



## CITY OF ARDEN HILLS, MINNESOTA

### REQUEST FOR PROPOSALS FOR LEGAL SERVICES April 2017

#### **I. Purpose**

The City of Arden Hills is requesting proposals for legal services from firms experienced in municipal law and representation of municipal clients as City Attorney.

#### **II. Background**

The City of Arden Hills is located in northern Ramsey County, Minnesota. Arden Hills was incorporated on February 14, 1951. The population of the City is 9,652 (2010 Census). The City is approximately 10 square miles in area. The City has I-35W along most of its western boundary and I-694 runs east/west through the center of the City. Most of the northern four square miles of the City, the area north of County Highway 96, is owned by the U.S. Army. The western part of this U.S. Army property, approximately 430 acres, is known as the TCAAP site (Twin Cities Army Ammunition Plant). Excluding the Army property the City is mostly fully developed.

The City operates under Minnesota Statutes "Plan A" form of government. The City's governing body consists of a Mayor and four Councilmembers, all elected at large. Councilmembers serve four-year overlapping terms of office, and the Mayor serves a four-year term. Regular City Council meetings are held the second and last Monday of each month, with a work session meeting scheduled for the third Monday of each month. The Planning commission meets once a month on the first Wednesday that follows the first Monday of each month.

The City Council is responsible for adopting the City's budget and tax levy, adopting resolutions and ordinances, all hiring and firing decisions, policy making, development and growth planning, and guiding the overall direction of the City. In addition to providing general government services, the City offers a full range of other services including building and other safety inspections, code enforcement, planning and zoning, parks, street maintenance, snow removal, infrastructure maintenance and repair, and others. The City provides municipal water and sewer services.

The City contracts for Police, Fire, IT, and election services. In addition, the City contracts for legal services for prosecution and civil matters.

### **III. Scope of General Legal Services**

The law firm/attorney(s) are required to be knowledgeable in a variety of legal areas, including but not limited to:

- General municipal laws.
- Labor law.
- General state and federal laws relating to municipal government.
- Municipal litigation.
- Zoning, land development, platting, MSA 429 Projects, housing, subdivision, land use law.
- Economic development activities including development, redevelopment, enforcement, and property/real estate law.
- Legal activity relating to general obligation bonds, revenue bonds, and other bonding and financial processes.
- Ordinance and resolution development and interpretation.
- Contract law.
- State rules and regulations that control and manage private utilities in public right-of-way.
- Environmental law.
- Eminent domain.

It is important to note that Arden Hills does utilize a separate bond attorney.

### **IV. City Attorney Services Requested**

City Attorney services, for the purpose of this proposal, shall include those legal services generally understood within the field of municipal law to fall within the category of “general counsel” work, and shall include, but not necessarily be limited to, the following:

- Routine legal advice, telephone and personal consultations with the City Council, City Administrator, and department heads or authorized representatives.
- Assistance in the preparation and review of ordinances, resolutions, agreements, contracts, forms, notices, certificates, deeds, and other documents required by the City.
- Attendance at regular City Council meetings as well as other City Council meetings as requested.
- Attendance at other board, commission, and committee meetings, upon request.
- Attendance at meetings with City staff, upon request.
- Legal work pertaining to property acquisitions, property disposals, public improvements, easement dedications, and right-of-way vacations.

- Reviewing bonds and insurance requirements required by or for City contracts or activities.
- Provide advice on open meeting law, data practice, records retention, and privacy issues.
- Preparing deeds, easements, and other documents for recording purposes. Record documents at Ramsey County and provide original document to the City.
- Acquiring easements and public right-of-way through negotiations or the use of eminent domain and in compliance with federal acquisition and relocation regulations.
- Enforcement of City codes, zoning regulations, and building standards through administrative and judicial actions.
- Monitoring of pending and current state and federal legislation and court decisions, as appropriate.
- Coordination of outside legal counsel, as needed and as directed by the City Council and City Administrator.
- Defending the City in all litigation, as requested, except in those cases where insurance companies are required to exclusively provide defense including, but not limited to: (1) human rights claims; (2) condemnation, (3) zoning and land use regulation matters, (4) permits and administrative actions, and (5) labor and employment matters.

## V. **Required Contents for Proposals**

### A. Firm Background:

- Brief history of firm.
- Number of attorneys, including number of partners and associates and areas of specialty.
- Support personnel: number and expertise.
- Office location(s).
- Statement of any malpractice claims and/or ethics complaints taken against your firm or firm's attorney(s) over the last five years and the status or outcomes of such action. Indicate whether any action is pending or is currently under review by the State Ethics Board.
- Statement of 2016 billings for municipal work as a percentage of total billings.

### B. Attorney Qualifications:

- Identify the specific attorney who will serve as the lead attorney and indicate the following:
  - Academic training and degrees.
  - Description of background and experience.

- Description of prior municipal experience including cities served in a similar capacity.
  - Identify attorney who will serve in the lead attorney's absence, and provide information as requested in bullet 1 above.
  - Identify other attorneys and support staff who will supply services for which the City will be charged.
- C. List of cities you currently represent and for what type of service.
- D. List of cities you began representing in the last three years and cities you stopped representing in the last three years.
- E. Description of the firm's experience, and the experience of the designated lead attorney, with representing municipal clients in the redevelopment process.
- F. Copy of Malpractice/Liability Insurance Certificate.

**VI. Clients/Conflict of Interest**

- Indicate whether designated lead attorneys or the law firm represent, or have represented, any client whose representation may conflict with your ability to provide legal services to the City.
- Indicate whether designated lead attorneys or the law firm currently represents any other local units of government having jurisdiction within, or contiguous to, the City of Arden Hills.
- List any and all personal or professional relationships that the proposed lead attorney has with the City Council members or members of the community.
- Indicated whether the designated lead attorneys or the law firm currently represent any real estate developers in Arden Hills or in any municipality contiguous to its borders. If so, please identify those companies or persons in detail.
- Identify what procedures your firm utilizes to identify and resolve conflicts of interest.

**VII. Compensation**

Firms desiring to be considered for City Attorney services should:

- State the hourly rates for the City Attorney and other attorneys and support staff that may be working on City business.
- State the rate for meeting attendance, whether hourly or otherwise.
- Identify the minimum increment of time billed for each service, e.g. telephone calls, correspondence, personal conference.
- Define the type and unit rates for reimbursement of expenses such as mileage, reproduction of documents, and word processing charges.

## **VII. Professional References**

Provide three (3) professional references for the individual designated as City Attorney, including addresses and work telephone numbers. References should be currently employed public agency officials or agents.

## **IX. Evaluation and Selection Process**

The selection committee will be composed of the City Administrator, the Director of Finance and Administrative Services, the Director of Community Development, and the Director of Public Works. The qualifications for the top candidates will be verified and references will be checked. In reviewing proposals, the city will carefully weigh the following:

- Depth and breadth of experience and expertise in the practice of law, specifically in those areas most often encountered in municipal government operations.
- Capability to perform legal services promptly and in a manner that permits the City Council and staff to meet established deadlines and to operate in an effective and efficient manner.
- Degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems.
- Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners in the municipal law field.
- Communication skills.
- Cost of services.
- Other qualifications/criteria as deemed appropriate.

The contract will require that the individuals or law firm selected as City Attorney maintain general liability, automobile, workers' compensation, and errors and omissions insurance. The contract will also contain provisions requiring the selected individual or law firm to indemnify the city and provide that the City Attorney is an independent contractor serving at the will of the City Council. Other required provisions will include the City Council's right to terminate the agreement, at its sole discretion, upon the provision of notice.

The City requires compliance with Equal Opportunity regulations and therefore, the firm selected shall not discriminate under the contract against any person in accordance with federal, state, or local regulation and shall certify to such in their proposal.

The City will not provide reimbursement to anyone for any expense incurred that is associated with the preparation and submission of the proposal and attendance at interviews.

## **X. Schedule**

Law firms or individuals interested in submitting proposals for City Attorney shall submit ten (10) complete copies of the proposal, along with a proposed contractual agreement, in a sealed envelope bearing the caption, "Arden Hills City Attorney Proposal". Late proposals will not be

considered. All proposals will be deemed confidential and will be retained by the City of Arden Hills. The envelope shall be delivered to:

Sue Iverson, Director of Finance and Administrative Services  
City of Arden Hills  
1245 W. Highway 96  
Arden Hills, MN 55112

Proposal Due Date and Time: Friday, May 5, 2017 at 4:30 p.m.

The City reserves the right to reject all proposals, to request additional information concerning any proposal for purposes of clarification, to accept or negotiate any modification to any proposal following the deadline for receipt of all proposals, and to waive any irregularities if such would serve the best interests of the city as determined by the City Council.

In order to ensure a fair review and selection process, firms submitting proposals are specifically requested not to make contacts to the city staff or council members regarding these proposals, but to direct all response and inquiries to the City Administrator or Director of Finance and Administrative Services.