

**REQUEST FOR STATEMENT OF QUALIFICATIONS  
FOR CITY ATTORNEY SERVICES  
JANUARY 5, 2012**

**I. INTRODUCTION**

For information about the City of Dayton, visit <http://www.daytonwa.com>.

The City is soliciting the interest of qualified professional law firms or individuals to provide a full range of municipal legal services serving as the City Attorney on a part-time contractual basis.

Dayton has 11 full-time employees, and operates under the laws applicable to an optional municipal code city as per the provisions of RCW Title 35A with a Mayor-Council form of government. The City Council consists of seven members elected at large. The Mayor serves as Chief Executive Officer, and directs all City operations.

**II. SCOPE OF SERVICES**

1. Conduct research, provide recommendation and legal opinions as well as consult with staff or officials of the City, as requested.
2. Prepare and review contracts, ordinances, policies and other municipal documents for legal correctness and acceptability.
3. Attendance at City Council meetings and other City meetings as requested.
4. Appears before courts and administrative agencies to represent the City's interests.
5. Other services may include code enforcement and litigation wherein the City, or one of its officials, is a party; acquisition of real property interests; and

other municipal legal services as directed by the City.

### **III. MINIMUM EXPERIENCE/QUALIFICATIONS**

1. The attorney shall be licensed in the State of Washington.
2. Five or more years of experience in providing the type of services described above is preferred.

Each attorney who is proposed to perform services in response to this RFP must be a member in good standing with the Washington State Bar Association.

### **IV. HOW TO RESPOND**

Please provide seven (7) copies of a written response, responding to each inquiry in the order below.

#### **1. Firm Experience**

- a. Provide a narrative description of the firm including number of years in business under its current name.
- b. Describe the general experience of the firm.
- c. Identify other municipal clients.
- d. Identify experience with municipal issues including land use, zoning, growth management, environmental law, complicated agreements including interlocal agreements, public works, personnel, and other municipal specialties.

#### **2. Proposed Attorney Team**

- a. Specify the organization structure applicable to this contract, including who the lead City Attorney will be, and the relationship of any assisting attorney(s) to that lead City Attorney.
- b. Provide a resume or similar description for each team/staff member, with considerable detail in the experience and qualifications of the lead City Attorney and any significant assisting attorney(s).
- c. If specialty attorney(s) or additional resources are available through your firm (in addition to the named team) to meet special or unusual needs, please briefly identify such individuals and specialties as well.

#### **3. Accessibility and Responsiveness**

- a. Identify the accessibility of the proposed designated Lead City Attorney, and the response time that the individual offers to the City. Specifically identify the lead-time required for attending scheduled or ad-hoc meetings. Identify how quickly the Lead City Attorney and/or an Assistant Attorneys can arrive in person to attend an unscheduled, urgent meeting.
- b. Identify the same for any assisting attorney(s).

#### **4. Proposed Fee Structure**

- a. Propose a compensation package, inclusive of all service costs.

The City is open to a variety of approaches, including hourly rates or a flat monthly rate with add-ons. The City will select the finalist by considering the proposed compensation as a "best and final offer," although the City reserves the right to negotiate terms as needed to improve elements of the proposal to best meet the needs of the City, including cost.

#### **5. References**

- a. Provide three references for the lead City Attorney. The City prefers references that include municipal government experience.
- b. Inclusion of the reference in your proposal is also agreement that the City may contact the named reference. The City may contact any companies or individuals, whether offered as references or otherwise, to obtain information that will assist the City in evaluating the Proposer. The City retains the right to use such information to make selection decisions. Submittal of a proposal is agreement that the City may contact and utilize such information.

### **v. EVALUATION AND SELECTION PROCESS**

The City reserves the right to award the contract to that proposal that best meets the needs and interest of the City. The following steps are anticipated:

#### **Step:**

1. Receipt and review of minimum qualifications.
2. Selection Committee will score written proposals.
3. Staff will contact references and conduct information checks.
4. Selection Committee will interview respondents that receive the highest evaluation scores.
5. Selection Committee makes recommendation to the City Council
6. City Council considers Selection Committee's recommendation.

#### **Selection Criteria**

Written proposals will be scored by the Selection Committee as follows (100 points possible):

- 1) Experience of designated Lead City Attorney, particularly municipal law experience Demonstrated understanding of municipal government issues & law (20 pts)
- 2) Proposed fee structure (20 pts)
- 3) Accessibility and responsiveness of Lead City Attorney and Team members (10 pts)
- 4) Qualifications of City Attorney Team (15 pts)
- 5) Understanding of services (10 pts)

- 6) Results of references (15 pts)
- 7) Depth and stability of firm or practice (10 pts)

**VI. CONTRACT NEGOTIATIONS**

The City of Dayton reserves the right to negotiate all elements which comprise the apparent successful proposal to ensure that the best possible consideration is afforded to all concerned. City representatives and the selected finalist will review in detail, all aspects of the requirements and the proposal. During the review of the most favorable, apparent successful proposal, the Proposer may offer and the City may accept revisions to the proposal.

**VII. CONTRACT TERM**

It is anticipated that the period of contract will be one (1) year, with annual renewals. The City retains the right to solicit other proposals for legal services every twelve months, or as needed for a specific project after the initial contract period or if legal service needs change substantially.

**VIII. TERMS AND CONDITIONS**

Not all proposers may be interviewed. The proposers shall be responsible for the accuracy of the information supplied.

The City reserves the right to negotiate all elements which comprise the apparent successful proposal to ensure that the best possible consideration is afforded to all concerned. Nothing contained herein shall require the City of Dayton to award a contract and the City of Dayton reserves the right to determine its own selection criteria in the award of the final agreement. The contract resulting from acceptance of a proposal by the City shall be in a form supplied or approved by the City, and shall at a minimum reflect the specifications in the RFQ. The City reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFQ, and which is not approved by the City Council. The City shall not be responsible for any costs incurred by the firm in preparing, submitting, or presenting its response to the RFQ.

**IX. SCHEDULE OF PROPOSAL PROCESSES**

The City will make every effort to follow this timetable; however, we reserve the right to modify the proposal process and dates as necessary.

Distribution of RFQ	January 11, 2012
<b>Deadline for Submittal of Qualifications</b>	<b>February 8, 2012</b>
Possible Finalist interviews	February 16, 2012
Firm selected	February 27, 2012

**X. SUBMISSION DEADLINE**

Seven (7) copies of the response materials shall be submitted on or before **3:45 p.m., Wednesday, February 8, 2012** to:

Trina Cole, City Clerk-Treasurer  
City of Dayton  
111 S. 1<sup>st</sup> Street  
Dayton, WA 99328  
(509) 382-2361

Questions concerning this Request for Qualifications should be submitted in writing to Trina Cole, City Clerk-Treasurer at the above address and received by 3:45 p.m. on Thursday, January 26, 2012. E-mail questions will be accepted at [tcollection@daytonwa.com](mailto:tcollection@daytonwa.com) until 3:45 p.m. on Thursday, January 26, 2012.

Late submissions, faxes, emails or telephone proposals will not be accepted.

Proposals should be prepared simply, providing a straight forward, concise description of provider capabilities to satisfy the requirements of the request. Emphasis should be on completeness and clarity of content. Items such as special bindings, color displays, glossy finishes, and promotional materials are not desired. Submittals should be limited to a total of fifteen (15) pages.