

# Memorandum



CITY OF DALLAS

DATE April 21, 2026

TO

Honorable Mayor and Members of the City Council

SUBJECT

**Upcoming Agenda Item for May 13, 2026: Authorizing Contracts for Bond Counsel Services**

On May 13, 2026, the City Council will consider an item seeking approval of three contracts with the City's proposed bond counsel.

The City requires the services of bond counsel, and co-bond counsel when applicable, to assist in drafting legal documents related to authorizing the issuance of bonds and other City debt instruments, facilitate obtaining approval from the Texas Attorney General for the City's bond issuances, provide legal opinions associated with the issuance of City bonds, and offer legal advice as needed on City debt financing matters. There are three categories of bond counsel services used by the City: general obligation, enterprise, and disclosure. General obligation bond counsel provides legal services in connection with the City's authorization, sale, issuance, and delivery of its general obligation bonds, combination tax and revenue certificates of obligation, equipment acquisition contractual obligations, and Convention Center financing transactions. Enterprise bond counsel covers authorization, sale issuance, and delivery of tax increment financing bonds, Waterworks and Sewer System (including Storm Water) bonds and commercial paper, and Dallas Airport System financing transactions. Disclosure counsel provides legal services ensuring that the City's issuance, sale, and delivery of debt obligations complies with federal securities laws.

The procurement for bond counsel was conducted through a Request for Qualifications seeking submittals from experienced law firms. A six-member evaluation committee from the City Controller's Office and the City Attorney's Office evaluated the qualifications of the proposers and considered the relative evaluation factors stated in the specifications. Respondents that were determined to be most qualified were then invited to submit a proposal for cost consideration. The evaluation committee recommended selection of the bond counsel and co-bond counsel that will be considered at the City Council meeting on May 13.

For questions, please contact me or Willow Sanchez, Chief, Government Services Section at [willow.sanchez@dallas.gov](mailto:willow.sanchez@dallas.gov).

*Tammy L. Palimino*

Tammy L. Palimino  
City Attorney

c: Kimberly Bizzor Tolbert, City Manager  
Tammy Palomino, City Attorney  
Mark Swann, City Auditor  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Baron Eliason, Inspector General (I)  
Dominique Artis, Chief of Public Safety

Dev Rastogi, Assistant City Manager  
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager  
Alina Ciocan, Assistant City Manager  
Donzell Gipson, Assistant City Manager  
Robin Bentley, Assistant City Manager  
Ahmad Goree, Chief of Staff to the City Manager  
Directors and Assistant Directors

**PILLAR:** N/A  
**AGENDA DATE:** May 13, 2026  
**COUNCIL DISTRICT(S):** Citywide  
**DEPARTMENT:** Office of Procurement Services  
**Priority:** N/A

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## **SUBJECT**

Authorize **(1)** a five-year bond counsel contingency fee contract with Bracewell LLP and West & Associates, LLP, most qualified respondents of five to provide counsel and co-counsel services for the City's general obligation bond transactions with the hourly rates and opinion fees as set forth in the resolution; **(2)** a five-year bond counsel contingency fee contract with McCall Parkhurst & Horton, L.L.P., most qualified respondent of five, to provide bond counsel services for the City's enterprise bond transactions in accordance with the hourly rates and opinion fees as set forth in the resolution; and **(3)** a five-year disclosure counsel contingency fee contract with Norton Rose Fullbright US LLP most qualified respondent of four, to provide bond disclosure counsel services for the City's bond transactions in accordance with the hourly rates and opinion fees as set forth in the resolution - Financing: Fees to be paid from bond proceeds, General Fund, Aviation Fund, Convention and Event Services Fund, and/or Dallas Water Utilities Fund, contingent upon completion of each bond sale.

**\*In alignment with N/A As a priority of our residents.**

## **BACKGROUND**

The City requires the services of bond counsel, and co-bond counsel as applicable, to: (1) assist in the preparation of resolutions, ordinances, official statements, agreements and legal documents in connection with authorizing the issuance of bonds and other city debt instruments, (2) assist in obtaining approval of the issuance of the City's bonds from the Texas Attorney General, (3) render legal opinions in connection with the issuance of City bonds, and (4) provide legal advice as needed in connection with City financing and related matters.

The scope of the services for general obligation bond counsel and co-bond counsel includes legal services in connection with the City's authorization, sale, issuance, and delivery of its general obligation bonds, combination tax and revenue certificates of obligation, equipment acquisition contractual obligations, and Convention Center financing transactions. The scope of the services for enterprise bond counsel includes authorization, sale issuance and delivery of tax increment financing bonds, City's Waterworks and Sewer System bonds and commercial paper, and Dallas Airport System (Love Field, Dallas Executive Airport, and Vertiport) financing transactions. The scope of

services for disclosure counsel includes assisting City staff, together with the City's financial advisor and bond counsel with disclosure services in connection with the issuance, sale and delivery of City debt obligations. One of the obligations that the City has as a municipal securities issuer is compliance with disclosure requirements under federal security laws and Securities and Exchange Commission rules. Issuers of municipal bonds are obligated to ensure that the offering documents used in the offering of municipal bonds meet those requirements and are required to report annual financial information as well as notices of certain events that may affect their ability to repay the bonds. The City must file disclosure filings for all outstanding bond issues with the Municipal Securities Rulemaking Board through Electronic Municipal Market Access. Substantially, all of the responsibilities under these contracts will be performed by attorneys.

A six-member committee from the following departments reviewed and evaluated the qualifications:

- City Attorney's Office (3)
- City Controller's Office (3)

The committee selected the most qualified respondents on the basis of demonstrated competence and qualifications under the following criteria:

- Experience and Qualifications 55 points
- Firm's location and availability to City staff/Service Delivery Capabilities 25 points
- Approach to Project 20 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

Substantially, most of the responsibilities under this contract are being performed by attorneys to be paid on a contingency fee basis. Therefore, this solicitation was conducted as a Request for Qualifications under Sections 2254.003(a) and 2254.1032 of Texas Local Government Code for the procurement of legal services under a contingent fee contract. As such, these Sections of Chapter 2254 specifically restrict the City from including cost/fees as part of the selection criteria.

Pursuant to Subchapter C of Texas Local Government Code Chapter 2254, a special public notice needs to be added to the council agenda that specifies the basis and rationale for City Council consideration of a contingency fee contract.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the

Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$23.06; the bond counsel firms meet this requirement.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On August 26, 2015, the City Council authorized five-year contracts with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, L.L.P., Bracewell & Giuliani, L.L.P. and West & Associates, L.L.P., and Norton Rose Fulbright, L.L.P. and Mahomes Bolden, P.C. for bond counsel and co-bond counsel services by Resolution No. 15-1610.

On January 22, 2020, the City Council authorized an amendment to the bond counsel contract with Norton Rose Fulbright US LLP, to add disclosure counsel services by Resolution No. 20-0184.

On August 26, 2020, the City Council authorized the City Manager to execute (1) a contingency fee bond disclosure counsel contract with Norton Rose Fulbright US LLP and Kintop Smith, PLLC, approved as to form by the City Attorney for disclosure counsel and disclosure co-counsel services for a term of five years; (2) a contingency fee enterprise bond counsel contract with McCall Parkhurst & Horton, L.L.P. and Escamilla & Poneck, LLP ; and (3) a contingency fee general obligation bond counsel contract with Bracewell LLP and West & Associates, L.L.P. by Resolution No. 20-1251.

On April 12, 2023, the City Council authorized the City Manager to execute Supplemental Agreement No. 1 replacing Kintop Smith, PLLC, with Hardwick Law Firm, LLC, as co-disclosure counsel with Norton Rose Fulbright US LLP by Resolution No. 23-0490.

On April 21, 2026, this item was included in a briefing memo to Finance Committee.

### **FISCAL INFORMATION**

The fees for legal services provided by the bond counsel, co-bond counsel as applicable, and disclosure counsel firms in connection with the issuance, sale and delivery of the City's bonds are contingent upon the sale and delivery of the bonds and are payable from bond proceeds, General Fund, Aviation Fund, Convention and Event Services Fund, and/or Dallas Water Utilities Fund, as applicable as follows:

FIRM

CONTINGENCY FEE

Group 1 - General Obligation Bond Counsel

Bracewell LLP  
West & Associates, LLP (co-counsel  
with Bracewell)

Upon the City’s successful issuance of securities, hourly rate fee for services rendered, plus an opinion fee of \$0.35 per \$1,000.00 of increment of bonds issued for Bracewell; \$0.25 per \$1,000.00 of increment of bonds issued for West. See Attachment I to council resolution.

Group 2 - Enterprise Bond Counsel

McCall, Parkhurst & Horton, L.L.P.

Upon the City’s successful issuance of securities, hourly rate fee for services rendered plus an opinion fee of \$.30 per \$1,000 of increment of bonds issued. See Attachment II to council resolution.

Group 3 - Disclosure Counsel

Norton Rose Fullbright US LLP

Upon the City’s successful issuance of securities hourly rate fee for services rendered, plus an opinion fee of \$.22 per \$1,000 increment of bonds issued. See Attachment III to council resolution.

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Qualifications/ Request for Proposal	<ul style="list-style-type: none"> <li>• Utilized for procurements involving professional services</li> <li>• A 2-step process in which proposers are first evaluated by a team considering the relative evaluation factors stated in the specifications</li> <li>• Respondents determined to be most qualified are invited to submit a proposal for cost consideration</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following submissions from solicitation number BFZ26-00029361. The submissions were opened on January 23, 2026. The Office of Procurement Services recommend the City Council award this contract by group to the most qualified respondents.

\*Denotes successful respondents

<u>Respondents</u>	<u>Address</u>	<u>Score</u>
<u>Group 1 - General Obligation Bond Counsel</u>		
*Bracewell LLP	1445 Ross Avenue Ste 3800 Dallas, TX 75202	98.33
West & Associates, LLP (co-counsel with Bracewell)	320 South RL Thornton Fwy Ste 300 Dallas, TX 75203	
Hardwick Law Firm, LLC	700 N. Pearl Street Ste N520 Dallas, TX 7201	66.5
Escamilla & Poneck, LLP	700 N. St. Mary's Street Ste 850 San Antonio, TX 78205	64.83
<u>Group 2 - Enterprise Bond Counsel</u>		
*McCall, Parkhurst & Horton, L.L.P.	717 North Harwood Street Suite 900 Dallas, TX 75201	98.83
Bracewell LLP	1445 Ross Ave. Suite 3800 Dallas, TX 75202	92.83
West & Associates, LLP (co-counsel with Bracewell)	320 South RL Thornton Fwy Ste 300 Dallas, TX 75203	
Escamilla & Poneck, LLP	700 N. St. Mary's Street Ste 850 San Antonio, TX 78205	68.83
Hardwick Law Firm, LLC	700 N. Pearl Street Ste N520 Dallas, TX 7201	67.67

### Group 3 - Disclosure Counsel

* Norton Rose Fullbright US LLP	2200 Ross Ave. Ste 3600 Dallas, TX 75201	97.5
Bracewell LLP	1445 Ross Ave. Suite 3800 Dallas, TX 75202	92.67
West & Associates, LLP (co-counsel with Bracewell)	320 South RL Thornton Fwy Ste 300 Dallas, TX 75203	
Hardwick Law Firm, LLC	700 N. Pearl Street Ste N520 Dallas, TX 7201	68.83
Escamilla & Poneck, LLP	700 N. St. Mary's Street Ste 850 San Antonio, TX 78205	65.67

### **OWNERS**

#### **Bracewell LLP**

Julie Partain, Partner

#### **West & Associates, LLP**

Royce West, Managing Partner

#### **McCall, Parkhurst & Horton L.L.P.**

Mark Malveaux, Managing Partner

#### **Norton Rose Fullbright US LLP**

Jeff Cody, Managing Partner