

REQUEST FOR PROPOSALS

City Attorney for the City of Mount Rainier, Maryland

The City of Mount Rainier, Maryland hereby solicits proposals from individual attorneys and/or law firms to represent the City as the City Attorney. Attorneys that would represent the City must be in good standing and licensed to practice law before all courts and administrative agencies of the State of Maryland and a member of the Maryland Municipal Attorneys Association. The respondent selected by the City would serve as legal counsel to the City and report to the Mayor and City Council.

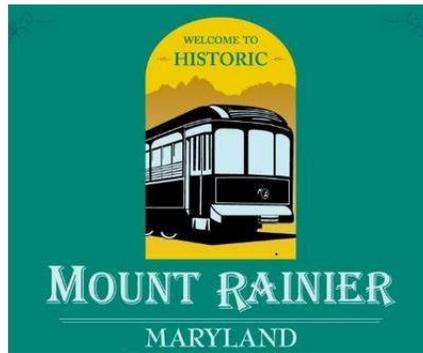
The City of Mount Rainier's selection will be based on its evaluation of the respondents' qualifications and experience, client references, the areas of legal services that the respondents are able to provide, an oral presentation (if requested) and overall fee structure. The selection of an attorney or firm will not be made on cost alone but may be made based on the consideration of qualifications and factors contained in this Request for Proposals.

Proposals must be received by the City of Mount Rainier on or before 4:00 p.m., January 10, 2020. Proposals should be addressed to Latasha C. Gatling, Interim City Manager, City of Mount Rainier, One Municipal Place, Mount Rainier, MD 20712, and be sealed and clearly marked, "City Attorney RFP Response." Respondents must submit an original proposal and five (5) copies.

The City will not be responsible for any expenses incurred by a respondent in preparing, submitting or presenting a proposal. All proposals shall provide a straightforward, concise delineation of the attorney's or firms capabilities to satisfy the requirements of the request.

INTRODUCTION

The historic City of Mount Rainier is a diverse and inclusive residential community sitting on the border of Washington, DC, and Prince George's County, MD. Serving



8,500 residents, the community is a small urban oasis of historic homes, an arts district and unique shops.

The City of Mount Rainier has approximately 40 full-time employees. Each department has specific duties to meet the needs of the community. The City of Mount Rainier provides a variety of services including streets, police, parks, public works, a library, and economic development promotion and assistance. More information on the City can be found at <https://www.mountrainiermd.org/>.

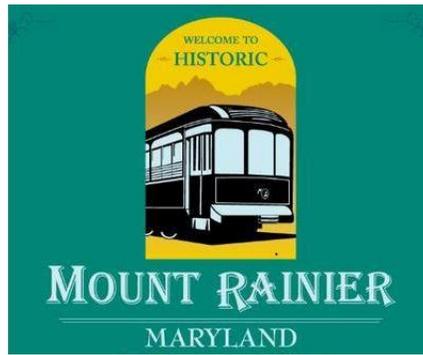
Pursuant to Article VI, Section 605, of the City Charter, the Mayor and Council may appoint a City attorney. The City Attorney shall be admitted the Maryland Bar and authorized to practice law by the Maryland Court of Appeals. The City Attorney shall be the legal adviser to the City and shall perform such duties as the Mayor and Council may require. The Mayor and Council shall determine the compensation of the City Attorney. The Mayor and Council may employ any additional legal consultants that it deems necessary.

THE PROPOSAL

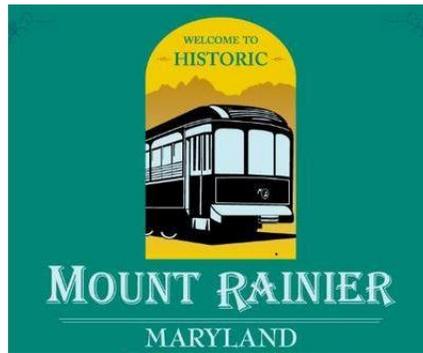
A. Scope of Legal Services Required per RFP

The areas of legal work to be provided by the City Attorney may include the items listed below. While this list is representative of the areas of work required, it is not exhaustive, and, by submitting a proposal, respondents acknowledge and agree that if selected, they will perform work in other areas as may be requested by the City and acknowledge and agree that some of such work may be assigned to other attorneys.

1. **Advise the Mayor and City Council and City Manager:** Advise the Mayor and City Council and City Manager on legal questions arising in the conduct of City business.
2. **Prepare Legislation:** Prepare and/or revise resolutions and ordinances when requested by the Mayor and City Council or City Manager.
3. **Give Opinions:** Give opinions on any municipal legal matter or question submitted to them by the Mayor and City Council or City Manager.



4. **Attend Council Meetings:** As requested, attend Mayor and City Council meetings or other related meetings. Mayor and City Council Legislative Meetings are held the first (1st) Tuesday of each month. Work Session Meetings are held on the third (3rd) Tuesday of each month. Meetings begin at 7:00 p.m.
5. **Application Review:** When applicable, provide review, oversight and legal advice concerning permit and other applications to the City.
6. **Prepare Legal Instruments:** Prepare for execution or review contracts, deeds and other instruments to which the City is party when so requested by the Mayor and City Council or City Manager.
7. **Prosecute Claims and Defend the City and its Officials and Employees:** Under the direction of the Mayor and City Council, prosecute legal claims on behalf of the City and defend the City and its officials and employees in any action or claim against them in their official capacity. In those claims where the City's insurance company has appointed legal counsel, the City attorney shall provide only those services requested by the Mayor and City Council.
8. **Make Reports:** Immediately report to the City Manager (or designee) and Mayor and City Council the filing of any litigation against the City, update the Mayor, City Council and City Manager on pending litigation on a regular basis, and inform the Mayor, City Council and City Manager of final outcome of any such claims. Provide the Mayor, City Council and City Manager with a monthly report of all work performed on their behalf.
9. **Real Estate:** Prepare or review deeds, easements and contracts pertaining to real estate and/or property being acquired or sold by the City.



10. **Keep Records:** Keep records as required for attorneys generally and in compliance with rules for retention of local government records.

11. **Public Information Act:** Handle or provide advice regarding Public Information Act requests.

The City reserves the right, at its discretion, to appoint another attorney and/or law firm to represent the City from time to time in any matters where the Mayor and City Council deems such action to be in the best interest of the City.

B. Qualifications and Experience of Legal Counsel:

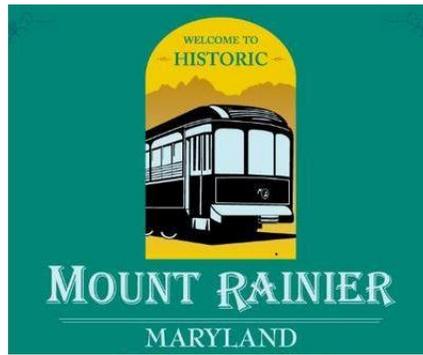
Each applicant should have at least five (5) or more years of experience as a Municipal attorney, preferably experience with small cities and towns. The proposal must include the names of all attorneys within the firm who will be providing legal services to the City.

The proposal should demonstrate the qualifications, competence and capacity of the attorneys to represent the City in each of the municipal legal services areas listed above.

C. Compensation:

Each applicant must include its hourly rates for legal services. Please include the rate for each attorney listed in response to section B. Each applicant must state the compensation that will be required for the services of the applicant and must specify the minimum time increment for billing. Itemized bills including the subject matter, date, time, description of service and individual requesting the service will be required to be submitted before each payment will be made by the City of Mount Rainier. Such bills shall be submitted on a monthly basis.

Billing for services shall be explained in detail including all support services and costs such as: paralegal, clerical, supplies, mileage, electronic research and other expenses.



Applicants also shall list any services that will be provided free of charge such as attendance at annual, special City meetings and/or any non-charges, in-house expenses. Each applicant shall provide an explanation of how the City will be billed for consultations between two attorney who are both members of your legal team (if applicable).

The City also requests information about how applicants bill for informational correspondence (i.e. courtesy copies and emails, other billing practices, etc.) The applicant shall state whether the mileage associated with traveling on City business will be billed to the client.

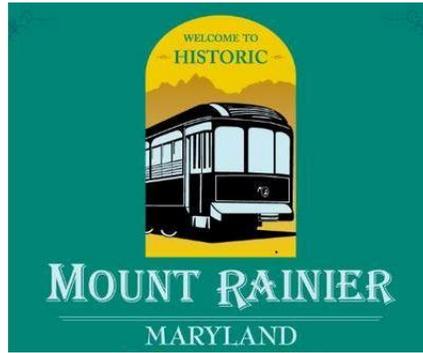
D. Client References:

Each applicant must provide clients and references with mail and email addresses and phone numbers who may be contacted by the City in connection with the proposal.

E. Insurance:

The bidder must obtain at its own cost and expense, and keep in force and effect during the term of the contract, including all extensions and renewals, the insurance specified below, with an insurance company licensed or qualified to do business in the state of Maryland. A certificate of insurance must be submitted to the City prior to the commencement of any work under the contract and prior to any contract modification extending the term of the contract, as evidence of compliance with this provision. The City of Mount Rainier must be named as an additional insured on all liability policies. A minimum of thirty (30) days written notice to the City of cancellation or material change in any of the policies is required. In no event may the insurance coverage be less than that shown below, unless the requirements of this section are waived, in whole or in part, in writing by the City Manager.

<u>Coverage</u>	<u>Amount or Limits</u>
Workers Compensation, Bodily injury by	
Accident (each)	\$100,000
Disease (policy limits)	\$500,000



Disease (each employee) \$100,000

Commercial General Liability \$500,000

(Minimum combined single limit for bodily injury and property damage per occurrence, including contractual liability, premises and operations, and independent contractors.)

Minimum Automobile Liability

(Including owned, hired and non-owned automobiles.)

Bodily injury, each person \$250,000

Bodily injury, each occurrence \$500,000

Property damage, each occurrence \$300,000

Professional Liability \$1,000,000

for errors, omissions and negligent acts, per claim and aggregate, Professional Liability (for professional services contracts) \$1,000,000.00 (For errors, omission, and negligent acts, per claim and Aggregate, with one-year discovery period and maximum deductible of \$25,000)