



City of Blaine Request for Qualifications and Proposals for Legal Services

June 1, 2018

Clark Arneson, City Manager

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City of Blaine

Request for Qualifications and Proposals for Legal Services

Introduction

The City of Blaine is inviting interested law firms with a minimum of 5 years of municipal law experience to submit written proposals to provide City Attorney services; both Civil and Criminal, to the City. The City Attorney will be selected by the City Council and will also work closely with the Council, City Manager and other City Staff.

Background

The City of Blaine is a developing home-rule charter city located in Anoka County. The estimated present population is 65,000 with an estimated population at full build out of approximately 80,000, which is expected to occur in the next 20 years.

The City is governed by a Mayor and six Councilmembers. The Council hires the City Manager who is responsible for the daily activities of the City including hiring and firing of employees.

The City also has an active Economic Development Authority (EDA) in which the City Council also serves as the Economic Development Commissioners. The successful firm will also serve as the Attorney for the EDA.

The 2018 budget amount for legal services is \$363,950, which includes both civil and prosecution services. *On average, 20 % of the budget is civil work and 80 % is prosecution services.*

This contract for Legal Services is scheduled to start as of September 1, 2018

General Instructions

- A. Responses must provide complete information as described in this request. Fifteen (15) copies shall be submitted by 4:30pm on Friday, July 13, 2018. The proposals shall be marked: City of Blaine-Legal Services RFP and sent to:
City of Blaine
City Manager Clark Arneson
10801 Town Square Drive NE
Blaine, MN 55449
- B. To ensure fairness and uniformity, firms submitting responses are requested to not contact City staff or the City Council. Questions about this RFP may be made to **Clark Arneson, City Manager** prior to submission deadline.
- C. The City will not reimburse any expenses incurred by the firm submitting responses including but not limited to, expenses associated with the preparation and submission of the response and attendance at interviews.
- D. The City reserves the right to reject any and all proposals, to request additional information from any or all Proposers, and to suggest modifications to the terms and conditions or a retainer agreement from that offered by a Proposer.

Legal Service Requirements

The following are the primary responsibilities for the legal services the City will require in a City Attorney:

- ◆ Attend all regular scheduled City Council meetings; attend other City Board, Economic Development Authority, Commission or Committee meetings as requested by the City Council or City Manager.
- ◆ Represent and prosecute all criminal law matters within the City of Blaine jurisdiction that are not the responsibility of the County Attorney, included, but not limited to, attendance at all court appearances as scheduled by the Anoka County District Court, assist with coordinating scheduling of officer appearances, reviewing all criminal cases presented for purposes of prosecution, writing complaints, act as a resource to the City's law enforcement agency in development of criminal cases and provide reports to the police department summarizing the prosecution activities/dispositions conducted on behalf of the City.
- ◆ Prepare and consult with City Staff for legal testimony.
- ◆ Draft and/or review ordinances, resolutions and correspondence, as requested.
- ◆ Advise the Mayor, City Council, City Manager, City Department Heads and other city staff on city legal matters.
- ◆ Prepare and/or review municipal contracts, joint powers agreements, and other agreements and contracts entered into by the City. Provide advice and support on the enforcement or defense of contracts.
- ◆ Research and submit legal opinions on municipal or other legal matters as requested by the City Council or City Manager.
- ◆ Provide written and periodic in-person training session updates on new State or Federal legislation or judicial decisions impacting the City and suggested action or changes in operations or procedures to assure compliance.
- ◆ Provide advice on open meeting law, data practice, records retention and privacy issues.
- ◆ Legal work pertaining to criminal matters of the City such as prosecution and initial proceedings.
- ◆ Legal work pertaining to property acquisitions, property disposals, public improvements, special assessments, easement dedications and right-of-way vacations.
- ◆ Legal work pertaining to the Economic Development Authority.
- ◆ Enforcement of city codes, zoning regulations, and building standards through administrative and judicial actions.
- ◆ Provide advice on policies, both city and police.
- ◆ Coordination of outside legal counsel, as needed and as directed by the City Council or City Manager.

Required Proposal Elements

Background: Describe the nature of your law firm's practice and the firm's qualifications for providing City Attorney services. Include a professional chronology for the individual who will be designated to serve as City Attorney, as well as for others whom you anticipate being involved with providing legal services to the City.

Provide the overall capabilities, qualification, training, and areas of expertise for each of the principals, partners, and associates of the law firm, including the length of employment for each person and her/his area of specialization, including criminal prosecution. ***Provide the following for the person whom you propose to designate as City Attorney and for each person you propose to designate as a deputy or back-up:***

- ◆ Legal training and number of years of practice, including date of admission to the Minnesota Bar Association, number of years of municipal or other local public sector law practice as a full-time local government attorney and/or in a private law office specializing in local government.
- ◆ Professional affiliations.
- ◆ Knowledge of, and experience with, Minnesota Municipal Law or other public sector experience, and redevelopment law.
- ◆ Knowledge and practice of law relating to land use and planning, environmental law, risk management, redevelopment, general plans, real estate and other related law.
- ◆ Knowledge of, and experience with, law relating to criminal prosecution and civil issues related to such prosecution.
- ◆ Knowledge and experience with e-Charging and meet all BCA requirements related to use of e-Charging.
- ◆ Experience in the area of contracts and franchises.
- ◆ Experience in the preparation and review of ordinances and resolutions.
- ◆ Types of clientele represented and years representing each.
- ◆ Office location and accessibility to the City.

If the firm or any of the attorneys employed by the firm, have ever been sued by cities, or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information about the nature of the incident, the dates of when the matter began and was concluded, and the results of the situation.

Describe your office staffing, including all permanent and temporary employees, their general duties, and work schedules. Include any staffing changes you would propose should you be awarded the City Attorney contract.

City/City Attorney Relationship

Define the standard time frames for responses to the City Attorney to direction and/or inquiry from the City.

Describe the systems or mechanisms that would be established for monthly reporting of the status of project requests and litigation.

Clients/Conflict of Interest

List all public clients for which your firm currently provides services under a fee for services basis or on a retainer basis. Identify any foreseeable or potential conflicts of interest that could result from such representation and the manner in which you would propose to resolve such conflicts. Identify any foreseeable or potential conflicts of interest that could result from any private representation and the manner in which you would propose to resolve such conflicts.

For the person to be designated as City Attorney, list all public clients that person presently represents as city attorney or general counsel, along with the meeting dates and times for each governing body.

Compensation

Provide the pricing schedule you will use to charge the City for providing services as outlined in this Request for Proposals. Describe how the firm intends to provide legal services, either on an hourly or retainer rate.

Define what type(s) of work is considered to be extra or specialized work that would be billed in addition to basic services.

State the hourly rate for the designated City Attorney, and associates for general work and for special services.

Identify the minimum increment of time billed for each service including phone calls, correspondence and personal conferences.

Firms shall indicate all other costs and reimbursables including travel (per mile), telephone, printing, photocopying, office supplies, etc.

Professional References

Provide three professional references for the individual designated as City Attorney, including addresses and work telephone numbers. References should be currently employed public agency officials or agents.

Evaluation and Selection Process

Proposals will be screened and evaluated with the top candidates being interviewed by Blaine staff and selected by the City Council. ***The criteria for evaluating the proposals are listed below in order of importance and weight given to them in evaluating each proposal:***

- ◆ Depth and breadth of experience and expertise in the practice of law most often encountered in municipal government operations.
- ◆ Ability to perform legal services promptly and in a manner that permits the City to operate in an effective and efficient manner.
- ◆ Ability to contact the City Attorney for quick response on inquiries that arise out of day-to-day operations.
- ◆ Communication skills.
- ◆ Cost of services.
- ◆ Willingness of City Attorney to hold weekly office hours at City Hall.
- ◆ Location of the firm's offices.

The contract will require that the law firm selected maintain general liability, automobile, workers' compensation, and errors and omissions insurance. The contract will also contain provisions requiring the selected law firm to indemnify the City and provide that the City Attorney is an independent contractor serving at the will of the City Council. Other required provisions will include the City Council's right to terminate the agreement, at its sole discretion, upon the provision of notice.

The City anticipates the original contract will be three (3) years in length.