

Request for Proposals (RFP)

City Legal Services



City of Mequon, Wisconsin

May 25, 2022

Purpose and Invitation

The City of Mequon is seeking proposals from qualified licensed attorneys and/or legal firms to serve in the position of City Attorney on a part-time, contractual basis. This position will have an office at City Hall with regular office hours. Licensed attorneys and/or legal firms who meet the criteria set forth herein shall submit a proposal that meets all of the requirements set forth in this RFP. The City is appreciative of your time and effort in preparing a proposal.

Background

Since its incorporation in 1957, Mequon has had a mayor-council form of government. The City comprises approximately 48 square miles and serves approximately 25,000 residents and more than 800 businesses. Considered one of Wisconsin's most affluent communities, Mequon has the distinction of historically maintaining one of the lowest municipal property tax rates and one of the highest assessed-value-per-capita ratios in the state.

Located along the western shores of Lake Michigan, approximately 14 miles north of downtown Milwaukee, Mequon is home to two post-secondary education institutions: Concordia University of Wisconsin and Milwaukee Area Technical College (Mequon Campus). The City is bordered by a total of eight other communities: the Cities of Cedarburg and Milwaukee, the Towns of Cedarburg and Grafton, and the Villages of Bayside, Brown Deer, Germantown and River Hills. Additionally, the Village of Thiensville is contained in the middle of Mequon.

Presently, the City has approximately 123 full-time equivalent employees of which 86 are non-represented. There are eight alderpersons elected to the Common Council, one from each of the City's eight aldermanic districts. The City Administrator serves as the Chief Administrative Officer (CAO) of the City. In order to provide a more efficient and effective government, the CAO is responsible for the direction and coordination of all City employees and is a direct report to the Mayor and Council. The City Attorney is formally appointed by the Mequon Common Council and reports directly to the City Administrator. On a day-to-day basis, the City Attorney works with the Mayor, members of the Common Council, the City Administrator and other senior management staff to provide legal advice and counsel.

Scope of Services

As indicated above, Mequon is soliciting proposals from qualified, licensed attorneys or legal firms to serve in the position of City Attorney. General services will include, but may not be limited to the following:

1. Preparation for and attendance at regularly scheduled evening meetings of the Common Council
2. Preparation for and attendance at periodically scheduled meetings of the City's Board of Review, Board of Appeals, Ethics Board and other bodies, as required
3. Availability for consultation with the Mayor, Common Council, City Administrator and authorized City officers/senior staff
4. Rendering of legal opinions for the Mayor, Common Council, City Administrator and authorized City officers/senior staff
5. Ensuring the constitutionality of City ordinances as they relate to existing laws or changes in law at both the state and federal levels, and initiating ordinance amendments as needed

6. Reviewing ordinary documents and contracts, as well as all draft resolutions and ordinances
7. Land sales
8. Easements, land divisions, condemnations
9. Development Agreements
10. Codification
11. Zoning Issues
12. Litigation
13. Liquor and other licensing
14. Collections
15. Instructions/seminars in open meetings, ethics, other educational presentations
16. Review of proposed investments for permissibility under State Statutes; and such other services the Mayor, Common Council, City Administrator and other City officers/senior staff members upon request.

A full description of the City's legal service requirements, as well as the duties of the City Attorney, are contained in Section 2-183 of the Mequon Municipal Code of Ordinances at: https://library.municode.com/wi/mequon/codes/code_of_ordinances?nodeId=PTIICOOR_CH2A_D_ARTIVDEAG_S2-183LESE.

Special Considerations

1. Labor and employment matters, employee grievances, and disciplinary hearings are handled by separate, specialized labor counsel and are not part of this RFP. There may be, however, from time to time, matters pertaining to labor and/or personnel that will require coordination between the City's Attorney and Labor Counsel.
2. Historically, the prosecution of routine ordinance violations, traffic matters and DUIs ("Municipal Court Work") has also been handled by the City Attorney or his/her designee or firm. These services, which generally include representation 1 day per month at Mid-Moraine Municipal Court hearings conducted in Mequon City Hall, can be included in any proposal as an additive service.
3. The individual/firm selected as City Attorney will initially be appointed to a three-year term, with an opportunity for subsequent reappointment(s) based upon satisfactory performance. The selected individual/firm will be subject to annual review by the Common Council and/or City Administrator and be required to furnish an annual engagement letter to the City.

City Hall Office Hours

The City Attorney will maintain scheduled office hours at City Hall which will be mutually determined by the City Attorney, Mayor, and City Administrator. Office hours will generally range between 4-10 hours per week, whereby legal work will be done for the City which will not include municipal court work. Municipal court work may be done at the City Attorney's office at City Hall but will not be included in the 4-10-hour standard each week.

Proposal Response Format

Proposals shall be prepared simply and economically, providing a straightforward, concise description of the proposing firm's capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content and cost effectiveness of the proposal. As such,

the City will accept proposals containing both technical and price proposal information in a single document submission. Accordingly, proposals should include:

1. A summary cover letter.
2. Hourly cost for services, as well as other itemized billing that the City would expect to incur or be responsible for. The City welcomes an option of a flat retainer to cover usual or customary work, and an hourly rate for work outside of the general scope of duties.
3. Personal resume of the applicant and any associate(s) who may be appointed to serve as City Attorney. The resume shall include formal education and specialized training, professional experience (private, as well as municipal), involvement in community and professional associations, memberships held, and professional awards or recognitions received.
4. Summary of recent, relevant practice in the area of municipal law such as drafting and interpreting ordinances or prosecuting ordinance violations; recodification; tax incremental financing; impact fees; sub divider development agreements; special assessments; personnel/employment issues such as grievances, fair labor standards act and similar matters; real estate, easement or right-of-way acquisition/disposition; and other experience common to municipal government.
5. Description of the logistical capabilities of any law office, as applicable, such as secretarial support; staff backup during vacations, other absences, or in response to unusual caseload; availability for timely response to City officials' inquiries; reference library; and other pertinent information.
6. Statement of personal philosophy on how the legal affairs of a municipality should be handled, including involvement with elected officials, boards, commissions, committees and individual residents; how conflicts of interest or conflicts of time between private clients and the City will be dealt with; intended level of interaction with municipal associations and other municipal attorneys.
7. Any other information a proposer may wish to present in support of an application.

Project Timeframe

The City will pursue the following schedule in selecting the City Attorney:

Milestone	Completion
Request-for-Proposal Available	May 25
Deadline for Submittal of Questions Concerning RFP - 4:00 p.m.	June 13
Distribution of Responses to RFP Questions	June 17
Deadline for Submittal of RFP Proposals - 4:00 p.m.	July 1
Proposing Individual/Firm Interviews & Proposal Evaluations Completed	July 22
Notification to Proposers	August 4
Award of Contract to Recommended Individual/Legal Firm	August 9
Engagement Commences	September 1

Proposal Submissions

One electronic copy on a thumb drive or sent via email should be provided. All proposals must be received by the City of Mequon by mail, email or in person by 4:00 p.m. on July 1, 2022. All proposals should be addressed to:

City of Mequon
Attn: William H. Jones, Jr., City Administrator
11333 N. Cedarburg Road
Mequon, Wisconsin 53092
E-Mail: wjones@ci.mequon.wi.us

Except for exempt materials, all proposals and information submitted by proposers will be available for viewing after the evaluation process is complete and a contract is awarded to the selected individual or firm. Any such request for information will be treated as a public records request.

Evaluation of Proposals

The City shall review all RFP proposals and may select one or more finalists for interviews. In addition, the evaluation team may require the submission of supplemental materials. Proposals may be withdrawn at any time, and withdrawal of a proposal will not prejudice the right of a proposer to file a new proposal. Proposals will remain confidential until a firm has been selected.

The City of Mequon reserves the right to accept or reject any or all proposals, waive minor informalities, to cancel, delay or suspend all or any part of this RFP and to award a contract deemed to be in the best interests of the City. Further, the City reserves the right to issue subsequent requests for proposals, postpone opening for its own convenience, remedy technical errors or waive non-material irregularities in the RFP process and negotiate with any, all or none of the proposers.

Additional Information

Requests for additional information from the City should be gathered into one email communication from the proposer and submitted to City Administrator William Jones at wjones@ci.mequon.wi.us. All inquiries made by potential proposers will be circulated to any interested parties via the City of Mequon website (www.ci.mequon.wi.us), in order to ensure that all potential applicants are provided with access to the same information. The deadline for inquiries about the RFP is 4:00 p.m. on June 13, 2022.

ATTACHMENT A:

**PROPOSAL SUBMISSION FORM
REQUEST FOR PROPOSAL (RFP)
COMMUNITY DEVELOPMENT DEPARTMENT OPERATIONAL ANALYSIS**

CERTIFICATE OF NON-COLLUSION: REQUIRED FORM

The undersigned certifies under penalties of perjury that this bid has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business partnership, corporation, union, committee, club or other organization, entity or group of individuals.

Signature of Person Submitting Contract/Bid

Date

Name of Business

ACKNOWLEDGEMENT OF ADDENDA:

Acknowledge the receipt of addenda, if any (indicate date(s)): _____, _____, _____.