

City of Shafer, MN Request for Proposals and Qualifications of Legal Services

INTRODUCTION

The City Council of the City of Shafer invites interested law firms and individuals with a **minimum of five years** of municipal law experience to submit written proposals to provide City Attorney services to the City. As City Attorney, the selected law firm or individual will be expected to provide a wide range of legal services. The City Attorney will be selected by the City Council and will work closely with the City Clerk and other City staff.

BACKGROUND

The City of Shafer is a Statutory Plan A form of government. The City of Shafer is located 45 miles northeast of the Twin Cities Metro Area. According to the Minnesota Demographers Office, Shafer's population is 1045.

The City of Shafer was incorporated in 1922. The city council has the final review and approval authority regarding all contracts, payments, plans, improvements, policies and other business of the city, but the administrative duties are delegated to the City Clerk. The City Clerk also manages the city council agenda and provides policy recommendations to the mayor and council. The City has a current annual budget of \$399,455.00, 3 full-time employees, and 2 part time employees. The City belongs to an insurance pool operated by the League of Minnesota Cities Insurance Trust.

BASIC SERVICES REQUESTED

Basic services, for the purpose of this proposal, shall include those legal services generally understood within the field of municipal law which fall within the category of "general counsel" work, and shall include, but not necessarily be limited to the following:

- Routine legal advice, telephone and personal consultations with the City Council, City Clerk, and department heads or authorized representatives.
- Assistance in the preparation and review of Ordinances, Resolutions, Agreements, Contracts, Forms, Notices, Certificates, Deeds and other documents required by the City.
- Attendance at two City Council regular meeting per month as well as other special meetings as requested. Regular meetings are held on the first and thirds Tuesdays of the month beginning at 7:00 P.M.
- Attendance at other board, commission and committee meetings upon request.
- Attendance at meetings with City Staff, upon request.
- Legal advice and opinions concerning legal matters that affect the City.
- Legal work pertaining to property acquisitions, property disposals, public improvements, easement dedications, and right-of-way vacations.
- Legal work pertaining to the water and wastewater department.

- Enforcement of City ordinances and zoning regulations through administrative and judicial actions.
- Monitoring of pending and current state and federal legislation and court decisions, as appropriate.
- Coordination of outside legal counsel, as needed and as directed by the City Council and City Clerk.

REQUIRED PROPOSAL ELEMENTS

The proposal must provide specific and succinct answers to all questions and requests for information. Direct, precise and complete responses will serve as an advantage to the applicant.

BACKGROUND

Describe the nature of your practice or your law firm's qualifications for providing City Attorney services. Include a professional chronology for the individual who will be designated to serve as City Attorney, as well as for others whom you anticipate being involved with providing legal services to the City.

Provide the overall capabilities, qualifications, training, and areas of expertise for each of the principals, partners, and associates of the law firm, including the length of employment for each person and his/her area of specialization.

Provide the following for the person whom you propose to designate as City Attorney and for each person you propose to designate as an associate or backup.

- Legal training and number of years of practice, including date of admission to the Minnesota Bar Association, number of years of municipal or other local public sector law practice as a full-time local government attorney and/or in a private law office specializing in local government.
- Professional affiliations.
- Knowledge of, and experience with Minnesota Municipal Law or other public sector experience.
- Litigation experience and demonstration of a good court track record. Cite examples.
- Knowledge and practice of law relating to land use and planning, environmental law, risk management, development, general plans, real estate and other related law.
- Experience in the area of contracts, franchises and Joint Powers Agreements.
- Experience in the preparation and review of ordinances and resolutions.

- Types of clients represented and years representing each.
- Office location(s) and accessibility to the City.

If the firm/individual, or any of the attorneys employed by the firm, have ever been sued by cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information about the nature of the incident, the dates of when the matter began and was concluded, and the results of the situation.

Describe your office staffing, including all permanent and temporary employees, their general duties, and work schedules. Include any staffing changes you would propose should you be awarded the City Attorney contract.

CITY/CITY ATTORNEY RELATIONSHIP

Describe how you would structure the working relationship between the City Attorney and the City Council, City Clerk, and other staff members.

Define the standard time frames for response by the City Attorney to direction and/or inquiry from the City Council or City Clerk.

Describe the systems or mechanisms that would be established for monthly reporting of the status of projects, requests, and litigation.

Describe the computer resources currently utilized in your office. The City will require compatibility with Microsoft Word for Windows, as well as the maintenance of Internet service, such that email and files can be transmitted between City staff and the City Attorney.

CLIENTS/CONFLICT OF INTEREST

Indicate whether your or your law firm represent or have represented any client which representation may conflict with your ability to serve as City Attorney.

Do you currently represent any real estate developers?

What procedures does your firm utilize to identify and resolve conflicts of interest?

If appointed, the Attorney shall not accept any client or project which would knowingly place it in a conflict of interest with the services to be provided to the City.

For the person to be designated as City Attorney, list all public clients that person presently represents as city attorney or general counsel, along with the meeting dates and times for each governing body.

COMPENSATION

The present City Attorney provides basic services on a retainer basis plus an hourly rate. It is anticipated that the City Council may expect the firm/individual selected as City Attorney to also

provide services under a similar system. The City is prepared, however to consider alternative payment arrangements.

- Please describe how the firm intends to provide legal services, either on a retainer basis, hourly rate, or on a different basis. If a retainer is utilized, list services which would be included under the retainer. Define what type(s) of work you would consider to be extra or specialized work that would be billed in addition to basic services. State the hourly rates for the designated City Attorney and associates for such specialized services.
- If the hourly rate billing is preferred, state the hourly rates for the designated City Attorney and associates for general work and for special services such as litigation and prosecution.
- Define the type and unit rates for reimbursement for expenses such as mileage, reproduction of documents, faxed documents, e-mail documents and word processing charges.

PROFESSIONAL REFERENCES

Provide three professional references for the individual designated as City Attorney, including addresses and work telephone numbers. References should be currently employed public agency officials or agents.

EVALUATION AND SELECTION PROCESS

Proposals will be screened and the top candidates will be selected by the City Council or a subcommittee appointed by the City Council. The qualifications for the top candidates will be verified and references will be checked. In reviewing proposals, the City will carefully weigh:

- Depth and breadth of experience and expertise in the practice of law, specifically in those areas most often encountered in municipal government operations;
- Capability to perform legal services promptly and in a manner that permits the City Council and Staff to meet established deadlines and to operate in an effective and efficient manner;
- Degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems;
- Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners in the municipal law field;
- Communication skills;
- Cost of services; and
- Other qualifications/criteria, as deemed appropriate by the City Council.

The contract will require that the individual or law firm selected as City Attorney maintain general liability, automobile, workers' compensation, and errors and omissions insurance. The

contract will also contain provisions requiring the selected individual or law firm to indemnify the City and provide that the City Attorney is an independent contractor serving at the will of the City Council. Other required provisions will include the City Council's right to terminate the agreement, at its sole discretion, upon the provision of notice.

SELECTION SCHEDULE

The City of Shafer intends to proceed with the following tentative schedule for the selection.

Request for Proposals Distributed	April 11, 2018
Proposal Due Date	April 27, 2018 (2:00 P.M.)
Review of Proposals	May 1, 2018
Interviews and Selection	May 14-15, 2018
City Council Awards Contract	May 15, 2018

SUBMITTAL REQUIREMENTS

Law firms or individuals interested in submitting proposals for City Attorney shall submit eight (8) complete copies of the proposal along with a proposed contractual agreement, in a sealed envelope bearing the caption, "Shafer City Attorney Proposal". The envelope shall be delivered to:

Joan Ciesler
City Clerk
City of Shafer
17656 303rd St
Shafer, MN 55074

Proposals must be received at the above address by 2:00 P.M. on Friday, April 27, 2018. Late proposals will not be considered.

The City Council reserves the right to reject all proposals, to request additional information concerning any proposal for purposes of clarification, to accept or negotiate any modification to any proposal following the deadline for receipt of all proposals, and to waive any irregularities if such would serve the best interests of the City as determined by the City Council.

CONTACT INFORMATION

Direct all inquiries regarding the Request for Proposals to Joan Ciesler, City Clerk, at 651-257-4726, fax 651-257-6916 or email cityhall@shafermn.com