

# City of Barre, Vermont REQUEST FOR QUALIFICATIONS

## for Municipal Legal Services

Responses are due **June 20th no later than 2:00 p.m., EST** and must be delivered to City Manager's Office, 6 N. Main Street, Barre, Vt. 06541 **via electronic (email) responses only to the City Manager at: *manager@barrecity.org***. Responses received after the deadline or at any other locations will not be accepted.

**Questions may be submitted until 5:00 p.m., June 16th . Questions received after this date and time may not be answered.**

Questions must be directed in writing via e-mail to: *manager@barrecity.org*

**Any Responses from the City to questions received and any RFQ addenda will be posted to the Town's website at:**

<https://www.barrecity.org/rfp/>

**Please check the City website regularly for updates.**

Issue Date: June 1, 2022

### RESPONSE SIGNATURE AND CERTIFICATION

I certify that this Response is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Response ("Respondent") for the same materials, supplies, equipment, or services and is in all respects fair and without collusion or fraud.

Firm Name:

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Authorized Signature for Respondent:

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Print/Type Authorized Signatory's Name:

Date: \_\_\_\_\_

## RESPONDENT'S CHECKLIST

### *Critical Things to Keep in Mind When Responding to an RFQ for Barre City*

1. \_\_\_\_ Read the *entire* document. Note critical items such as: supplies/services required; submittal dates; number of copies required for submittal; Contract requirements, if any (e.g. bonding and insurance requirements).
2. \_\_\_\_ Note the Purchasing Manager's name, address, and e-mail address. This person is an excellent source of information, and is the only person you are allowed to communicate with regarding the RFQ.
3. \_\_\_\_ Attend the pre-Response conference, if any. These conferences provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or notify the City of any ambiguities, inconsistencies, or errors in the RFQ. **(Note: No Conference Scheduled for this RFQ)**
4. \_\_\_\_ Take advantage of the "question and answer" period. Submit your questions to the City Manager's Office by the due date listed on the cover page and in the *Schedule of Events* and view the answers given in the formal "addenda" issued for the RFQ. All addenda issued for an RFQ will be published on the website noted on the cover page of this RFQ.
5. \_\_\_\_ Follow the format required in the RFQ when preparing a Response. Provide point-by-point Responses to all sections in a clear and concise manner. Provide complete answers/descriptions. Read and answer all questions and requirements. Don't assume the City will know what your firm's capabilities are or what items/services you can provide, even if you have previously contracted with the City. Responses are evaluated based solely on the information and materials provided in Response to the RFQ.
6. \_\_\_\_ Use the forms provided with the RFQ, if any.
7. \_\_\_\_ Before submitting a Response, check the City's website at <https://www.barrecity.org/> to see whether any addenda were issued for the RFQ. If so, you must submit a signed cover sheet for each addendum issued along with your Response.
8. \_\_\_\_ Review the RFQ again to make sure that you have addressed all requirements.
9. \_\_\_\_ Submit your Response on time. Note all the dates and times listed in the *Schedule of Events* and within the document, and be sure to submit all required items on time. Late Responses will not be accepted.

*This checklist is provided for assistance only and should not be submitted with your Response.*

## **A. Purpose**

**The City of Barre (“Barre” or the “City”) is requesting Qualifications Statements from qualified attorneys to serve as City Attorney for general municipal counsel, basic legal services and advice on special projects, and/or litigation on a contract or in-house basis beginning July 2022.** It is the intent of the City to engage legal counsel services from an individual attorney or attorneys from a qualified law firm through an evaluation and comparison of past performance, appropriate references, prior experience in other municipalities and counties and expertise related to the Town’s specifications, as well as the criteria that will be used in evaluating the qualifications of individual attorneys and/or lawyers within a firm submitting Qualifications. Individual attorneys and Law Firms are invited to submit qualifications for the provision of these services. In order to be considered, qualifications must address each of the concerns requested in this document.

Accessibility to and a timely response is essential. Duties may be shared among other attorneys within the firm as needed to meet the Town’s objectives. If determined to be the best fit for the City, an individual attorney may be hired by the City to fulfill the responsibilities of City Attorney.

## **B. Background**

The City of Barre operates under the City Manager form of government. Policy making and legislative authority are vested in the elected governing body which consists of a Mayor and six council members. The City Manager oversees the City Budgets which consists of the General Fund and two Enterprise Funds. The FY23 Proposed General Fund Budget is \$13.2 million that provides funding for public works, police, fire, finance, planning and zoning, parks, cemeteries and recreation among other municipal services. The Total Proposed FY23 Water and Wastewater Enterprise Fund Budgets is \$5.2 million that provides funding for the Water and -Wastewater services. The City Manager is responsible for the hiring/terminating all City employees including department heads, carrying out the policies and ordinances of the governing body and for overseeing the day-to-day operations of the City. Currently the City has approximately 95 to 100 full and part-time time employees and most of those employees are represented by four collective bargaining units. City Attorney appointments are for three (3) year terms.

## **C. Scope of Service**

*Note: The final Scope of Services is subject to change following the selection process and negotiations with the selected firm or individual attorney. Therefore, the City reserves the right to make revisions.*

The City Attorney is required to provide legal advice and counsel to the City on a variety of matters pertaining to municipal government operations. Advice and legal support may also be provided to various City departments, boards and commissions. The delivery of legal services is coordinated through the City Manager’s Office, consistent with purchasing policy stipulations that may require prior approval by the Council, as set out in City policies.

The legal services to be provided by the City Attorney may include, but not be limited to:

- Review of proposed ordinances and regulations  
Review and interpretation of local, state and federal laws, regulations and ordinances
  
- Review of City contracts
- Land and easements acquisition
- Representation in claims against and by the City
- All other matters typically associated with municipal government operations
- Other services as may be directed by the Council
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## **2. SCOPE OF SERVICES**

1. Providing clear and concise legal advice and consultation (oral and written) as requested or required, to the City Manager, Council and staff on a variety of matters pertaining to all aspects of governance and/or municipal operations.
2. Researching and interpreting laws, court decisions and other authorities in order to prepare legal opinions and to advise the Council and staff on legal matters pertaining to City matters.
3. Drafting, reviewing, and/or revising documents, including but not limited to memoranda concerning legal issues, contracts, ordinances, resolutions, license agreements, City policies, notices, leases, deeds, loans, permits and staff reports. Clear, concise, well-organized writing is prerequisite.
4. Representing the City in litigation (civil, tort, liability, labor and employment, construction law/public works, general writ, etc.).
5. Representing the City in intergovernmental projects and other matters, as needed.
6. Coordinating the work of outside legal counsel, as directed by the Council or City Manager.
7. Preparing correspondence and other legal documents on behalf of the City as directed.
8. Performing other duties as directed by the City Manager or Council.
9. Representing and advising the City Council, boards and commissions in all matters of law pertaining to their offices.
10. Public Meetings. As needed, the City Attorney will periodically attend Council meetings (open and closed sessions) as requested and advise the Council on matters on the agenda as well as procedural matters that may arise during and following the meeting. The Council meets in regular meetings at 7PM on Tuesday nights. Special meetings are called as needed.

### **D. Required Submissions**

Please organize and present your responses in the order listed below, and thoroughly address each issue:

- a. A letter of transmittal indicating interest in providing the services identified in this RFQ and any other information that would assist the City in making a selection. This letter must be signed by a person legally authorized to bind the firm to a contract.

**b.** Name, telephone number and email address of person(s) to be contacted for further information or clarification.

**c.** A background and qualifications statement stating the name and address(es) of the firm or individual attorney, and describing your capabilities and the history of your firm and the servicing office. If the respondent is a law firm, identify the proposed City Attorney.

**d.** List of attorneys to be assigned to this representation, including the proposed City Attorney and others who are expected to perform material services, identifying their areas of expertise. Please provide resumes for each of these attorneys, their roles in representing other municipalities, if any, including municipal litigation experience, and express the anticipated chain of command.

**e.** Provide information that explains your firm's ability to perform, implement and administer the services identified in this RFQ, emphasizing experience with other similar municipalities. Summarize all areas of relevant expertise and experience, including the types of services supplied to past and present clients. This information should include areas of specialization, background and experience in such matters as: general municipal law, planning and zoning, property taxation, FOIA (Freedom of Information Act), conflicts of interest, specially chartered municipalities and construction law and contracts.

**f.** A list of not less than three municipal client references (preferable other cities and/or towns) for which services similar to those outlined herein have been provided within the past five (5) years or are currently being provided. This list shall include the following information

1. Name of the city/town
2. Timeframe of legal services
3. Legal services provided by the firm and, most particularly, by the proposed City Attorney and other attorneys who would be assigned to the City
4. Name, address, and telephone number of the principal contact of the City

*The City reserves the right to contact these organizations regarding the services performed by the firm.*

**g.** A listing and description of any potential conflicts of interest you foresee with this representation—*i.e.*, any matters or entities regarding which a legal issue with the City exists or might arise that could create a conflict for you.

**h.** A description of your proposed general approach to serving as City Attorney, including availability and responsiveness.

**i.** A description of any grievances or claims of ethical misconduct or malpractice asserted against the law firm or individual attorneys that resulted in adverse administrative or judicial findings within the past five (5) years.

**j.** A description of the firm's professional liability insurance per-claim and annual aggregate limits. A copy of the malpractice policy declaration page.

**k.** A detailed proposal regarding the fees, costs and expenses that may be incurred by the City in this representation. Please indicate the available billing methodologies (*e.g.*,

bill at hourly rates, blended rates, annual retainer for defined services, etc.). In all events indicate hourly billing rates of personnel providing these services, available discounts, invoiced expenses and other costs involved, including any administrative costs that the firm/individual will bill the City (for example, copier, computer research, postage, messenger, long distance phone calls). You should present your fee proposal on a three (3) year basis.

I. A sample of the form of the firm's engagement letter.

A concluding statement as to why the respondent is best qualified to meet the needs of the City, including any other information you deem relevant to your proposal.

Any **questions** regarding this Request for Qualifications should be directed to the City manager by **June 15 no later than 2:00 p.m., EST**. All questions received will be posted, with answers, on the City website [www.barrecity.org](http://www.barrecity.org) under the **Bids & Proposals Tab; Municipal Legal Services** by **4:30 p.m., June 17<sup>th</sup>**

**E. Submission of Qualifications Statements must** be signed by an authorized member of the firm, and the name, address, and telephone number of a representative qualified to answer questions during the review process must be included.

**Please forward your Qualifications submittal via email to:**

**City Manager at:**

**manager@barrecity.org**

All Qualifications submittals must be received by **June 22 no later than 2:00 p.m., EST**. The City reserves the right to accept or reject any and/or all Qualifications submittals, for any reason or no reason; waive any and all informalities, defects, or irregularities; request further information or clarification; and negotiate with any, all or none of the respondents to this Invitation.