

City of Rio Dell
Request for Proposals
City Attorney

Issue Date: September 7, 2011
Due Date: September 30, 2011

Notice is hereby given that Proposals Will Be Received by the
City of Rio Dell, California, for: City Attorney

The City of Rio Dell (the City), located at 675 Wildwood Avenue, Rio Dell, California, is seeking qualified individuals or firms to submit proposals to serve the City of Rio Dell as City Attorney. Applicants must have prior California experience serving as a City Attorney.

Proposals must be received not later than 5:00 PM on Friday, September 30, 2011 and sent to the attention of the City Manager.

This Request for Proposals (RFP) outlines specific instructions. Each proposal must be delivered in a sealed envelope clearly marked with “**Proposal for City Attorney, City of Rio Dell**” and addressed to:

City Manager
City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 95562

Proposals later than 5:00PM on September 30, 2011 will not be considered.

The City reserves the right to reject any and all proposals, to request additional information concerning any proposal for purposes of clarification, and to waive the irregularities and informalities in the submittal and evaluation process. This RFP does not obligate the City to pay any cost incurred by respondents in the preparation and submission of a proposal. Furthermore, the RFP does not obligate the City to accept or contract for any expressed or implied services. All inquiries regarding this Request for Proposals should be directed to the City Manager at the above address.

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A. Background:

The City of Rio Dell is located in Humboldt County, California, and contains a population of approximately 3,300. The City Council consists of a Mayor and four (4) council members elected from the City at large. The Council meets twice a month on the first and third Tuesdays at 6:30 PM with an occasional workshop at 5:30 PM. The City Manager is appointed by the City Council. The City is a general law city. The City of Rio Dell operates under the Council-Manager form of government. City staff encompasses nineteen (19) employees, including the City Manager (who also serves as the Public Works Director), Chief of Police, City Clerk, Finance Director and Community Development Director. The City provides both sewer and water utilities to residents.

General legal services typically range from fifteen to twenty thousand dollars per year billed hourly. In addition, the City also currently contracts for specialized legal services primarily in the areas of personnel and public safety matters.

The City Attorney will be an independent contractor and not an employee of the City.

The City is an equal opportunity employer and this solicitation is open to all persons without regard to race, religion, color, national origin, sex, age, marital status, handicap or political affiliation.

B. Scope of Services to be Provided:

The City Attorney is the chief legal counsel for the City and is responsible for advising on all legal matters. The scope of services may include, in addition to other duties:

1. Advise the Mayor, Council, City Manager, City staff, and committees on legal questions arising from the conduct of City business.
2. Prepare oral or written opinions on legal matters as required by the City Council and/or City Manager.
3. Prepare and/or review all ordinances, resolutions, municipal contracts, joint power agreements, leases, or similar documents at the request of the City Council and/or City Manager.

4. Research and submit legal opinions on municipal or other legal matters as requested by the City Council and/or City Manager.
5. Attend City Council and Planning Commission meetings as requested by the City Council and/or City Manager. (The City Attorney is not typically required to attend Council meetings)
6. Provide guidance on personnel matters.
7. Perform legal work pertaining to land use issues including but not limited to property acquisitions, property disposals, public improvements, easements, dedications and right-of-way vacations.
8. Enforce City codes, zoning regulations, and building standards through administrative and judicial actions.
9. Keep the Council and City Manger informed of legislation or judicial opinions that have potential to impact the City.
10. Provide legal advice to staff upon the request of the City Manager.
11. Represent the City in proceedings in any court of competent jurisdiction when directed to do so by the City Council and/or City Manger. Representation shall include defending lawsuits which are not defended by the City's insurer. However, the City Attorney shall not be authorized to settle any claim except at the explicit direction of the City Council.
12. Promptly return all calls and e-mails from the City Council and City Manager.

C. Evaluation of RFP's:

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:

1. Meets qualifications identified in the RFP.
2. Included complete and clear responses to required information.
3. Familiarity with laws and regulations governing California general law cities and operating procedures relative to the conduct of City business.
4. Demonstrated expertise in land use and zoning law as it relates to municipalities.
5. Reasonableness of response time, support staff and range of services offered.
6. Demonstration of workload capacity and a level of experience commensurate with the level of service required by the City.
7. The professional reputation for providing high quality services; ability to work cooperatively with the City Council, City Manager and Department Directors;

and demonstrates sound judgment, integrity, and reliability as determined by the references provided.

8. Cost of providing services. Note that while cost is important, it is not necessarily the most critical factor in evaluating a submittal.
9. Results of interview.

D. Selection Process:

The City Council and the City Manager will review the submitted proposals. After review, they may select one or more finalists for interviewing and choose a finalist. After completing negotiations and contract process, the City Manager will make a recommendation to the City Council to appoint a City Attorney and award a contract. The City Attorney serves at the pleasure of the City Council and may be removed at any time by a majority vote of the Council.

E. Tentative Time Line:

- Issue Request for Proposals September 7, 2011
- Receive proposals September 30, 2011
- Review proposals and select finalists October 4, 2011
- Interview finalists October 18, 2011
- Complete negotiations and contract process November 4, 2011
- Present contract to Council for approval November 15, 2011

F. Required Information

All RFP's must provide specific information to the following questions.

1. **Qualifications:** Please describe your qualifications to provide legal services to the City with a focus on the following areas, as well as any pertinent information you wish to provide on other members of your firm who could be involved in providing legal services to the City.

- a. Legal training including date of admittance to the California Bar.
- b. Years in practice and years of experience in municipal law. Please indicate what municipalities you have served, in what capacity and over what timeframe as well as the community's population and contact information.
- c. Range of experience and years of experience with California land use law.
- d. Experience with laws and litigation involving franchise fees and

agreements.

- e. Experience in labor union contract law and personnel matters.
- f. Experience related to public safety (police) matters.
- g. Identification of any perceived conflict of interest you or your firm may have representing the City in any land use or other local government matters.
- h. Location of your office, hours of operation, methods of contact, and availability to attend Council meetings if necessary.
- i. Six client references, three of which must be governmental entities, preferably cities. Include contact information.

2. Fee Structure:

The City desires to establish an hourly rate for services billed on a monthly basis. Please indicate how you would structure a fee rate or schedule to provide such services.

3. Responsiveness

Describe the standard timeframes for responses to direction and/or inquiry from the City.

4. Back-up

Identify whom you would designate as a competent substitute or back-up legal service for the City in your absence.

5. Insurance

Indicate your coverage for professional liability and other insurance.

6. Disclosure

Please provide a written statement giving the City of Rio Dell permission to contact listed client references named above and obtain information about you.

7. Contract

Please provide a general form of contract you would propose.

8. Other Information

Applicant's may submit other information regarding their expertise or experience.

