

# REQUEST FOR PROPOSALS

City Attorney



**City of Platteville**  
75 North Bonson Street  
Platteville, WI 53818

August 2017



City of Platteville  
Request For Proposals  
**CITY ATTORNEY SERVICES**

Proposal Submission Deadline: **3:00 pm, Friday, September 22<sup>nd</sup>, 2017**

**INTRODUCTION**

The City of Platteville invites interested individual attorneys and law firms to submit written proposals to provide City Attorney services to the City. The City of Platteville is located in the southeast portion of Grant County amongst the rolling hills of southwestern Wisconsin. The current population of Platteville is 12,824. Platteville is home to 14 Parks, the Mining and Rollo Jamison Museums, the Stone Cottage, the University of Wisconsin-Platteville campus, the Big M, and the historic downtown Main Street area. The City is serviced by WI State Highways 80 and 81 and US Highway 151, as well as the Platteville Municipal Airport. The City of Platteville has 80+ permanent employees supplemented by seasonal and intern employees. The City's primary departments include administration, community development, fire, library, museum, parks and recreation, police and public works. The 2017-2019 Strategic Plan, 2017 City Budget and 2016 Audit are available online at: <http://www.platteville.org>

**THE WORK OF THE CITY ATTORNEY**

The City Attorney provides all legal services needed by the City for the Common Council and administrative staff, except for occasional services that require unusual expertise such as labor negotiations and serving as bond counsel.

**I. Routine legal services**

- A. Provide clear and concise legal advice and consultation (oral and written) as requested or required to the Council, City Manager and staff on a variety of matters pertaining to all aspects of governance. Contacts are usually made by email or telephone and twenty-four-hour response time is typically expected.
- B. Research and interpret laws, court decisions and other authorities for preparing legal opinions and to advise the Council and staff on legal matters pertaining to City matters.
- C. Draft, review, and/or revise documents, including but not limited to memoranda concerning legal issues, contracts, ordinances, resolutions, license agreements, development agreements, city policies, notices, open records, leases, deeds, loans, permits and staff reports. Clear, concise, well-organized writing is a prerequisite.

- D. Make recommendations for updating existing City codes, resolutions and other policies and practices.
- E. Provide staff with assistance, legal research and counseling on matters such as the acquisition or sale of property, preparation of leases, deeds and easements, contracts and agreements, operations governed by law, liability situations, government ethics and grant guidelines.
- F. Represent the City in intergovernmental projects and other matters, as needed.
- G. Coordinate the work of outside legal counsel, as directed by City Manager.
- H. Prepare correspondence and other legal documents on behalf of the City as directed.
- I. Provide information regarding legislation or judicial opinions that have potential impact to the City and its departments to the City Manager, staff and/or Common Council.
- J. Represent and advise the Council, city officers, boards and commissions in all matters of law pertaining to their offices.
- K. Attend regular Common Council meetings (open and closed sessions) as needed and advise the Council on matters on the agenda as well as procedural matters that may arise during and following the meeting. The Common Council meets at 7:00 p.m. on the second and fourth Tuesdays of every month. Special meetings are called as needed.
- L. Represent the City before governmental bodies and agencies to promote the interest of the City.
- M. Provide guidance and legal advice on Wisconsin Open Meetings Law and parliamentary procedure.
- N. Perform other duties as directed by the City Manager.

## **II. Non-routine legal services**

The City Attorney may represent the City in:

- A. Litigation and mediation (civil, tort, liability, construction law/public works, general writ, etc.).
- B. Proceedings before the state and federal courts
- C. Proceedings before state and federal administrative agencies

## **III. Prosecutor services**

- A. Prosecution of all municipal traffic violations
- B. Prosecution of all non-traffic ordinance violations
- C. Jury and non-jury trials, plea negotiations and agreements
- D. Work with staff in evaluating circumstances and determining whether to initiate/continue prosecutions in specific cases

## **PROPOSAL TYPES**

The City of Platteville will accept the following proposal types:

- A. Proposals to provide all the services described above
- B. Proposals which exclude Prosecutor services
- C. Proposals for Prosecutor services only

The City reserves the right to select an individual or firm for City Attorney excluding Prosecutor services, and a separate individual or firm for Prosecutor services based on evaluations of the proposals.

## **PROPOSAL FORM AND CONTENT**

Proposals should provide a straightforward, concise description of the respondent's capabilities to satisfy the requirements of this Request for Proposal, and should be easily reproducible. Not all the requested information may be applicable if you or your firm is submitting a proposal which excludes Prosecutor services or is for Prosecutor services only.

All pages of the proposal must be numbered consecutively. The proposal should not exceed fifteen (15) pages in length. Resumes, licenses and work examples shall not count against this page limit. The proposal should be organized in accordance with the list of proposal contents.

Respondents should include the following items in their proposals addressing the provision of municipal legal services as described above:

### **A. Letter of Transmittal**

All proposals must include a cover letter addressed to Nicola Maurer, Administration Director, and be signed by a duly constituted official legally authorized to bind the respondent to both its proposal and cost schedule. The cover letter must include name, address, and telephone number of the respondent submitting the Proposal and name, title, address, telephone number and email address of the person, or persons to contact who are authorized to represent the respondent and to whom correspondence should be directed.

### **B. Table of Contents**

Include a clear identification of the material by section and by page number.

### **C. Executive Summary**

Introduce the scope of the Proposal; (i.e. full City Attorney services; City Attorney services excluding Prosecutor services; or Prosecutor services only) and to summarize the key provisions of the Proposal. Provide a statement describing why you or the firm is qualified to perform this work.

#### **D. Proposal**

Provide an explanation of your or the firm's experience in the following areas:

1. Land use and zoning law
2. Prosecution of municipal type violations
3. Franchise and right of way law
4. Utility services
5. Public contracting and purchasing law
6. Drafting or reviewing municipal ordinances and resolutions
7. Public meetings, public records, and administrative law
8. Police and fire commissions
9. Government ethics
10. Water law
11. Urban renewal law
12. Real estate law
13. Environmental law

Proposals from firms should address how the firm's provision of services to the City will be managed — for example, if there would be a lead attorney and how other attorneys would be involved. Describe any work, whether by subject area or nature of work, which would not be covered by your compensation proposal.

#### **E. Fee Schedule**

Provide details of the proposed fee structure as follows:

1. The hourly rate and fee schedule for all services and travel time.
2. The amount of a monthly retainer, if any, with a description of services included in the retainer and an explanation of fees for any services not included in the retainer.
3. A list of any out-of-pocket charges which would be billed separately.
4. An explanation of charges for out-of-town court appointments and meetings.
5. A description of the billing process including billing frequency, detail provided and payment terms.

#### **F. Proposed Attorney(s), Paralegals and Qualifications**

1. Summarize your or the firm's background and history; include number of years in business and scope of services you or your firm have provided.
2. Describe your or the firm's municipal legal services, training, experience, and current government clients; include number of years.
3. Provide a statement describing the capability to respond to time-sensitive or short notice requests and/or complicated issues.
4. Describe how you propose to familiarize yourself with the laws, rules, regulations, and operating procedures relative to the conduct of business for the City of Platteville in order to efficiently and effectively assume responsibilities.
5. Provide the name and brief summary of experience of those who will provide legal support. Full resumes should be included in the Appendix. Also include:
  - a. Address of your office where most services will be rendered.

- b. Days of the week and hours of the day you or the firm will be available for conversations.

**G. Conflicts of Interest**

1. Provide a list of any known or potential conflicts of interest with parties that reside in or do business in and/or with the City of Platteville.
2. Provide an explanation of how any conflicts of interest would affect your or the firm's ability to represent the City.
3. Describe how you or the firm will identify and manage conflicts of interest, including any costs not included in the fee schedule.

**H. Insurance**

Please include a description and pertinent information regarding the general liability, auto liability, worker's comp and professional liability insurance carried by you or your firm, including the amount of coverage provided by such insurance.

**I. Additional Information**

Any other information that the respondent feels applicable to the evaluation of the Proposal or of their qualifications for accomplishing the legal services should be included in this section. You may use this section to address those aspects of your services that distinguish you or your firm from others.

**J. References**

Provide contact information for three municipal clients, current and/or prior, so reference checks can be conducted.

**K. Appendix (not included in page limit)**

1. Work Examples
  - a. Provide examples of two or more memos and letters explaining, interpreting, or applying the law to a client (preferably municipal or public entity).
  - b. Provide two or more examples of filed legal briefs regarding a matter under litigation, preferably litigation involving a municipal or public entity.
  - c. Provide two or more examples of an ordinance, resolution or other public policy document or rule drafted by you or your firm.
2. Resumes of those providing legal support
3. Certificates or licenses

**HOW TO APPLY**

Proposals may be mailed or delivered to:

Nicola Maurer, Administration Director  
Attention: City Attorney Proposal  
City of Platteville  
75 N. Bonson St., PO Box 780  
Platteville, WI 53818

As a further alternative, proposals may be emailed as an attachment, with the email subject “City Attorney Proposal” and with the email addressed to [maurern@platteville.org](mailto:maurern@platteville.org).  
**The deadline for submission of proposals is 3:00 pm, Friday, Sept. 22<sup>nd</sup>, 2017.**

## **INFORMATIONAL**

The Common Council meets regularly on the 2nd and 4th Tuesdays of each month at 7:00 pm. Occasional work sessions, executive sessions, and special meetings may be held, based on need, and at the request of the City Manager and Common Council. The City Attorney will be required to attend Common Council meetings unless excused by the City Manager.

Additional information, Municipal Code, Budgets and organizational information is available on the City’s website at: [www.platteville.org](http://www.platteville.org).

## **EVALUATION/SELECTION OF PROPOSALS**

### **Evaluation Criteria**

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

- A. Qualifications identified in the Proposals.
- B. Complete and clear responses to items in the Proposal Form and Content section.
- C. Familiarity with laws and regulations governing Wisconsin local governments and operating procedures relative to conduct of City business.
- D. Demonstrated expertise and experience in the following areas as it relates to municipalities;
- E. Range of services offered and available support staff.
- F. Demonstration of workload capacity commensurate with the level of service required by the City.
- G. Professional reputation for providing high-quality services, ability to work cooperatively with Common Council, City Manager, Department Heads and media.
- H. Demonstration of sound judgment, integrity, composure and reliability as determined by the references provided.
- I. Cost of providing services as per the submitted retainer or hourly rate schedule. Please note that while proposed fees are a significant factor in determining the successful respondent; they are balanced against criteria specified in this section.

### **Clarifications**

The City reserves the right to seek clarification of each proposal submitted. The City also reserves the right to require other evidence of technical, managerial, financial, or other abilities prior to selection.

## **PROCESS**

An Evaluation Committee will review all RFPs and may select one or more finalists for interviews. Additionally, the Evaluation Committee may request submission of supplemental materials. The selected attorney(s) or firm(s) will be the one that in the judgment of the Evaluation Committee best demonstrates the ability to provide the broadest range of high quality legal services in the most cost-effective manner. Upon completion of the evaluation process by the Evaluation Committee, the City Manager will advise the respondents of the selection and negotiate the appropriate agreement(s). The tentative agreement(s) will define the extent of services to be rendered, method and amount of compensation. The selected respondent will need to enter into a contract with the City. The City reserves the right to negotiate a final contract that is in the best interest of the City. The proposal will become a part of the agreement. The City Attorney and City Prosecutor serve at the pleasure of the Common Council. The contract may be terminated at any time by the Common Council. Once a tentative agreement is prepared, it will be presented to the Common Council to award the contract.

The anticipated timeline for selection is:

Deadline for Receipt of Proposals	Friday, Sep 22 <sup>nd</sup> , 2017 @ 12:00 pm
Evaluation Committee interviews (if any)	October 2 <sup>nd</sup> , 2017*
Council award of personal services contract	Council meeting on October 24 <sup>th</sup> , 2017
Anticipated commencement of contract	November 1 <sup>st</sup> , 2017

\*(respondents are requested to hold this date on their calendar)

In addition to all other rights granted to it under Wisconsin Law, the City of Platteville reserves the right to waive formalities in the proposal process; to accept or reject any or all proposals received as a result of this request; to request additional information concerning any proposal; to accept or negotiate modifications to any proposal; to negotiate with qualified attorneys; to interview any respondent; to cancel, in part or in its entirety, the request for proposals; or to waive any irregularities in any proposal following the proposal submission deadline date to serve the best interests of the City. The City also reserves the right to negotiate separately with any respondent whatsoever, in any manner necessary to serve the best interests of the City. This request for proposals does not commit the City to pay any costs incurred in the preparation or evaluation of a proposal.

All inquiries regarding this Request for Proposals should be directed by e-mail to Nicola Maurer, Administration Director, at: [maurern@platteville.org](mailto:maurern@platteville.org).



## Appendix

### Platteville City Attorney Billed Hours

	General	Police	Public Works	Total
2015	131.63	127.00	8.90	267.53
2016	266.50	123.50	26.00	416.00