

City of Bastrop, Texas

Request for Qualifications for City Attorney Services



**Request for Qualifications
City Attorney Services
City of Bastrop, Texas**



I. Purpose

The City of Bastrop, a Home Rule Municipality, is soliciting Request for Qualifications (RFQ) from experienced Professional Legal Firms or Individual Attorneys for the purpose of providing City Attorney services to the City of Bastrop on a contractual basis.

The firm/individual will be tasked with providing general municipal counsel, basic legal services, guidance on special projects, and advising the City Council. The City requests that one attorney be designated as the point of contact or lead attorney.

II. Services Required

The firm/individual selected is to possess a Juris Doctorate from an accredited law school by the American Bar Association, a license to practice law in the State of Texas, and be a member in good standing with the Texas Bar. Five (5) years experience of legal services for Texas municipality(ies) with a comprehensive knowledge of municipal law, municipal finance, personnel law, employment law, as well as land use and regulation is required. Approved as defense counsel for Texas Municipal League Intergovernmental Risk Pool is preferred.

Basic legal services required include:

- a. Providing a variety of proactive, high-quality and timely legal opinions to the City Council and City Staff.
- b. Reviewing and drafting ordinances, resolutions, contracts, agreements, deeds, and easements;
- c. Negotiating and administering contracts, as well as assisting with the resolution of contractual disputes;
- d. Providing timely advice regarding government operations, elections, open meetings, public information, City Ordinances, State law, property matters, and real estate matters, including annexation, zoning, and condemnation;

- e. Providing proactive legal counsel on issues pertaining to personnel policies and procedures and providing counsel in all compliance employment matters such as, but not limited to state and federal employment law, Workers Compensation, EEOC, FLSA, FMLA and OSHA requirements
- f. Reviewing agendas and materials for the City Council meeting, preparing legal advice;
- g. Attending regular meetings of the City Council and occasional special meetings. (Generally two regular meetings monthly – typically the 2nd and 4th Tuesday);
- h. Attending Board and Commission meetings only on an “as – needed” basis;
- i. Staying abreast and informing the City of new or proposed State and Federal legislations affecting the City;
- j. Knowledge of Texas Public Information Act and Texas Open Meeting Act;
- k. Knowledge of laws and methods to facilitate effective code enforcement to improve deteriorating areas in the City, including demolition procedures and property maintenance code provisions;
- l. Providing counsel and advice to City Council, Staff, and Boards and Commissions; and
- m. Assisting City Officials and employees to maintain awareness of ethical standards and appearance of fairness standards, and to avoid potential conflicts of interest, prohibited transactions and the appearance of prohibited transactions.

III. Proposal Requirements

Each Request for Qualification (RFQ) must address, but does not need to be limited to the following issues:

1. Introductory letter with a general description of the firm and the services it provides. The letter should indicate your firm’s understanding of the scope and requirements relating to this proposal. A person who is authorized by the organization to enter into an agreement with the City of Bastrop will sign the letter;
2. Firm or individual name, including the owner, address, and telephone number. Provide address of all firm offices, identifying in which office the

work will be performed, the number of years of continuous operation under the current law firm name, and if less than ten years, provide the former name of the firm.

3. Attach a list of Principals in the firm. Include a biographical sketch of each including education, years of experience, years of municipal law experience, and any areas of specialty within the field of municipal law.
4. Provide the name and complete resume of the assigned Attorney who will have primary responsibility for the City of Bastrop legal matters.
5. Provide a list of attorneys who will provide services to the City. Include a description of these attorneys' education, years of legal experience, years of municipal legal experience, and any areas of specialty within the field of municipal law.
6. Provide a complete list of all current municipal clients, including email and phone contact information. Please identify five clients which you think are most comparable to the City of Bastrop.
7. If your firm has represented a city in the last five years that you no longer serve as City Attorney, please provide the following information:
 - a. Name of the city.
 - b. Name of City Manager (or appropriate reference) and contact information.
 - c. Explanation regarding why you no longer represent that city.
8. Provide a brief summary of the firm's experience in each of the following areas and your strategy for managing those areas in which your firm does not have experience and would be required to outsource:
 - Business contracts and agreements.
 - Bidding and procurement.
 - Ordinances and resolutions.
 - Real estate matters, including condemnations, platting, deeds and easements.
 - Subdivision Regulations.
 - Zoning matters.
 - Annexation and Extraterritorial Jurisdiction issues.
 - Election procedures and law.
 - Eminent Domain.
 - Open meetings and open records.

- State law as it pertains to municipalities.
 - Personnel matters, including non-civil service police and fire.
 - Zoning and development processes.
 - Economic development incentives, including Chapter 380 provisions.
 - Economic development corporations.
 - Tax Increment Reinvestment Zones.
 - Police and Public Safety specialty law.
 - Special Districts (e.g. MDD; PID, etc...)
 - Utility districts, water supply corporations, and emergency service districts.
 - Charter and charter amendments.
9. Please list any client that you currently represent that could cause a potential conflict of interest with the City of Bastrop. Describe how you would resolve these current or future potential conflicts of interest.
 10. If your firm has represented any client in the past fifteen years against the City of Bastrop or one of its employees, please describe the case(s).
 11. If you have filed any litigation in the last five years in which a municipality or the Texas Municipal League was a defendant, please describe the case(s).
 12. Any other items, which the firm/individual deems necessary. Each submittal should also provide a summary detailing the experience and understanding of the role of providing consulting legal services including how the City Attorney balances the relationship between the Mayor and Council as well as the City Manager and staff.
 13. Please provide rates for providing the services described above.
 14. Proposing firm must have all professional licenses required by the State of Texas to provide the services which are required. **Proof of these licenses must be included as a part of the submittal.**
 15. Demonstrate methodologies that your firm has used in the past to create efficiencies in the delivery of your services, thus reducing costs to your clients. Examples might be remote participation in meetings, reduced rates for travel time, use of paralegals for some services, etc. Propose how those efficiencies might be applied to Bastrop.
 16. The firm must utilize computer equipment, software and systems compatible with current City computer equipment, software, and systems. The City has largely converted to Microsoft Office Professional 2016.

IV. Evaluation Process

The City reserves the right to accept or reject any and all submissions in the best interest of the City. In connection with the evaluation, the City may invite one or more applicants to make an oral presentation to the City Council at a time and location to be announced and may require the submission of supplemental material intended to substantiate or clarify information previously submitted.

The following information will be taken into consideration during the evaluation process:

- Meets qualifications identified in the Request for Qualifications.
- Proposals included complete and clear responses to items.
- Demonstrated expertise in municipal law as outlined in Section III, Question 7.
- Available support staff and range of services offered.
- Demonstration of workload and a level of experience commensurate with the level of service required by the City.
- The professional reputation for providing high-quality services, ability to work cooperatively with the City Council, City Manager, City staff and demonstrates sound judgment, integrity, and reliability as determined by the references provided.
- Cost of providing basic and hourly services as per the submitted hourly rate.

Based on the Council's review of submittals, it is expected that several firms may be short listed for further consideration, and may be required to submit supplemental information. Additionally, the selected firm(s) may be required to make a presentation before the Mayor and City Council. Interviews of short-listed firms will be scheduled on Tuesday, September 26, 2017 starting at 3:00 p.m. Targeted date for formal selection of firm and approval of contract is at the October 10, 2017 Council meeting.

Please submit an original and seven (7) copies of the Qualifications Statement by 2:00 p.m. local time on Wednesday, September 13, 2017.

Mailing Address:
Ann Franklin, City Secretary
City of Bastrop
P.O. Box 427
Bastrop, TX 78602

Physical Address for Courier Service:
Ann Franklin, City Secretary
City of Bastrop
1311 Chestnut Street
Bastrop, TX 78602

V. Contract award

The contract will be awarded for an initial period of one year. The agreement will be then be automatically renewed for additional one year periods unless

terminated by either party. However, the City Attorney shall work at the pleasure of the Bastrop City Council and nothing herein shall limit their ability to terminate the contract at will with no notice or penalty.

All costs directly or indirectly related to preparation of a response to this RFQ or any oral presentation required to supplement and/or clarify the RFQ which may be required shall be the sole responsibility of, and shall be borne by your firm. There is no expressed or implied obligation on the part of the City of Bastrop to reimburse responding firms for any expenses incurred in preparing or presenting a Request for Qualifications in response to this request.

The City reserves the right to require additional technical and pricing information, have discussions with Respondents regarding all elements which comprise the Respondents' proposals; to accept all or part of any proposal, to reject any or all proposals; and to re-solicit for proposals.

VI. Inquiries

Respondents shall direct all inquiries and communications concerning this Request for Qualifications to the Point of Contact listed below:

Lynda K. Humble
City Manager
City of Bastrop, TX
P. O. Box 427
Bastrop, TX 78602
lhumble@cityofbastrop.org
512-332-8800

Proposed Schedule of Events*

August 15 - 16, 2017	Council reviews Request for Qualifications.
August 17, 2017	Request for Qualifications are sent to List of Vendors.
August 18, 2017	Advertise Notice in Austin Statesmen Newspaper – 1 of 2.
August 25, 2017	Advertise Notice in Austin Statesmen Newspaper – 2 of 2.
September 13, 2017	Request for Qualifications Due at 2:00 p.m. (Copies of RFQ's will be delivered to each Councilmember for review).
September 19, 2017	SPECIAL Executive Session to review RFQ's and select short list for interviews.
September 26, 2017	Council interviews Firms from Short List; Executive Session posted for deliberation. Select Finalist. (Start at 3:00 or 3:30 p.m. to get the interviews in before Council meeting begins.)
Sept. 27 – Oct 6, 2017	Check references & Finalize contract.
October 10, 2017	Council approves Contract and appoints City Attorney.

*SCHEDULE IS SUBJECT TO CHANGE.