# CITY OF ROY REQUEST FOR PROPOSALS

**CITY ATTORNEY SERVICES – GENERAL MUNICIPAL LAW**

**Posted Tuesday, April 30th, 2024**

The City of Roy (hereinafter “City”) is accepting proposals from qualified professional law firms or individuals to provide City Attorney - General Municipal Legal Services.

A summary of the scope of services, minimum qualifications, and proposal requirements are available from the City Clerk - Treasurer’s Office, 216 McNaught St S, Roy, WA 98580-0700; by calling (253) 843-1113; or at the City’s website: [https://www.cityofroywa.us.](http://www.cityoforting.com./)

Interested parties should submit one electronic copy of the proposal identified as “City Attorney Services-General Municipal Law”. The deadline for submission of proposals is **05/14/2024.** At the City’s discretion, proposals submitted after the due date and time may be considered. Proposers accept all risks of late delivery of proposals.

The City reserves the right to request additional information concerning any proposal, to accept or negotiate modifications to any proposal, to interview any proposer, to waive any irregularities in any proposal following the proposal submission deadline date, to negotiate further with all proposers within the competitive range, and to accept a proposal which is considered to serve the best interests of the city.

Proposals may be mailed, delivered or emailed to:

City of Roy

Attn: Michael Malek, City Clerk-Treasurer

216 McNaught St S,

PO Box 700

Roy, WA 98580-0700

## RFP SCHEDULE

Request for Proposal: City Attorney Services, General Municipal Law.

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| --- | --- | --- | --- | --- | --- |
|  | **EVENT** |  |  | **TIME AND DATE** |  |
| RFP Issue Date: | | | 4/30/2024 | | |
| Response Due Date | | | 5/14/2024 | | |
| Proposal Evaluation Completed/Selected Short List &  Recommendation To CGA Committee | | | 5/16/2024 | | |
| Short List Firms Notified | | | 5/16/2024 | | |
| Interviews | | | 5/21/2024 – 5/23/2024 | | |
| Announce Apparent Successful Firm | | | 5/27/2024 | | |
| Anticipated Award Date | | | 6/10/2024 – Appointment at Roy City Council Meeting | | |
| Anticipated Target Start Date | | | 6/11/2024 | | |

## INTRODUCTION

The City of Roy (“City”) is seeking the services of qualified professional law firms or individuals to provide City Attorney- General Municipal Legal Services.

The City of Roy was incorporated on January 16, 1908. The city operates under laws applicable to non-charter optional code Cities, and under the mayor-Council form of government. We have a seven-member council. The city has its own police department, municipal court, public works department, water utility, and administrative services department. The city has 8 employees.

## SCOPE OF WORK: CITY ATTORNEY

The City Attorney provides legal advice, counsel, services, consultation, and opinions to the Mayor, City Council, City Clerk-Treasurer, and other City Management staff, on the full scope of civil municipal legal assignments, including but not limited to: all matters related to the Roy Municipal Code; state statutes and rules related to Code cities; ordinances and resolutions of the Council; land use planning; compliance with City, state and federal regulatory requirements; intergovernmental agreements; laws against discrimination; public private development partnerships; construction of public works; utility regulations and operations; purchasing and procurement; leasing; purchase and sale of property; employment legal matters; public disclosure issues; Open Public Meetings Act requirements; municipal risk and tort law. Support of the code enforcement and nuisance abatement function is also included in the City Attorney scope. The City Attorney’s advice includes methods to avoid civil litigation.

* 1. Furnishes legal representation at all regular City Council meetings, and at other meetings when requested.
  2. Appears before courts and administrative agencies to represent the City’s interests. Furnishes legal representation at all regular City Council meetings, and at other meetings when requested.
  3. Advises Code Enforcement on the interpretation and applicability of code provisions, the conduct of investigations, civil infraction preparation, nuisance abatement, and related matters.
  4. Prepares and reviews ordinances and resolutions, and other documents for legal correctness and acceptability.
  5. Assists 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.
  6. Assists City officials and employees to understand the legal roles and duties of their respective offices and interrelationships with others.
  7. Provides the Mayor and City Council with guidance as to Robert’s Rules of Orders and related procedural matters relating to Council meetings.
  8. Prepares legal opinions and memoranda at the request of the City or the Council.
  9. Provides the Mayor, City Council, and administration a legal perspective and advice on various governmental issues.
  10. **​**Maintain knowledge of issues facing the City and be prepared to offer timely legal opinions within a pre-established response process.
  11. Reviews and/or draft contracts, in whole or in part, and activities incidental or related thereto, including, but not necessarily limited to, real-estate transactions, interlocal agreements, labor agreements, professional services, purchasing, service or product contracts, as requested. May assist in negotiation of such contracts and/or agreements as requested.
  12. Performs other legal services and tasks, as assigned by the Mayor or Designee.

## SPECIFICATIONS: CITY ATTORNEY

* 1. The appointed City Attorney attends all City Council business meetings. Regularly scheduled meetings are held on the second and fourth Monday of each month. Attendance at various other meetings may be required occasionally. The City Attorney is expected to attend all Council business meetings unless excused by the Mayor or designee, so that there remains continuity in

representation.

* 1. The City Attorney may be asked to attend other meetings as needed by the Mayor, City Council or City Administrator.
  2. The City Attorney must be available by phone, cell phone, and e-mail.
  3. Timeliness of response from and accessibility to the City Attorney is an important aspect of the service. Accessibility includes the ability to be generally available to attend meetings in person and the ability to be reached promptly by telephone.

## DESIRED QUALIFICATIONS: CITY ATTORNEY

* 1. Minimum five (5) years’ experience within or with municipal government in providing general municipal legal services is desirable.
  2. Extensive knowledge of federal, state, and municipal status, case law, regulations and policies relevant to city government in areas of civil, land use, and administrative law; of legal procedures; and of courtroom procedures.
  3. Experience in all aspects of municipal law. The City will give preference to individuals or firms with experience in municipal issues, such as zoning, environmental questions, land use permits, annexation and growth boundary review board, building code, personnel issues, public utilities, contract development and interpretation, public records act, forfeiture/seizure hearings, code enforcement/abatement, and police liability, including changes to police policy matters.
  4. Each attorney in the proposed team must possess a Juris Doctorate degree and have graduated from a law school accredited by the American Bar Association.
  5. Each attorney in the proposed team must be a member in good standing of the Washington State Bar Association.
  6. Firm preferably located within or have satellite offices within the limits of King or Pierce County for the purpose of timely interactions between City elected officials, departmental staff, and legal counsel.

1. **PROPOSAL REQUIREMENTS**
   1. Firm/practice name, address, emails, phone and fax numbers.
   2. Description of your law firm/private attorney practice (including professional qualifications and experience of each attorney who would provide legal services, along with detailed resumes. This discussion will clearly identify the person to serve as primary city attorney and

will differentiate this person from other support key personnel and their particular area(s) of expertise.

* 1. Description of how your firm would propose to provide the required legal services. This should include an understanding of the City's service requirements, the firm's ongoing service commitment, responsiveness, office location, etc. Include information on availability and back-up city attorney services, if absent for illness, vacation, trials, etc.
  2. Propose the type and amount of fee you/your firm is seeking for compensation. Include areas or issues that would require special counsel and a list of items you will seek reimbursement costs. (Final agreement will be negotiated under a professional services agreement.
  3. A list of at least three references regarding reputation and qualifications of the law firm/private attorney, addresses, phone numbers, and your relationship with them.
  4. Disclosure of any pending litigation or judgments rendered against the law firm/private attorney in any matter relating to professional activities of the firm, including any pending complaints to the Washington State Bar Association.
  5. Describe experience in negotiating contracts with unions and police guilds, Human Resource, Employment law, and employee grievance, as well as employee and supervisor education and training.
  6. Discuss your firm’s experience in working with public record requests and the Washington Public Records Act.
  7. Discuss experience in working with the City on reducing liability/exposure to the City.
  8. A Statement of Contract Compliance: Upon execution of a Professional Services Agreement the person/firm selected will be required to provide proof of comprehensive insurance, general liability or other financial security in a manner satisfactory to the City and sufficient to provide a minimum of $2,000,000 per occurrence or claim in liability and lawyers' professional errors and omissions coverage. City of Roy must be named as an additional named insured on liability policy(s) and a certificate of insurance provided for lawyers’ professional policy(s).

1. **EVALUATION OF PROPOSALS**

All proposals will be reviewed and screened based upon the qualifications and requirements outlined in this request by the Mayor, and City administrative staff. Those individuals and/or firms deemed most qualified will be screened further based upon reference checks. The finalists may be invited for interviews. The appointment will be made by the Mayor, subject to the approval of the City Council.

The criteria to be used in the evaluation of proposals, along with respective weighted importance, are as follows:

## CRITERIA POINTS

|  |  |
| --- | --- |
| 1. Qualifications and experience of key personnel | 25 |
| 2. Flexibility, Service Commitment, Responsiveness | 25 |
| 3. Understanding and quality of proposed services | 20 |
| 4. Cost | 25 |
| 5. References | 5 |
|  |  |
| **Total** | **100** |

1. **CONTRACT TERM**

It is anticipated that the period of the contract will be two years, with annual renewal after the initial 24 months. The City retains the right to solicit other proposals for city attorney – legal services every 12 months after the initial 24-month contract, or if the City’s needs for general legal services change substantially.

This Agreement may at any time be terminated by the City giving to the Firm thirty (30) days written notice of the City’s intention to terminate the same. If the Firm’s insurance coverage is canceled for any reason, the City shall have the right to terminate this Agreement immediately.

## INSTRUCTIONS TO REPLY TO THIS REQUEST FOR PROPOSALS

One electronic copy of the proposal shall be submitted via email and identified as “City Attorney Services-General Municipal Law”.

## The deadline for submission of a proposal is Tuesday, May 14th, 2024.

* ***At the City’s discretion, proposals submitted after the due date and time may be considered. Proposers accept all risks of late delivery of mailed proposals.***

## PROPOSALS MAY BE EMAILED OR DELIVERED TO:

City of Roy

Attn: Michael Malek, City Clerk-Treasurer

216 McNaught St S

Roy, WA 98580-0700

roycityhall@cityofroywa.us

# CERTIFICATION

I have read the Request for Proposal (RFP) for Legal Services and fully understand its intent. I understand that our ability to meet the criteria and provide the required services shall be reviewed by the City, which will develop a recommendation for City Council consideration regarding the selection of the firm that the City feels best matches the needs of the City. It is understood that all information included in, attached to, or required by this RFP shall become a public record upon delivery to the City.

With my signature, I certify the following:

1. I am authorized to commit my firm to this Proposal and that the information herein is valid for 90 days from this date.
2. That all information presented herein is accurate and complete and that the services and equipment can be delivered as presented in this Proposal upon the City’s request.
3. That I have had an opportunity to ask questions regarding this RFP and that those questions have been answered.
4. That I understand that any material omission of required forms or information may result in rejection of this Proposal as non-responsive.
5. That this Proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting an offer for this Proposal, and is in all respects fair and without collusion or fraud.
6. That the completion of the Proposal is a binding commitment to provide Legal Services as proposed therein.

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| --- | --- | --- | --- | --- |
| Proposer Signature | |  | Date |  |
| Name (printed) | |  | Title |  |
| Address |  | | | |
| Phone |  | | Fax |  |
| Email Address | |  |  |  |