

REQUEST FOR QUALIFICATIONS TO SERVE AS LEGAL COUNSEL TO THE BRAINERD LAKES REGIONAL AIRPORT COMMISSION

The Brainerd Lakes Regional Airport Commission (BRD) is formally requesting Statements of Interest and Qualifications for professional services of qualified firms to serve as Airport Legal Counsel. Airport Legal Counsel may be comprised of a single lawyer, a law firm, or a team of lawyers, but in each instance a Lead Counsel shall be designated to serve as the primary point of contact for BRD. The Lead Counsel and, if applicable, the law firm and/or team of lawyers shall be collectively referred to as “Respondent.” BRD seeks to retain these services for a three (3) year term.

Submission of Qualifications must be received by July 5, 2024, at 4:30 p.m. CST at the Administration Office of BRD. The Respondent must submit an electronic copy of their Statements of Interest and Qualifications. The submissions will be reviewed at a BRD public meeting on August 1, 2024 at the Passenger Terminal Conference Room, 16384 Airport Road, Brainerd, MN 56401.

The Brainerd Lakes Regional Airport Commission reserves the right to reject any or all statements and further, to waive any informalities in the statements for the purpose of accepting the firm most advantageous to the Commission. Prime consideration in evaluating the statements will be based on the best interests of the Airport.

Please direct all communications for additional questions or information to Steven Wright, A.A.E., Airport Director, at 218-825-2166 or by email at swright@brainerdairport.com.

Minimum Education and Experience Requirements for Lead Counsel:

- Juris Doctorate degree.
- Current member in good standing with the Minnesota Bar, eligible to practice law in Minnesota, with no disciplinary history in the past ten (10) years.
- Ten (10) years of professional experience practicing law.
- Five (5) years of experience representing a municipality, public board, agency, council, or commission.
- The Respondent must be an attorney in private practice with malpractice insurance in a form and amount satisfactory to the Airport’s Director.
- Demonstrate knowledge of Minnesota Public Records and Ethics Regulations.
- Demonstrate knowledge of the statutory, regulatory, and governing provisions by which BRD operates.
- Experience working with the Federal Aviation Administration and knowledge of the Federal Aviation Regulations, Airport Grant Assurances, and the Airport Compliance Manual
- Consideration given to a pilot and/or counsel with experience representing airports

Skills and Abilities:

- Demonstrate knowledge of the public procurement and grant processes, including but not limited to compliance with the FAA and Minnesota grant assurances.
- Demonstrate knowledge of leasing, land development and construction.
- Demonstrate knowledge of employment law and employee benefits.
- Demonstrate knowledge of intergovernmental affairs.
- Extensive knowledge of the theories, principles, and practices of the legal profession.
- Ability to provide expert legal advice to BRD, its members and staff.
- Ability to interpret and clarify complex laws, statutes, ordinances, and rules.
- Ability to communicate clearly, concisely, verbally and in writing.

Scope of Services

- Manage BRD legal matters
- Assist with the preparation of the agenda for BRD meetings
- Attend BRD meetings and sponsoring community council/board meetings if necessary
- Tort liability and defense
- Airline Airport Affairs and Airline Development including:
 - Airline Incentives
 - Community Revenue Guarantees
 - Signatory/Non-signatory use and lease arrangements
- Real estate transactions including:
 - Ground leases
 - Building leases
 - Disposition & development agreements
 - Easements; including Avigation Easements
- Assist with the drafting, reviewing, and negotiating of various commercial contracts and agreements
- Prepare initial draft or review documents
- Assist in the risk management processes of BRD
- Advise regarding requests for proposals and qualifications
- Ensure compliance with all laws and regulations that apply to BRD
- Other duties and responsibilities as may be assigned