

PROFESSIONAL SERVICES SOLICITATION
Request for Qualifications (RFQ)

The City of Newport is requesting qualified attorneys to submit qualifications for city attorney services. These services will be to provide a full array of municipal city attorney services, including but not limited to, basic legal services, assistance on special projects and litigation services.

Attorneys desiring consideration shall submit qualifications addressing each request for information included in this RFQ as well as information regarding rates and fees submitted on the proposed fees sheet included in this RFQ and any other pertinent data to further assist the selection committee in evaluating the attorney's qualification to: Nickole North, City Clerk, 200 S. Washington Avenue, Newport, WA 99156. Qualification packages should be submitted to arrive no later than 3:00 PM on October 07, 2022.

A RFQ packet may be obtained at City Hall, 200 S. Washington Ave., Newport, Wa or on our website www.newport-wa.org or by email at clerk@newport-wa.org

The City is an equal opportunity employer.

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City of Newport
Request for Qualifications
City Attorney



September 15, 2022
Due October 7, 2022

www.newport-wa.org

City of Newport
Request for Qualifications
For City Attorney Legal Services

I. Purpose

The City of Newport is a Washington code city, with a population of approximately 2,130. It provides a wide variety of services to citizens and visitors in the Newport area. These include public safety, building inspections, code enforcement and an array of other services. It is imperative this governance relies on quality legal services. This scope of services will include the appointment of one individual or law firm to serve in the position of City Attorney.

The City of Newport (the "City") is soliciting sealed Requests for Qualifications (RFQ) from an individual attorney, or an attorney firm, to provide City Attorney services. Attorneys are invited to submit qualifications for the provision of these services. In order to be considered, responses must address each of the requests for information included in this RFQ. In addition, information regarding rates and fees must be submitted on the Proposed Fees sheet included in this Request for Qualifications (RFQ). The sheet must be submitted in a separate sealed envelope titled "Proposed Fees".

Any questions regarding the RFQ should be addressed to Nickole North, Clerk Treasurer, at clerk@newport-wa.org. Sealed responses will be accepted by Cindy Endahl, Deputy Clerk, and/or Nickole North, Clerk Treasurer, at 200 S. Washington Ave, Newport, WA 99156, due no later than 3:00 p.m. on October 7, 2022.

The City Attorney Services contract will be awarded by the City Council. The City of Newport reserves the right to reject any and all proposals, waive technicalities or irregularities, and to accept any proposal if such action is believed to be in the best interest of the City.

The scope of services for which fees and rates are requested is divided into three categories: general representation, special projects, and litigation. These categories are more fully described in Section III.

The firm will be required to provide a detailed, itemized billing for each category (including general representation) on a monthly basis.

II. Minimum Qualifications

A. Each attorney who would provide services must possess a Juris Doctorate degree from a law school accredited by the American Bar Association.

B. Each attorney who would provide services in the proposed team must be licensed to practice law in the State of Washington and be a member in good standing of the Washington State Bar Association.

C. The proposed designated City Attorney should have a minimum of three (3) years full-time experience in the field of municipal law, with particular experience in public records, land use, public works construction, and employment law. They must also have been licensed and practiced law for no less than five (5) years in state.

III. Professional Credentialing and Legal Services Required

The City requires a full array of Municipal City Attorney services, including, but not limited to:

A. Basic Legal Services:

1. Reviewing and drafting agreements, contracts, deeds, easements, ordinances, and resolutions.
2. Reviewing agendas and supporting materials for the City Council meetings, furnishing legal advice, attending regular City Council meetings, generally held on the 1st and 3rd Monday of each month, and special City Council Meetings on an "as-needed" basis, as requested by the City Administrator or City Mayor.
3. Providing timely counsel and advice to the Mayor, City Council and city staff which may take place via telephone during normal business hours, or at meetings that may take place after hours. Such counsel will generally focus on government operations, open meetings, public records, city ordinances, State law, personnel matters, property matters, law enforcement and real estate matters including annexation, zoning, and condemnation.
4. Familiarity with the City's Municipal Code, applicable State and Federal laws, and other applicable City policies (such as City Personnel Policies and Procedures, code enforcement process, etc.)
5. Drafting and negotiating contracts as well as assisting with contract disputes.
6. Knowledge of laws and methods to facilitate effective code enforcement to improve deteriorating areas of the City, including demolition procedures and property maintenance code provision.
7. Knowledge of the Washington Public Records Act and Open Public Meetings Act.

B. Special Projects: This category includes any unusually large projects, defined as projects that will require twenty (20) hours or more of attorney time to handle. Examples of these special projects may include, but are not limited to, assistance in development of special purpose agreements or legal assistance to a City Council appointed board, committee, or commission.

C. Litigation: This category includes representation of the City either as plaintiff or defendant in litigation, and representation of the City in administrative proceedings before the City or other governmental units or agencies. This work includes both preparation for trial, and actual courtroom time, for all litigation filed by or against the City, and condemnation proceedings and other litigation which may arise.

IV. Proposal Requirements: Each RFQ must include the following information:

- A. Individual or firm name, including the address of office in which the work will be performed.
- B. Number of years the individual or firm has been in business (in the case of a firm, include a

list of principals in the firm); a biographical sketch with education, years of legal experience, and years of municipal law experience. A statement identifying the principal anticipated to be the attorney with responsibility for providing the City of Newport with City Attorney Services.

C. In the case of a firm, a list of supporting attorneys who will provide legal services to the City of Newport, named in rank order; including any attorney anticipated to represent the City of Newport, complete with educational and credentialing information, years of legal experience, and years of municipal law experience; and information of any areas of specialty within the field of municipal law.

D. Summary of qualifications, specializations, experience, professional affiliations, special training, and a license to practice law in the State of Washington. A member in good standing of the Washington Bar with experience in Washington municipalities and knowledge of municipal law, municipal finance, personnel law, land use, or other related fields.

E. Number of staff, by discipline, in your law office and copies of their resumes.

F. List a minimum of five (5) professional references, including current municipal clients that you or your firm has represented in the past five (5) years. List a contact person for each client with a telephone number for the contact person.

G. Please provide a list of any clients that you currently represent that could cause a conflict of interest with responsibilities for the City of Newport. Describe how you would be willing to resolve these or any future conflicts of interest.

H. If your firm has filed any litigation in the past five (5) years in which either the City of Newport or one of its employees was named as a defendant. Please describe the case(s).

I. If you have filed any litigation in the past five (5) years in which a municipality was defendant, please describe the case(s).

J. Any other documentation which the firm/individual deems necessary which will detail the firm's or individual's professional experience. Each submittal should provide a summary detailing the experience and understanding of the role of providing consulting legal services as a City Attorney.

V. Proposed Fees.

The fee schedule shall be completed and provided, detailing proposed fees for City Attorney Services for the City of Newport.

The following rates are proposed by the firm or individual of _____ for City Attorney services to the City of Newport.

1. General Representation, Monthly Retainer \$ _____
2. Special Projects, Hourly Rate \$ _____
3. Litigation, Preparation Time – Hourly Rate \$ _____
4. Litigation, Court Room Time – Hourly Rate \$ _____

VI. Evaluation Process.

After the deadline for receipt of RFQs, the Administrator shall review the proposals and may invite the most qualified firms to an interview. Such interview may include an interview before

the City Council. The Mayor shall have the power of appointment, subject to confirmation by a majority vote of the City Council per Newport Municipal Code 2.56.020.

VII. Contract Award.

The contract may be awarded for an initial period that harmonizes with the City's Fiscal Year and may then be renewed unless terminated by either party. However, the City Attorney shall work at the pleasure of the Mayor and nothing herein shall limit the City's ability to terminate the contract at will without penalty.

VIII. BASIS OF AWARD.

The City of Newport will make its selection based on the following:

- Demonstrated competence, experience, knowledge and qualifications.
- Availability, references, and billing rates of person or persons serving as City Attorney.

All costs, directly or indirectly, related to the preparation of a response to this RFQ or any oral presentation required to supplement and/or clarify the RFQ which may be required shall be the sole responsibility of, and shall be borne by, the attorney or attorneys.

Six (6) originals of proposal must be sealed and returned to the City of Newport, no later than 3:00 p.m. October 7, 2022, and addressed to:

Attention: Nickole North, Clerk Treasurer
200 S. Washington Ave.
Newport, WA 99156.

All proposals must be plainly marked with "City Attorney Services RFQ". One (1) digital copy shall be provided to the Clerk/Treasurer at clerk@newport-wa.org. All proposals submitted become the property of the City and are subject to the Public Records Act, Ch. 42.56, Revised Code of Washington (RCW).

The applicant is responsible for delivery of RFQ response by the date and time set for the closing of the proposal acceptance. Responses received after the date and time set for the closing will not be considered. The City of Newport reserves the right to reject any and all proposals and waive informalities in proposals received.

Any questions regarding this RFQ should be addressed in writing as follows: Nickole North clerk@newport-wa.org

Responses must be delivered to the following.

Address: City of Newport, Attn: Clerk Treasurer, 200 S. Washington Ave., Newport, WA 99156