

Request for Qualifications & Proposals
Legal Services
City of Ecorse, Michigan

Overview

The City of Ecorse is requesting proposals from law firms to provide legal services as the City Attorney. The City Attorney is appointed by the City Administrator and the contract is approved by the City Council with final approval from the Ecorse Receivership Transition Advisory Board. The City Attorney also serves as an advisor to all Department Heads of the City in relation to their respective duties. See Appendix A for a listing of expected services. The proposal must include general counsel service and prosecution services for City Misdemeanors.

The City has had a contract relationship with local lawyers for the last 45 years. They have provided both general counsel and City prosecution services. Outside specialized attorneys have been used for labor issues, bond and finance issues, bankruptcy, tax tribunal appeals and some civil lawsuits.

The City Council will enter into a contract with a law firm. The City Attorney or his representative shall attend City Council meetings. The specific attorney attending City Council meetings shall be approved by the City Administrator.

The City will not be responsible for any costs incurred by any firm to respond to this request. Firms who wish to submit proposals must provide the information outlined in the enclosed Legal Services Qualifications and Pricing Appendixes (A & B) by April 5, 2016. Five (5) copies of the response that includes Appendix A, not Appendix B, must be provided in a sealed envelope clearly marked "Legal Services Request for Qualifications" by 1:30 p.m. on April 5, 2016 at which time the submittals will be publicly opened. Five (5) copies of the same response that includes Appendix B must also be provided in a separate sealed envelope clearly marked "Legal Services Request for Pricing" by 1:30 p.m. on April 5, 2016. Late proposals will not be accepted. Proposals should be submitted to:

City of Ecorse
City Clerk's Office
3869 W. Jefferson
Ecorse, Michigan 48229

The tentative timeline is:

Task
RFQ's posted

Target Date
March 9, 2016

RFQ's due		April 5, 2016
Interviews, if necessary	(week of)	April 11, 2016
Negotiations/clarification on contract terms	(week of)	April 18, 2016
Recommendations to City Council		April 26, 2016
Contract begins		June 15, 2016

The City may conduct inquiries and request additional information from firms as the City deems necessary to assist in the evaluation of any proposal. The City Administrator will make a recommendation to the City Council for a contract with the selected firm. The City expects an initial contract for a term beginning June 15, 2016 and ending June 30, 2018.

The City reserves the right to select the firm with legal services that best meets the needs for the City in the sole judgment of the City and selection will be based on experience, qualifications and/or economic benefit to the City. This selection will most likely not be based solely on cost. Please review the City Charter and Ordinances relating to City Attorney. In addition, applicants should review P.A. 436 and EFM Orders for the City of Ecorse as well as the Receivership Transition Advisory Board minutes for the last twelve months.

All questions must be in writing and should be directed to:

D. Wayne O'Neal
City Administrator
3869 W. Jefferson
Ecorse, MI 48229
Email: woneal@ecorsemi.gov

Answers to questions received will be posted as a supplement to the original RFQ/RFP statement for all prospective respondents.

Minimum Qualifications

The primary attorney assigned to work on City legal matters shall, at a minimum, possess the following:

1. A juris doctorate degree from an American Bar Association accredited college or university.
2. A valid license to practice law in the State of Michigan.
3. A minimum of five (5) years experience in municipal law and municipal legal issues.
4. A minimum BV rating from Martindale-Hubbell, however an AV rating is preferred.

Information about the City

The City operates under a City Administrator form of government imposed by EFM Order #94 and others; has a 2000 census population of 9,000; is located on the Detroit River; is 2.9 square miles, and provides a full range of municipal services including water and sewer. The general fund budget is \$9.8 million and the budget across all funds is \$17.6 million.

The City has approximately 36 full time employees (both union and non-union), (16) part-time fire fighters and numerous part-time/seasonal/temporary employees. Employees covered under collective bargaining agreements are represented by four (3) unions and comprise 65% of the workforce.

Appendix A

Legal Services Scope of Services

The firm shall provide all administrative services and support necessary to manage the workload in order to complete all assignments. This includes office facilities, support staff, legal research options, supplies and equipment. The City anticipates the proposals will identify a primary City Attorney who completes the general counsel matters and maintains the centralized responsibility for coordinating other attorneys and support staff.

The scope of services may include the following:

General Counsel

1. Draft and/or review all ordinances, agreement and contracts.
2. Participate in non-labor negotiations when requested.
3. Draft and/or review charter amendments.
4. Assist the City in the sale or purchase of real estate.
5. Prepare deeds and other contracts for sale and purchase of property.
6. Prepare formal opinions on the legal ramifications and implications of matters before the City Council, as requested by the City Administrator, Department Heads, or the City Council.
7. Provide legal advice on actions taken or contemplated.
8. Recommend legislation to the City Council when appropriate or requested.
9. Attend City Council meeting (at least twice per month and special meetings as requested by the City Administrator, Department Heads, or the City Council).
10. Prepare various legal documents required by the City.
11. Represent the City in administrative proceedings before State agencies (but not to include proceedings before the tax tribunal or the appellate courts).

12. Advise appropriate officials on policy affecting the enforcement of all City ordinances. Consult with City Administrator and/or Department Heads and various boards and City Council on proposed or revised City policies or ordinances.
13. Review and approve or reject complaints on various issues by appropriate City employees alleging ordinance violations.
14. Meet on a bi-monthly basis (minimum) or as-needed with the City Administrator to review items referred to the City Attorney's office.
15. Provide monthly time records to the Director of Finance for work performed under the flat rate agreement, and monthly reports to the City Administrator on pending litigation. If items are handled outside the Contract on a flat rate or hourly rate, appropriate records will be kept and provided to the City Administrator and Director of Finance on a monthly basis.

The scope of services may include the following:

Prosecution Services

1. Represent the City as Prosecutor in the 25th District Court for ordinance violations, municipal civil infractions, violations of the Uniform Traffic Code, and violations of the Michigan Motor Vehicle code.
2. Represent the City as Prosecutor in all appeals of convictions at the local level only.
3. Recommend and possibly draft ordinance amendments based on cases prosecuted.
4. As requested by the City Administrator, provide time records for work performed and statistics on the cases opened and pending.

Civil Cases

The City Attorney will not be required to handle civil litigation by or against the City of Ecorse. All civil litigation outside the City Prosecution will be handled at an hourly rate as they exist from time to time. There will be a separate agreement for each civil litigation matter and the rate specified for that matter will be the same rates for the duration of that individual litigation matter.

Other Specialty Services

Tax tribunal, labor, bankruptcy, and/or bond counsel services, and litigation will be handled outside the normal City Attorney Contract but may be considered during the RFQ process.

Estimated Workload

The City does not guarantee a set workload and/or billable hours.

Appendix B

Legal Services Request for Qualifications

1. Firm name
 - a. Areas of specialty.
 - b. Years in business.

2. Offices
 - a. Office location where the majority of the work will be performed.
 - b. Name and address of parent firm (if applicable).

3. Personnel
 - a. Principal contact (name, phone number, email) of the firm. (Answers to questions received from prospective respondents to this RFQ will be emailed to the address provided.)
 - b. Proposed personnel for legal services to be provided for each discipline. Please provide the specific name of the individual who will handle each discipline (general and prosecution) and attach a current resume.
 - c. Other key personnel names who will be used for City business.
 - d. Total number of licensed attorneys at office listed in 2a. above.
 - e. Total number of all staff at office listed in 2a. above.

4. Does firm have adequate staff to handle another municipal client or will staff need to be hired?

5. Experience - provide a short narrative (no more than five (5) pages) detailing experience in municipal law including areas of expertise. Be sure to include any information on items identified as specialty services in Appendix A as well.

6. List specific reasons (no more than two (2) pages) why your firm should be considered by the City of Ecorse for legal representation.

7. Provide three (3) or more municipal references from prior or current clients, including contact name and telephone number.

8. Disclosure of any clients or interests that may reasonably be foreseen to constitute a conflict of interest when representing the City (such as other local governments, developers, bidders, etc.).

9. Describe how your firm will handle the day to day activities (police work, court appearances, and attendance at meetings) of this contract. This is particularly important if you do not have a local Ecorse office.

10. Provide evidence of a comprehensive liability and workers compensation insurance policy for all staff assigned to work for the City.
11. Note any exceptions or deviations to the required scope of services outlined in Appendix A.
12. During the past five (5) years, has the firm had any Bar Association complaints filed against it? If so, please explain.
13. Has the firm been in bankruptcy, reorganization or receivership in the last five (5) years?
14. Has the firm been terminated by any municipal client in the last five (5) years? If so, please explain.
15. Define the standard time frames for response by the City Attorney to inquiries from the City Council, City Administrator or Department Head.
16. Describe how your firm would familiarize yourself with the current issues facing the City of Ecorse.
17. Pricing - note the City prefers a combination of monthly retainer and per hour charges (to the tenth of an hour), but will consider all pricing structures submitted.

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Monthly General Counsel Retainer	\$ _____
1. Attendance at two City Council Meetings per month	\$ _____
B. Monthly Prosecution Retainer	\$ _____
C. Hourly Rate (For Filed Civil Cases)	\$ _____
D. Hourly Rate (For Other Specialty Services Provided by Your Firm)	\$ _____
E. Listing of All Other Expenses to be Charged Outside of the Above Fees:	\$ _____
1.	\$ _____
2.	\$ _____
3.	\$ _____
4.	\$ _____
5.	\$ _____