

REQUEST FOR QUALIFICATIONS CITY ATTORNEY SERVICES

City of Montgomery



RESPONSES DUE:

February 3, 2020

4:00 PM

Central Standard Time

**City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316
936-597-6434
www.montgomerytexas.gov**

City of Montgomery Request for Qualifications for City Attorney Legal Services

I. Purpose

The City of Montgomery is a General Law Type A municipality, with a population of approximately 1,500. It provides a wide variety of services to citizens and visitors in the Montgomery area. These include public safety, municipal court, building inspections, code enforcement and an array of other services. It is imperative this governance relies on quality legal services. This scope of services will include the appointment of one individual or law firm to serve in the position of City Attorney, who will be appointed by and serve at the will of the Montgomery City Council.

The City of Montgomery (the “City”) is soliciting sealed Requests for Qualifications (RFQ) from an individual attorney or an attorney firm to provide City Attorney services. Attorneys are invited to submit qualifications for the provision of these services. In order to be considered, responses must address each of the requests for information included in this RFQ. In addition, information regarding rates and fees must be submitted with this Request for Qualifications (RFQ). This information must be submitted in a separate sealed envelope titled “Proposed Fees”.

Any questions regarding this RFQ should be addressed to Richard Tramm, City Administrator, rtramm@ci.montgomery.tx.us or by phone at (936) 597-3962. Sealed responses will be accepted by the City Secretary at 101 Old Plantersville Road, Montgomery, Texas 77316, until 4 p.m. on February 3, 2020. Responses received after this time will be returned unopened.

The City Attorney Services contract is anticipated to be awarded by the City Council in February or March of 2020. The City of Montgomery reserves the right to reject any and all proposals.

The scope of services for which fees and rates are requested is divided into two categories: general representation and litigation. These categories are more fully described in Section II.

The firm will be required to provide a detailed, itemized billing for each category (including general representation) on a monthly basis.

II. Professional Credentialing and Legal Services Required

The individual or firm selected is to have a Juris Doctorate from an accredited law school, a license to practice law in the State of Texas, and be a member in good standing of the Texas Bar. The individual or firm selected must also have knowledge of municipal law, municipal finance, personnel law, land use and other regulations as required.

A. Basic Legal Services

1. Reviewing and drafting agreements, contracts, deeds, easements, ordinances, and resolutions.
2. Reviewing agendas and supporting materials for the City Council meetings, furnishing legal advice, attending City Council meetings, generally held on the 2nd and 4th Tuesday of each month, and special called City Council meetings, as required, and may include other board, committee, or commission meetings on an “as-needed” basis as requested by the City Administrator.
3. Providing timely counsel and advice to City Council, city staff and Boards & Commissions which may take place via email and telephone during normal business hours or at meetings. Such counsel will generally focus on government operations, elections, open meetings, public information, City Ordinances, State law, personnel matters, property matters, and real estate matters including annexation, zoning, and condemnation.
4. Familiarity with the City’s Code of Ordinances, applicable State and Federal laws, and other applicable documents (such as City Personnel Policies and Procedures, code enforcement process, etc.)
5. Negotiating and administering contracts as well as assisting with contract disputes.
6. Knowledge of laws and methods to facilitate effective code enforcement to improve deteriorating areas of the City, including demolition procedures and property maintenance code provision.
7. Knowledge of Texas Public Information Act and Open Meeting Laws.

B. Litigation

This category includes both preparation for trial and actual courtroom time for all litigation filed by or against the City, Planning and Zoning Commission hearings, and condemnation proceedings and other litigation which may arise.

III. Proposal Requirements

Each RFQ must include the following information:

- A. Individual's or firm's name, including the address of office in which the work will be performed.
- B. Number of years the individual or firm has been in business (in the case of a firm, include a list of principals in the firm); a biographical sketch with education, years of legal experience, years of municipal legal experience, and any other areas of specialty within the field of municipal law. A statement identifying the principal anticipated to be the attorney with responsibility for providing the City of Montgomery with City Attorney Services.
- C. In the case of a firm, a list of supporting attorneys who will provide legal services to the City of Montgomery named in rank order, any attorney anticipated to represent the City of Montgomery, complete with educational and credentialing information, years of legal experience, years of municipal legal experience, and information of any areas of specialty within the field of municipal law.
- D. Summary of qualifications, specializations, experience, professional affiliations, special training, and a license to practice law in the State of Texas. A member in good standing of the Texas Bar with experience in Texas municipalities and knowledge of municipal law, municipal finance, personnel law, land use or other related fields.
- E. Number of staff, by discipline, in your law office and copies of their résumés.
- F. List a minimum of five (5) professional references, including current municipal clients that you or your firm has represented in the past five (5) years. List a contact person for each client with a telephone number for the contact person.
- G. Please provide a list of any clients that you currently represent that could cause a conflict of interest with your responsibilities with the City of Montgomery. Describe how you would be willing to resolve these or any future conflicts of interest.
- H. If your firm has filed any litigation in the past five years in which either the City of Montgomery or one of its employees was named as a defendant, please describe the case(s).
- I. If you have filed any litigation in the past five years in which a municipality was a defendant, please describe the case(s).
- J. Any other documentation which the firm / individual deems necessary which will detail the firm's or individual's professional experience.

Each submittal should provide a summary detailing the experience and understanding of the role of providing consulting legal services as a City Attorney.

IV. Proposed Fees. Hourly fee rate for all work.

For all hourly fees, please identify rate of each attorney and support personnel and indicate minimum time increments billed for services. Also state rates for other cost items that are likely to be itemized and billed.

V. Evaluation Process.

After the deadline for receipt of RFQs, the City Administrator will review the submittals, develop an evaluation procedure and select those to be interviewed in a closed meeting (Executive Session), after which one attorney or firm will be selected by a Council vote.

VI. Contract Award.

The contract will be awarded for an initial period of at least one year, but may also be extended for a period that harmonizes with the City's Fiscal Year and will then be renewed for additional one-year periods unless terminated by either party. However, the City Attorney shall work at the pleasure of the Montgomery City Council and nothing herein shall limit City Council's ability to terminate the contract at will with no notice or penalty.

BASIS OF AWARD

The City of Montgomery will make its selection based on the following:

- Demonstrated competence
- Experience
- Knowledge
- Qualifications

All costs, directly or indirectly, related to the preparation of a response to this RFQ or any oral presentation required to supplement and / or clarify the RFQ shall be the sole responsibility of, and shall be borne by the attorney or attorneys. The final selection will be at the sole discretion of the City of Montgomery.

Nine (9) originals plus one (1) digital copy of proposal must be sealed and delivered to the City of Montgomery, Attention: Susan Hensley, City Secretary, 101 Old Plantersville Road, Montgomery, TX 77316 by 4:00 p.m. Central Standard Time, on February 3, 2020. All proposals must be plainly marked with "City Attorney Services RFQ".

Proposer is responsible for delivery of response by the date and time set for the closing of the proposal acceptance. Responses received after the date and time set for the closing will not be considered. The City of Montgomery reserves the right to reject any and all proposals and

waive informalities in proposals received.

Any questions regarding this RFQ should be addressed in writing as follows:

Richard Tramm rtramm@ci.montgomery.tx.us

Final Responses must be delivered by February 3, 2020 at 4 p.m. to the following address:

City of Montgomery
Attn: Susan Hensley, City Secretary
101 Old Plantersville Road
Montgomery, Texas 77316