

**CITY OF UNION GAP
REQUEST FOR PROPOSALS
CITY ATTORNEY SERVICES - GENERAL MUNICIPAL LAW**

The City of Union Gap (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 Manager’s Office, 102 West Ahtanum Road, Union Gap, WA 98903; or by calling (509) 248-0432; or at the City’s website: www.uniongapwa.gov

Interested parties should submit one electronic copy, one (1) original and three (3) copies of the proposal in a sealed envelope addressed to *Arlene Fisher, City Manager*, and identified as “City Attorney Services-General Municipal Law”. The deadline for submission for proposals is

August 18, 2022, by 3:00 p.m.

Any proposals submitted after the date and time will not be considered. Proposers accept all risks of late delivery of mailed 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 e-mailed, mailed, or hand delivered to:

City of Union Gap
Attn: Arlene Fisher, City Manager
Arlene.Fisher@uniongapwa.gov
P.O. Box 3008
102 West Ahtanum Road
Union Gap, WA 98903

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RFP SCHEDULE

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

EVENT	TIME AND DATE
RFP Issue Date:	July 27, 2022
Response Due Date	August 19, 2022 by 3:00 p.m.
Proposal Evaluations and City Manager to contact firms for additional information.	August 23, 2022
If approved by City Manager, Proposal confirmed by the Union Gap City Council.	August 29, 2022
Contract to Begin on	September 1, 2022

2. INTRODUCTION

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

3. SCOPE OF WORK: CITY ATTORNEY

The City Attorney provides legal advice, counsel, services, consultation, and opinions to the City Manager, Mayor, City Council, and other City Management staff, on the full scope of civil municipal legal assignments, including but not limited to: all matters related to the Union Gap’s 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’s 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 necessary.
2. Appears before courts and administrative agencies to represent the City’s interests.
3. Provides legal representation at all regular City Council meetings, and at other meetings when necessary.
4. Advises Code Enforcement on the interpretation and applicability of code provisions, the conduct of investigations, civil infraction preparation, nuisance abatement, and related matters.
5. Prepares and reviews ordinances and resolutions, and other documents for legal correctness and acceptability.
6. Assists City officials and employees to maintain awareness of ethical standards and appearance

of fairness standards, and avoiding potential conflicts of interest, prohibited transactions, and the appearance of prohibited transactions.

7. Assists City officials and employees to understand the legal roles and duties of their respective offices and interrelationships with others.
8. Provides the Mayor and City Council with guidance as to Robert's Rules of Orders and related procedural matters at City Council meetings.
9. Prepares legal opinions and memoranda at the request of the City Manager.
10. Provides the City Manager, Mayor, and City Council, with a legal perspective and advice on various governmental issues.
11. Maintain knowledge of issues facing the City and be prepared to offer timely legal opinions within established deadlines.
12. 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 the negotiation of such contracts and/or agreements as requested.
13. Performs other legal services and tasks, as assigned by the City Manager or Designee.

4. SPECIFICATIONS: CITY ATTORNEY

1. The appointed City Attorney attends all City Council meetings. Regularly scheduled meetings are held at 6:00 pm on the second and last Mondays of each month. Attendance at City Staff Department head meetings via Zoom or in person is required every Tuesday at 9:00 a.m. The City Attorney will attend various other meetings as required occasionally. The City Attorney is expected to attend all City Council meetings unless excused by the City Manager or designee so that there remains continuity in representation.
2. The City Attorney may be asked to attend other meetings as needed by the City Manager.
3. The City Attorney must be available by phone, cell phone, Zoom, and e-mail.
4. The City Attorney will provide the Police Department with annual legal and legislative updates/changes as needed. Should case law change prior to the annual updates, the City Attorney will provide notice to the Chief of Police with recommended training for staff.
5. Timeliness of response from and accessibility to the City Attorney is a very 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 or Zoom Conference.

6. DESIRED QUALIFICATIONS: CITY ATTORNEY

1. Minimum of five (5) years of experience within or with the 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; legal procedures; and 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.

7. 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 supporting key personnel and their particular area(s) of expertise.
3. 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 backup city attorney services, if absent for illness, vacation, trials, etc.
4. 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 and approved by the City Council).
5. A list of at least three references regarding the reputation and qualifications of the law firm/private attorney, addresses, phone numbers, and your relationship with them.
6. 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.
7. Describe an experience in negotiating contracts with unions and police guilds, Human Resources Employment law, and employee grievance, as well as employee and supervisor education and training.

8. Discuss your firm's experience in working with public record requests.
9. Discuss experience in working with the City on reducing liability/exposure to the City.
10. 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 Union Gap must be named as an additional named insured on liability policy(s) and a certificate of insurance provided for lawyers' professional policy(s).

8. EVALUATION OF PROPOSALS

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

9. 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, or if the City's needs for general legal services change substantially.

The City reserves the right to have other attorneys work on specific city-related projects. The City reserves the right to hire outside attorneys for a specific project.

This Agreement may at any time be terminated by the City giving to the Firm Sixty (60) 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.

10. INSTRUCTIONS TO REPLY TO THIS REQUEST FOR PROPOSALS

One electronic copy, One (1) original, and three (3) copies of the proposal shall be placed in a sealed envelope addressed to: Arlene Fisher, City Manager, and identified as "City Attorney Services-General Municipal Law". The deadline for submission of proposals is

August 18, 2022, by 3:00 p.m.

PROPOSALS MAY BE E-MAILED, MAILED, OR HAND DELIVERED TO:

City of Union Gap
Attn: Arlene Fisher, City Manager

Arlene.Fisher@uniongapwa.gov

102 West Ahtanum Road

P.O. Box 3008

Union Gap, WA 98903

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.

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