



**REQUEST FOR QUALIFICATIONS TO PROVIDE
LEGAL SERVICES
FOR
THE TOWN OF STEVENSVILLE**

The Mayor and Town Council are requesting interested law firms to submit Statements of Qualifications to provide legal services for the Town of Stevensville.

*****The Town of Stevensville will entertain separate proposals to act as prosecuting attorney in the City Court of Stevensville. If your proposal does not include both civil attorney and prosecuting attorney services, please note this in your cover letter.**

BACKGROUND

Located in northern Ravalli County, Montana, the Town of Stevensville is nestled in the Bitterroot Valley between the Bitterroot and Sapphire Mountains. The Town is home to 2,100 residents and is centered between Missoula, Montana's 2nd largest city offering a diverse culture and recreational opportunities for everyone, and Hamilton, the Ravalli County Seat.

The Town was founded in 1841 and incorporated in 1899. The Town operates under the Mayor-Council form of government, with four total Town Councilmembers and a elected Mayor. Town Councilmembers are elected to four-year overlapping terms by ward and the Mayor is elected to a four-year term on an at-large basis. The Town Council is the legislative body responsible for overall policy development and direction of the Town. In addition, the Town has a variety of citizen committees, boards, and commissions that provide input and help conduct Town business. The Mayor serves as the chief executive officer and is responsible for the day-to-day operations of the Town. The Mayor appoints the City Attorney with consent of the Town Council.

The Town provides an extensive array of services including police, fire, public works, parks, recreation, planning, economic development, wastewater collection, cemeteries, as well as all of the traditional internal management support functions. Several of these operations function as enterprises within

the organization. The Town has a current annual operating and capital budget of approximately \$4 million, and a regular staff of approximately 15 full-time equivalent employees.

City Attorney Responsibilities

The City Attorney is expected to assist the Town by:

- Providing clear and concise legal advice and consultation as requested, to the Council and staff. Response is required within a mutually-agreed upon timeframe.
- Attending regular and special Town Council meetings and occasional advisory board meetings and advising the Council on agenda items and procedural matters.
- Providing guidance and training with regard to the legal requirements imposed by statute and common law.
- Providing designated hours or times of availability, as agreed to with the Mayor and/or the Town Council.
- Drafting, reviewing or revising documents such as legal memos, contracts, ordinances and resolutions.
- Representing the Town in litigation.
- Providing legal advice and assistance to operating departments with regard to employee workers' compensation, employee disciplinary actions, and bargaining unit MOUs.
- Performing legal research and advising on issues related to land use.
- Providing legal advice and assistance to Mayor, Council, and Staff with regard to interaction with local and state agencies.
- Researching and advising on municipal and other legal matters as requested by the Mayor or Town Council.
- Representing the Town in City Court as the prosecuting attorney.***

REQUEST FOR STATEMENTS OF QUALIFICATIONS

(1) INTRODUCTION – AREAS OF LAW TO BE COVERED IN RFQ

The Town requests interested law firms to submit a Statement of Qualifications to provide legal services for the Town. The Town's decision to issue this Request for Qualifications is the result of a policy decision to periodically evaluate the legal services it receives from outside counsel. It does not reflect dissatisfaction with the services currently being provided.

Please provide the information requested in this RFQ for each of the specialized practices area for which you would like to be considered. These practice areas include:

- General Municipal Specialty, including but not limited to:

- General municipal law advisory
 - Labor/employment, training and personnel investigations
 - Tax (federal, state, local)
 - Housing Authority/HUD
 - Workers compensation (public entity employer)
 - Election procedures and law
 - Urban Run-off
 - Solid waste/recycling
 - Telecommunications (advisory and administrative proceedings)
 - Bankruptcy
 - Code enforcement
 - Disability issues/FEHA/ADA
 - Bidding and Procurement
 - Montana Public Records
 - Special Districts
- Litigation Defense, including but not limited to:
 - Public entity tort claims
 - Labor and employment matters
 - Public safety defense
 - Construction law/public works/prevaling wage matters
 - Writ litigation and appellate procedures
- Real Property, including but not limited to:
 - Condemnation/ eminent domain
 - Unlawful detainer/eviction (commercial)
 - Development/redevelopment
 - Land use/environmental/hazardous materials/brownfields
 - Storm water discharge
 - Water Use, including laws, regulations and local issues
 - Real estate transaction/commercial document preparation
 - Foreclosure
- Criminal Prosecution, including by not limited to: ***
 - Trial Litigation
 - Appellate Litigation
 - Investigation
 - Legal Writing
 - Enforcement

(2) REQUIREMENTS FOR STATEMENTS OF QUALIFICATIONS

Identification of Attorneys. The response to this Request for Qualifications should include descriptions of the attorney or attorneys who would have primary responsibility for providing regular services under the proposal. For each attorney, the Statement of Qualifications should identify the qualifications, areas of expertise, and prior experience. References from comparable and representative public agency clients and the public agency's teams should be included, with names and telephone numbers of three to five public agency clients which the firm is currently working with or has worked in the recent past.

Support Staff. The Statement of Qualifications should include information about the types of support staff, such as other attorneys, paralegals, interns and others in the firm who would be assigned to perform work for the Town and whose time would be billed for such work. The response should include information about how the firm plans to utilize support staff within the Town's budget constraints.

Description of Services. The Statement of Qualifications should describe the services the firm proposes to provide, the firm's overall experience with municipal law, any areas of specialty listed above, and any special qualifications that are believed to distinguish it from other law firms.

Rates and Charges. The proposed means of compensation, including hourly rates or fees to be charged for each individual named in the Statement of Qualifications, should be listed. A schedule of the rates or amounts for all fees, charges, and expenses to be billed by each attorney or staff member should also be included. An estimated range of anticipated monthly charges the Town may expect to be billed is highly desirable.

Availability and Commitment to Provide Services. The Statement of Qualifications should include an indication of the commitment to provide the services by the attorney or attorneys with principal responsibility for providing services to the Town. In this context, the words availability and commitment should be taken in their broadest meanings, incorporating time, flexibility in scheduling, office location of the attorney or attorneys, and firm or personal policies and practices with regard to returning calls and meeting deadlines. Any significant time period required before beginning services should be noted.

Knowledge of Stevensville Governmental Issues. The Statement of Qualifications should describe familiarity with unique issues facing local governments in Montana and the Town of Stevensville in particular.

Actual or Perceived Conflicts. The proposal should disclose the names, nature of assignment, and relevant dates for any of the firm's clients who may have actual or perceived conflicts of interest with the Town. Reasonable diligence to identify and disclose potential conflicts is expected of all firms submitting a response to this Request for Qualifications. The proposal should also provide a statement or description of firm policy to address how conflicts of interest between two or more clients are avoided.

Additional Information. Statements submitted in response to the Request for Qualifications may, but are not required to, provide additional information to assist a proper evaluation of the proposal. Any discussions relating to suggested strategies to reduce costs for outside legal services are appropriate in this section.

Submission Requirements. Proposals are due no later than **5:00 PM on Thursday, June 17, 2021**. All submissions should be provided in digital format to clerk@townofstevensville.com.

(3) EVALUATION CRITERIA

The main criteria used to evaluate the Statement of Qualifications will concern the experience and qualifications of the firm's attorneys who would be assigned to the Town. Ancillary information including the firm's fee structure and schedule of charges for ancillary services is important but will be given secondary weight.

(4) PROCESS FOR SELECTING LEGAL COUNSEL

The Mayor will determine a procedure to review each Statement of Qualifications. Calls to submitting firms or attorneys and their references may be made to clarify material in the submittals. Based upon this review, the best qualified firms may be invited to a personal interview. Following the interviews, thorough background and reference interviews may be conducted. The Mayor anticipates making a selection of a firm or firms following a careful evaluation of all relevant information. Following the Mayor's review and selection, the Town Council will be asked to consent to the selection.

(5) SPECIAL PROVISIONS

Contract Award

The contract will be awarded for an initial period of three(3) years. The agreement will be then automatically renewed for additional one-year periods unless terminated by either party. However, the City Attorney shall work at the pleasure of the Town, and nothing herein shall limit their ability to terminate the contract at will with no notice or penalty.

Cost of Preparing and Submitting Statements. All costs incurred in preparing and submitting the Statements of Qualifications is to be borne by the submitter and not the Town. In no event shall the Town be liable for any cost whatsoever for the preparation or submittal of a response to this Request for Qualifications.

Reservations and Options.

The Town reserves the rights and options to:

- Reject any or all of the submittals
- Waive any of the provisions of the Request for Qualifications
- Issue subsequent Requests for Qualifications
- Cancel the Request for Qualifications process
- Waive technical error in the responses it receives
- Negotiate with any, all, or none of the respondents to this Request for Qualifications

(6) QUESTIONS

For questions, please contact:

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