



City of Marshfield, WI

**REQUEST FOR PROPOSALS
LEGAL SERVICES**

Distributed: June 30, 2017

Section 1 – Invitation

CITY OF MARSHFIELD
REQUEST FOR PROPOSALS (RFP)
LEGAL SERVICES

Proposals Due by 5:00 p.m. on August 4, 2017

The City of Marshfield is currently seeking proposals from qualified legal institutions interested in providing comprehensive legal services. The city's primary objective is to secure a contract with a legal firm offering the highest quality of service at the most reasonable cost.

If chosen, the intended contract term is for three (3) years, beginning January 1, 2018, and the City reserves the right to offer an additional two (2) year renewal of contract.

Written proposals will be accepted until 5:00 p.m. on August 4, 2017 at City Hall, 630 S. Central Ave., Suite 721, Marshfield, WI 54449. Responses must address all of the items listed in this request for proposal and must be submitted in a sealed envelope marked "Legal Services Proposal" and sent to:

City Administrator's Office
City of Marshfield
630 S. Central Ave., Suite 721
Marshfield, WI 54449

Please include the one (1) original and seven (7) copies. Questions or request for clarification may be directed to Steve Barg, City Administrator, by telephone at (715) 387-6597 or by email to steve.barg@ci.marshfield.wi.us.

Section 2 – Introduction and General Information

A. Community and Government Background

The City of Marshfield is a municipal corporation. The current population for the City of Marshfield is 19,118. The form of government is mayor-council-city administrator, with a part-time mayor (elected once every two years), 10 part-time alderperson (5 elected by district every other year) and a full-time city administrator. City services include general government, police protection, municipal court, public works, parks and recreation, library, wastewater treatment, and fire/EMS services. The City also contracts for services such as a property assessment, city attorney, refuse collection, and taxi services. The City has 193 FTE, as well as seasonal employees. The 2017 annual City general fund budget is approximately \$21.3 million.

C. Timeline for Procurement Process

The City has made every effort to include enough information in this RFP for the proposer to develop a responsive proposal. The City encourages proposers to submit the most comprehensive and competitive proposal available. The City reserves the right to retain all proposals submitted and to use any ideas in a proposal, unless protected by copyright, regardless of whether that proposal is selected. Submission of a proposal indicates acceptance, by the individual or firm, of the conditions contained in the RFP, unless clearly and specifically noted in the proposal submitted, and confirmed in the contract between the City of Marshfield and individual or firm selected.

The City reserves the right to reject any and all proposals, cancel all or part of this RFP, waive any minor irregularities, and request additional information from proposers. The City WILL NOT reimburse proposers of this RFP for any expenses incurred in preparing proposals, or for the attendance at interviews. This RFP does not obligate the City to accept or contract for any service. The timing of the proposal is set forth on the following page.

TIMELINE	
Distribution of RFP	June 30, 2017
Proposal submission Deadline	August 4, 2017
Proposal review	August 7-18, 2017
Interviews with finalists	August 21 -25, 2017
Finance, Budget & Personnel Committee review	September 5, 107
Final selection by City Council	September, 12, 2017
Notification to proposers	September 15, 2017
Implementation of contract	January 1, 2018

Distribution of RFP

The RFP will be mailed and/or available on the City's website ci.marshfield.wi.us on June 30, 2017.

Proposal Submission

Proposals must be received at City Hall no later than 5:00 p.m. on August 4, 2017.

Proposal Review

A review team will evaluate all proposals and summarize the findings. It is anticipated that the review process will be completed by August 18, 2017.

Interview with the Finalists

The finalists may be asked to meet with the Review Panel between August 21-25, 2017. The meeting should include the attorneys who will work directly with City staff and the City Council.

Final Selection

The City Council is expected to make a final selection on September 12, 2017. After the selection is made, the legal firm will have thirty (30) days to complete negotiations. If negotiations do not result in the execution of a contract in the allotted time, the City will give notice to the legal firm that the City may contact the next most qualified proposing legal firm or call for new proposals.

Notification

We anticipate sending written notification to all legal firms regarding the outcome of the review and contract award process by September 15, 2017.

Implementation

The City's goal is to have a contract fully executed on or before January 1, 2018. The legal firm to which the contract is awarded will be required to coordinate with City staff all the activities necessary to prepare for providing required services by the start date of the contract.

The City will make every effort to administer the proposal process in accordance with the terms and dates discussed in this RFP. However, the City reserves the right to modify the proposal process and dates as deemed necessary.

D. Conditions of Submittal

By the act of submitting a proposal, the proposer certifies that:

- a. The proposer and each person signing on behalf of any proposer certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge no elected official, city employee, officer or person accountable to the City of Marshfield has a direct financial interest in the Proposal.
- b. The proposer has read all parts of the Request for Proposals, including all requirements, terms and conditions, and, if its proposal is accepted, the proposer shall accept the contract documents in their entirety.
- c. The proposer has experience providing the required services.

Section 3 – Scope of Legal Services

The City of Marshfield is requesting proposals from qualified, licensed attorneys and law firms to serve in the position of City Attorney on a contractual basis.

The City Attorney will be available to meet with the City Administrator and other staff as necessary at least twice per month for up to 2 hours each time. Under the direction of the Mayor, City Council, and City Administrator, the City Attorney will be expected to serve as general counsel to the City, addressing municipal law issues and defending the City in any claims filed against it, which are not covered by insurance policies. This person must also keep the City Council and staff fully informed on all legal matters pending before the City.

In addition to the aforementioned duties, the City Attorney will be expected to provide the following services, among others:

❖ Meetings

The City Attorney will attend all regularly scheduled meetings of the City Council which are generally held on the second and fourth Tuesday of every month. The City Attorney will also, on an as-needed basis, attend other meetings of other City Committees, boards, commissions, and bodies when requested by the City Administrator. The City Attorney is expected to have reviewed materials in advance of the meetings and otherwise prepared for likely questions and legal issues.

Effective and timely verbal and written communication skills are required, since information must be readily understood by elected and appointed officials, staff, and the public.

❖ Advice and Legal Opinions

In addition to the those services specifically described in this request, the City Attorney will consult with and provide advice to the Mayor, City Council, City Administrator, and authorized City officers on a broad range of legal issues. Examples include, but are not necessarily limited to, interpretation of ordinances and state/federal laws, the issuance of bonds and other debt instruments, liquor and other licensing issues, zoning enforcement, zoning, condemnations, tax/special assessment issues, etc. Additionally, the City Attorney will render legal opinions to the City when requested.

❖ Legislative Assistance

Many drafts of ordinances and resolutions are prepared by City staff and elected officials; however, the City Attorney will review drafts and consult with the drafter to ensure that they are valid and enforceable, are clear and concise, are formatted and use terminology consistent with the City's Code of Ordinances and are otherwise well prepared. The City Attorney will be requested from time to time to draft ordinances and resolutions. Additionally, the City Attorney will suggest revisions to the City's current Code of Ordinances to ensure consistency, to clean-up language and format issues and to reflect changes in applicable law.

❖ Transaction and Contract Representation

The City Attorney will prepare or review contracts and closing documents, and assist in the negotiation of various transactions and contracts, including land sales/purchases, and intergovernmental agreements.

❖ Development Documentation

The City Attorney will review and recommend changes to Development Agreements, Easements and Restrictions, and other development documents. The City Attorney will also review, revise, and negotiate documents customized for particular developments or, when necessary, prepare such documents.

❖ Prosecution

The City Attorney will prosecute local criminal actions before the municipal court and circuit court as necessary.

❖ Collections

The City Attorney will represent the City in collecting delinquent taxes, fees and other amounts.

❖ Labor and Employment

The City has traditionally engaged separate labor and employment counsel who has handled collective bargaining issues, employment policies, employee grievances, disciplinary hearings and similar issues.

❖ Exclusions and Reservations

Bond counsel, employment/personnel law, and environmental issues are not to be included as a part of this RFP.

Legal representation of the Marshfield Utility Commission and Community Development Authority are not to be included as a part of this RFP.

The City reserves the right to employ any legal counsel when there is a conflict of interest or if an attorney with special expertise in a given area is needed. A determination as to when this should occur shall be at the sole discretion of the City Council.

Section 4 – Proposal Submission & Evaluation

A. Submission Process

All sealed proposals from interested legal firms must be received on or before 5:00 p.m. on August 4, 2017, and addressed to:

City Administrator's Office
City of Marshfield
630 S. Central Ave.
Marshfield, WI 54449

Proposals will be time-stamped upon receipt and held in a secure place until the established due date. Proposals will not be opened publicly or disclosed to unauthorized persons, but will be opened in the presence of two or more City officials.

B. Required Background Information

The following lists information that the legal firm must submit with proposal forms:

- ❖ Description of engagement terms, including hourly billing rates, billing time increments, invoicing frequency, format of invoices and an itemization of expenses, if any, which the applicant would charge the City or would expect the City to incur. Identify in your proposal the amount your firm proposes to charge for services.
- ❖ Profile and history of yourself and/or your firm including attorneys in the firm and a list of the principals. Indicate the attorney(s) who will be responsible for work with the city, and also include a resume of the attorney or attorneys whom the applicant anticipates would provide services to the City.
- ❖ Summary of recent, relevant practice in the area of municipal law such as drafting and interpreting ordinances; recodification; tax incremental financing; impact fees; development agreements; special assessments; real estate, easement or right-of-way acquisition/disposition; and other experience in municipal government.
- ❖ If the applicant is a law firm rather than an individual attorney, designation of the attorney primarily responsible for contact with the City and a description of anticipated staffing and procedures.
- ❖ Description of any potential conflicts of interest that the applicant foresees and the method the applicant would anticipate using to deal with such conflicts.
- ❖ Provide confirmation that neither your firm nor any individual attorneys who will be performing work for the City of Marshfield have any violations, or other marks or limitations on their attorney licenses or ability to practice law.
- ❖ Provide a list of municipal client references. This list may contain municipalities that you are currently representing or have represented in the past. This list should contain information related to the duration of service provision, a general description of the scope of legal work performed, and general contact information for the municipality.
- ❖ Any other information the applicant wishes to present in support of the application.

C. Evaluation Process

Submittals will be evaluated based on the following criteria:

- ❖ Qualifications and experiences of the attorney and/or firm in working with municipal government.
- ❖ Experience and available of staff assigned to serve the city.
- ❖ Scope and cost of services
- ❖ References