



THE CITY OF  
**MT. PLEASANT**, MICHIGAN

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**CITY HALL**

320 W. Broadway St. · 48858-2312  
(989) 779-5300  
(989) 773-4691 fax

**PUBLIC SAFETY**

804 E. High · 48858-3595  
(989) 779-5100  
(989) 773-4020 fax

**PUBLIC WORKS**

1303 N. Franklin · 48858-4682  
(989) 779-5400  
(989) 772-6250 fax

## **Request for Qualifications/Proposals**

### **Law Firm to Provide Municipal Legal Services**

The City of Mount Pleasant is requesting proposals from law firms to be designated as the City Attorney to provide general municipal legal services. The City Attorney is appointed by the City Commission. Proposals are due by 1:30 p.m. on January 7, 2014. See [www.mt-pleasant.org](http://www.mt-pleasant.org), Bids & Quotes for the complete Request for Qualifications information.

The City of Mount Pleasant reserves the right to accept or reject any or all bids, to waive any irregularities in the bids, and to select the bid considered most advantageous to the City.

Dated: December 4, 2013

Nancy J. Ridley  
Finance Director/Assistant City Manager

Request for Qualifications  
Legal Services  
City of Mount Pleasant, Michigan

Overview

The City of Mount Pleasant is requesting proposals from law firms to be designated as the City Attorney to provide general municipal legal services. The City Attorney is appointed by the City Commission. The City Attorney also serves as an advisor to all department heads of the City in relation to their respective duties. See Appendix A for a listing of expected services.

The City has utilized a firm for the last five (5) years to provide general counsel services. A separate local firm is utilized for prosecutorial services. Specialized attorneys are used for labor issues, bond and finance issues, tax tribunal appeals, and some civil lawsuits. Although the City has been very pleased with current services, it is prudent to review options and pricing.

The City Commission will hire a firm and one member of the firm shall be designated as the City Attorney. This firm will not provide prosecutorial services, but will work collaboratively with the existing City Prosecutor as needed. The individual designated as the City Attorney shall not be replaced without prior approval of the City.

The City will not be responsible for any costs incurred by any firm to respond to this request. Firms who wish to submit proposals must provide the information outlined in the enclosed Legal Services Qualifications and Pricing format (Appendix B) by January 7, 2014. Five copies of the response must be provided in a sealed envelope clearly marked "Legal Services Qualifications" by 1:30 p.m. on January 7, 2014 at which time the submittals will be publicly opened. The proposals will be evaluated according to the timeline below. Late proposals will not be accepted. Proposals should be submitted to:

City Clerk  
320 W. Broadway  
Mt. Pleasant, MI 48858

The tentative timeline is:

<u>Task</u>	<u>Target Date</u>
RFQ's mailed and advertised	December 4, 2013
RFQ's due	January 7, 2014
Review by City staff and/or Commission	January 8, 2014-January 17, 2014
Interviews with City Manager and Commission, if necessary	Week of Jan 20 or Jan 27, 2014
Reference calls	Week of January 27, 2014
Negotiations/clarification on terms	Week of February 3, 2014
Recommendations to City Commission	February 10, 2014
Work begins	March 1, 2014

The City may conduct inquiries and request additional information from firms as the City deems necessary to assist in the evaluation of any proposal. The City Manager will make a recommendation to the City Commission for the selected firm. The City expects an initial commitment for a term ending December 31, 2018, with options for renewal by both parties. Please note that the City Charter allows for the removal of the City Attorney at any time upon four (4) votes.

The City reserves the right to accept or reject any proposal submitted and/or negotiate terms with firms who submit proposals. The City reserves the right to select the firm that best meets the needs of the City in the sole judgment of the City and the selection will be based on experience, qualifications and/or economic benefit to the City. The City reserves the right to negotiate revisions to the proposal prior to final acceptance by the City Commission.

All questions must be in writing and directed to:

Nancy Ridley  
Finance Director/Assistant City Manager  
320 W. Broadway  
Mt. Pleasant, MI 48858  
[nridley@mt-pleasant.org](mailto:nridley@mt-pleasant.org)  
989-779-5366

#### Qualifications

The primary attorney assigned to work on City legal matters shall, at a minimum, possess the following:

1. A Juris Doctorate degree from an American Bar Association accredited college or university
2. A valid license to practice law within the state of Michigan
3. A minimum of five (5) years experience in municipal law and municipal legal issues.

#### Criteria

Potential firms will be evaluated based on qualifications, experience, presentation, client references, responsiveness, and cost all at the sole discretion of the City.

#### Information about the City

The City operates under a Council-Manager form of government; City Commission has 7 at large members elected for 3 year staggered terms; has a 2000 census of 25,946; is home to Central Michigan University; is 7.9 square miles; the northern portion of the City is within a Tribal Reservation; and provides a full range of municipal services including airport, water and sewer. The general fund budget is \$11.8 million and the budget across all funds is \$29.1 million.

The City has 119 full time employees (both union and non-union), 16 part-time fire fighters and numerous part-time/seasonal/temporary employees. Employees covered under collective bargaining agreements are represented by five (5) unions and comprise 72% of the workforce.

## Appendix A

### Scope of Services

The firm shall provide all administrative services and support necessary to manage the workload in order to complete all assignments. This includes office facilities, support staff, legal research options, supplies and equipment. The City anticipates the proposals will identify a primary City Attorney who completes the general counsel matters and maintains the centralized responsibility for other assisting attorneys and support staff.

#### General Counsel

1. Draft or review all ordinances, agreements and contracts.
2. Participate in negotiations when requested.
3. Draft or review charter amendments.
4. Examine property abstracts and render title opinions on property being acquired by the City.
5. Prepare deeds and other contracts for sale and purchase of property.
6. Prepare formal opinions on the legal ramifications and implications of matters before the City Commission considering local, state, federal, and tribal laws.
7. Provide general advice on the issuance of bonds or other municipal financing.
8. Provide legal advice on actions taken or contemplated.
9. Recommend legislation to the City Commission when appropriate or requested.
10. Attend City Commission meetings (at least once per month and special meetings as requested by the City Manager).
11. Prepare various legal documents required of the City.
12. Represent the City in administrative proceedings before State agencies.
13. Advise appropriate officials on policy affecting the enforcement of all City ordinances. Consult with City Manager and/or Department Heads and various Boards and Commissions on proposed or revised City policies or ordinances.
14. Review and approve or reject complaints issued by appropriate City employees alleging ordinance violations.

15. Meet or conduct a conference call at least two times per month with the City Manager to review items referred to the City Attorney's office.
16. Provide monthly time records to the City Manager for work performed under the agreement.

#### Civil Cases

1. Represent the City in all civil litigation by or against the City except for cases handled by the City's insurance carrier.

#### Other Specialty Services

Tax tribunal, labor, and/or bond counsel services as needed may be considered during the RFQ process.

#### Estimated Workload

The City does not guarantee a set workload and/or billable hours. However, to provide assistance in the development of a proposal, the following estimates of prior workload is provided.

General Counsel-approximately a minimum of 50 hours per month

Civil cases-varies

## Appendix B

### Legal Services Qualifications and Pricing

1. Firm Name
  - a. Areas of specialty
  - b. Years in business
2. Offices
  - a. Office location where the majority of the work will be performed
  - b. Name and address of parent firm if applicable
3. Personnel
  - a. Principal contact (name, phone number, e-mail) of the firm
  - b. Proposed personnel for legal services to be provided. Please provide the specific name of the individual who will be the primary attorney and attach a current resume.
  - c. Other key personnel who will be used for City business
  - d. Total number of licensed attorneys at the office listed in 2a. above
  - e. Total number of all staff at the office listed in 2a. above
  - f. Number of licensed attorneys in the municipal services division
4. Does the firm have adequate staff to handle another municipal client or will staff need to be hired?
5. Describe the experience your firm has with matters related to tribal reservation land and the federal and state laws related to reservation land.
6. Experience: Provide a short narrative (no more than five pages) detailing experience in municipal law including area of expertise. Be sure to include any information on the items identified as specialty services in Appendix A as well.
7. List specific reasons (no more than two pages) your firm should be considered by the City of Mount Pleasant for legal representation.
8. Provide five (5) or more municipal references from prior or current clients, including contact name, telephone number, and length of time served as attorney for each client.
9. Disclosure of any clients or interests that may reasonably be foreseen to constitute a potential conflict of interest when representing the City (such as other local governments, developers, bidders, etc.)
10. Describe how your firm will handle the day-to-day activities. This is particularly important if you do not have a local Mount Pleasant office.
11. Evidence of a comprehensive liability and workers compensation insurance policy for all staff assigned to work for the City will be required upon City Commission approval for hiring. Please indicate if this will be a problem.

12. Note any exceptions or deviations to the required scope of services outlined in Appendix A.
13. During the past five (5) years, has the firm had any Bar Association complaints filed against it? If so, please explain.
14. Has the firm been in bankruptcy, reorganization or receivership in the last five (5) years?
15. Has the firm been terminated by any municipal client in the last five (5) years? If so, explain why.
16. Define the standard time frames for response by the City Attorney to inquiries from the City Commission, City Manager, or Department Head.
17. Describe how your firm would familiarize yourself with the current issues facing the City of Mount Pleasant.
18. Describe the training and resources provided to clients.
19. Pricing – note the City prefers a combination of monthly retainer and per hour charges (to the tenth of an hour), but will consider all pricing structures submitted.
  - a) Monthly retainer amount for general counsel-Please identify what type of work you would consider extra or specialized which would be billed in addition to the retainer.
  - b) Hourly rate for civil cases filed
  - c) Hourly rate for any other specialty services your firm can provide
  - d) Listing of all expenses to be charged outside of above fees
20. Explain how the pricing structure will be reviewed or adjusted in subsequent years.