



REQUEST FOR PROPOSALS

PROFESSIONAL SERVICES

FOR

CITY ATTORNEY

DUE DATE: MARCH 17, 2017 4 p.m.

CITY OF SUTTER CREEK
CITY COUNCIL

REQUEST FOR PROPOSALS

CITY ATTORNEY SERVICES

Introduction:

The City Council of the City of Sutter Creek is seeking a contract Attorney or legal firm to serve as primary Attorney for the City. The City invites interested law firms and individuals with a minimum of seven years of municipal law experience representing general law cities to submit a written proposal to provide City Attorney services.

As City Attorney, the selected law firm or individual will be expected to provide a wide range of legal services to the City. The City Attorney is selected by the City Council and works closely with the City Manager and other staff. The City Attorney serves as a key member of the Sutter Creek executive management team. The City Attorney's primary role is to provide expert legal advice to the City Council, City Manager and Department Heads. The City Attorney is expected to establish, develop and maintain a close and trusted relationship with the City Manager. The City Council believes this is critical to the success of the City. The selected attorney shall perform the tasks specified in the Request for Proposals (RFP).

Firms and Individuals are hereby invited to submit a proposal based upon the requirements and conditions set forth in the RFP.

Mailing Instructions:

**Amy Gedney
City Manager
City of Sutter Creek
18 Main St.
Sutter Creek, CA 95685**

Inquiries:

Questions pertaining to the RFP should be directed to Amy Gedney at Agedney@cityofsuttercreek.org or 209-267-5647.

Submittal Date:

Eight copies of the proposal are due to the City Manager no later than 4:00 p.m. on MARCH 17, 2017.

Proposals should provide a straightforward and concise presentation adequate to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of contents. Responsiveness to the RFP will be a principal basis for evaluation. The City of Sutter Creek reserves the right, without qualification, to:

- Select any proposal based on written or oral communication with any or all of the firms or individuals when such action is considered to be in the best interest of the City of Sutter Creek.
- Reject all proposals.
- Exercise discretion and apply its judgment with respect to any proposals submitted.

- All proposals will be deemed confidential and will be retained by the City of Sutter Creek.

The City of Sutter Creek may select proposals, based on initial proposals received, without discussion or after detailed discussions or contract negotiations.

Proposal Content and requested information:

The City of Sutter Creek requires the applicant to submit a concise proposal clearly addressing all of the requirements outlined in this RFP.

To be considered responsive, the proposal must provide specific and succinct answers to all questions and requests for information. Indirect, imprecise or incomplete responses can serve only to the disadvantage of the applicant. Submission of individual resumes is optional, but encouraged, although alone will not be considered responsive to any specific questions.

Experience and Qualifications

1. Please describe the nature of your law firm's practice and your qualifications for providing City Attorney services for the City of Sutter Creek. Please provide a professional chronology of the individual who will be designated to serve as City Attorney as well as for others who you anticipate will be involved in providing legal services to the City of Sutter Creek.
2. Please provide the overall capabilities, qualifications, 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 his/her area of specialization for those involved in the assignment.
3. For the person whom you propose to designate as City Attorney, and for each person or firm you propose to designate as a deputy, supporting counsel for special services or backup, please provide the following:
 - a) Legal training and years of practice (including date of admission to the California Bar.)
 - b) Years of municipal (general law or charter city) or other local public sector law practice as a full-time local government attorney and/or in a private law office specializing in the representation of general law cities.
 - c) Knowledge of, and experience with, California Municipal Law or other public sector experience or redevelopment law, including RDA land sale and purchase transactions.
 - d) Types of clientele represented and years representing each.
 - e) Litigation experience and demonstration of a good court track record. Cite examples of municipal (general law city) litigation experience.
 - f) Experience with and knowledge and practice of law representing general law cities relating to land use and planning, environmental law including the California Environmental Quality Act (CEQA), redevelopment law, general plans, real estate, code enforcement, hazardous waste and other related law.

- g) Experience in the area of contracts and franchises.
- h) Experience in the preparation and review of ordinances and resolutions for general law cities.
- i) Experience in public sector personnel and labor negotiations.
- j) Experience in municipal Wastewater, Water and Garbage enterprises.
- k) Experiences in the area of the California Public Records Act, the Ralph M. Brown Act and the California Elections Code.
- l) Intended office location and accessibility to the City of Sutter Creek.
- m) Scholastic honors and professional affiliations.
- n) If the firm/individual, 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 on the nature of the incident, the dates of which the matter began and was concluded, and the results of the situation.

Performance

1. Describe how you would establish, develop, and maintain an effective working relationship with the City Council, City Manager, Department Heads, and City Staff.
2. Define the standard time frames for response by the City Attorney to direction and/or inquiry from the City Council or City Manager and City staff.
3. Describe the staffing of your office and include any staffing changes you would propose for your firm should you be awarded the contract to provide City Attorney services for the City.
4. Describe the systems or mechanisms that would be established for monthly reporting of the status of projects, requests and litigation. The City of Sutter Creek will require a billing methodology that identifies the specific task; the attorney completing the task and the time billed for completion of the specific task. We would like a high quality product with little paperwork and no micromanaging.

Current Clients/Conflict of Interest

1. Please list all current or former clients residing in Amador County or having an interest in a business or owning an interest in property within the City of Sutter Creek sphere of influence within the past three years.
2. Please list all cities (general law and charter) and other public clients for which you or your firm currently provides services under a fee for services basis or on a retainer basis.

3. Please identify any foreseeable or potential conflicts of interest, which would result from such representation and the manner in which you would propose to resolve such conflicts.
4. For the person to be designated as City Attorney, please outline qualifications.

Compensation and Reimbursement

The City Attorney will be required to attend City Council study sessions and City Council meetings. The City prefers that these meetings be included in any retainer fee arrangement proposed. There are typically two (2) City Council meetings each month. Any additional on-site presence at City offices, although optional, should be identified and is considered a plus.

The selected City Attorney will be expected to provide services under a retainer fee format for regular City Council meetings. It is anticipated the City Council may expect the firm/individual selected as City Attorney to continue to provide services under a fixed monthly retainer format with additional special legal services provided at a fixed hourly rate by the firm regardless of individual attorney billing rates. We are not low-bidder oriented; we want quality and availability as a premium.

Attendance at all City Council regular, special and adjourned meetings (regular City Council meetings are held on the first and third Mondays of each month beginning at 7:00 p.m. (Closed Sessions are usually held prior the regular session). Attendance at other board, commission and committee meetings as required. Attendance at staff meetings and meetings with staff as needed.

Related duties will include: rendering of legal advice and opinions concerning legal matters that affect the City. Legal work pertaining to property acquisitions, property disposals, public improvements, easement dedications, right-of-way abandonment. Enforcement of City codes, zoning regulations and building standards through administrative and judicial actions.

The monitoring of pending and current state and federal legislation and court decisions as appropriate. Please define what type of work you would consider to be extra or specialized work which would be billed in addition to basic services.

Evaluation and Selection Process

All proposals must be received by the City Manager by 4:00 p.m. on March 17, 2017.

Proposals will be screened, and the top candidates will be selected by the City Manager and the Council Subcommittee on selection of City Attorney services.

Qualifications for top candidates will be verified and references will be checked by the City Manager. In reviewing the proposals, the City will carefully weigh:

- a. Depth and breadth of experience and expertise in the practice of law, most specifically in those areas most often encountered in municipal government operations;
- b. Capability to perform legal services promptly and in a manner that permits the City Council and staff to meet established deadlines and to operate in an effective and efficient manner;

- c. Degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems;
- d. Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners in the municipal law field;
- e. Communication skills;
- f. Cost of services; and
- g. Other qualifications/criteria as deemed appropriate by the City Council.

The City Council will conduct interviews of top candidates and make the final selection. The City Manager and the subcommittee will negotiate the final contract.

The City Council will formally approve the contract and appoint the next City Attorney. Services to the City of Sutter Creek are anticipated to begin on or shortly after July 1, 2017.