked to attend Commission meeting, hearings of public testimony, and executive sessions.

Serve as appellate counsel to the Commission before the Colorado Supreme Court. Scope of work may include:

- Analyze relevant redistricting/reapportionment cases, including federal and state;
- Assist with advising and guiding on potential objections to the plan;
- Submission of final plan, exhibits, and legal memoranda in support of the plan to the Colorado Supreme Court;
- Submission of reply to objections to the plan;
- Motions work, filing and arguing appropriate motions;
- Present oral argument before the Colorado Supreme Court; and
- Consult and work with the Commission during the appellate process.

Legal counsel is not required to be present at all Commission meetings but is expected to complete its work to within the Commission's deadlines and to be available on an as-needed basis and, at times on short notice.

Additional Information

The following additional information must be included:

- Name of the principal attorney or attorneys, firm, business address, business telephone number, and email address.
- Description of law firm, number of attorneys, practice areas.
- Educational background of principal attorney or attorneys assigned the work.
- Experience in the area of redistricting law.
- Experience of assigned attorneys in appellate work before the Colorado Supreme Court.
- Identify other attorneys, paralegals and staff who may be involved in providing the legal services to the Commission.
- Fees of attorneys as well as hourly rates of paralegal, law clerks and legal secretaries who will be involved in the Commission's work.
- Anticipated fees and costs, including but not limited to research, travel, and copying.
- The cover letter must be signed by a partner authorized on behalf of the law firm.