



REQUEST FOR PROPOSALS

CITY ATTORNEY SERVICES For CITY OF ONTARIO, OREGON

Closing Date: August 27, 2021

(Service goal is to begin October 1, 2021)

I. Introduction

The City of Ontario is requesting proposals from attorneys or law firms to provide certain legal services to the City.

II. Scope of Work

The City intends to select a qualified attorney or attorneys to provide some or all of the following services:

- A. As routine services, City Attorneys will upon request:
- Advise City officials on matters relating to City business.
 - Attend City Council and other similar meetings as requested.
 - Prepare or review staff-developed ordinances, resolutions, contracts, agreements, leases, deeds and related documents.
 - Review current state and federal legislation and/or litigation as such may relate to the City and advise City officials thereon.
 - Provide legal opinions on matters relating to City activities.
 - Participate in the development of staff recommendations for action by the City Council.
 - Advise and participate in code enforcement activities.
 - Make recommendations for updating existing City codes, resolutions and other policies and practices.
 - Represent City in intergovernmental relations as appropriate.
 - Maintain appropriate records and files.
 - Administer and coordinate annexations.
 - Perform related duties as necessary.
- B. As non-routine services, City Attorneys will represent City in:
- Litigation and threatened litigation.
 - Proceedings before the state and federal courts, and administrative

- tribunals.
 - Proceedings before state and federal administrative agencies.
 - May participate in union negotiations as mutually agreed upon by the city and attorney.
- C. Services performed by Attorneys for City do not include:
- Work involving bond issues.
 - Areas of special expertise requiring outside counsel as the parties may mutually agree.

III. Qualifications

The proposals will be reviewed by the Mayor and City Councilors. Final selection will be made by the City Council. Selection will be on the basis of the following equally weighted criteria:

- A. Knowledge of general municipal law, contract law, land use law, and Oregon law governing cities.
- B. Experience as a practicing attorney-at-law with experience in municipal law or the ability to learn and apply municipal law.
- C. Ability to perform services in a timely, cost-effective and thorough manner, and ability to interact well with the City Council, City staff, City volunteers and residents.

IV. Proposal Requirements

Proposals from individual or law firms will be considered. As a minimum, the proposal should include the following information:

- A. An overall introduction to the proposal, including a statement of your understanding of the work.
- B. Qualifications of you or your law firm and of your support staff (include number of staff) to perform the work. By way of example, you may wish to address some or all the following criteria:
 - 1) Law school (including year of graduation), year of admission to Oregon State Bar, and years of practice.
 - 2) Years of municipal or other public sector law practice as a full-time government attorney or specializing in municipal or other public sector law practice in a law firm or as a sole practitioner. If not municipal or public sector law, then please describe the area of law in which you consider your expertise and how those skills may translate to adapting to municipal law.

- 3) Provide information on the circumstances and status of any disciplinary action taken or pending against the proposer generally as an organization or specific to any staff proposed to be used in Ontario for the period of the past three (3) years with state regulatory bodies or professional organizations.
 - 4) Particular areas of knowledge and experience in Oregon government law, including but not limited to law related to cities. Examples of areas may include but are not necessarily limited to law related to (a) land use, (b) personnel matters and labor negotiations, (c) franchises and franchise fees, (d) taxes, fees, and charges such as systems development charges and water and sewer service charges, (e) annexation, (f) police matters, (g) public purchasing and contracting, (h) municipal court prosecutions, (i) planning, construction, and operation of public facilities such as street, water, sanitary sewer, and storm drainage facilities, (j) urban renewal, (k) open meetings and public records, (l) government ethics, and (m) elections.
 - 5) Litigation experience, including descriptions of representative cases and outcomes.
 - 6) Drafting experience, such as drafting of contracts, memoranda, ordinances, and resolutions.
 - 7) Experience giving oral advice such as during the course of City Council and Planning Commission meetings and by telephone to City staff or a similar role, which skills are transferable.
- C. Description of how you would propose structuring the service relationship to ensure the City's legal needs are met in a timely and a cost-effective manner.
 - D. List of clients for whom you have provided similar services in the past. Include a list of references the City may contact. References would preferably include municipal clients, but other may be submitted without that experience.
 - E. Your office location or locations.
 - F. Qualifications of legal backup that would be provided in the event of your absence or unavailability.
 - G. Cost of Service. Proposals may provide for hourly billing, a monthly retainer, or a combination. Any proposals including a monthly retainer must clearly set out the services that are within and outside the retainer.
 - H. A form of agreement for legal services.

V. Submission Requirements

Each attorney or law firm wishing to respond to this request should present eight copies of the completed, signed proposal to the City of Ontario, no later than 3:00 p.m., Monday, August 27, 2021 at the following address:

REQUEST FOR PROPOSALS (City Attorney)

Adam Brown, City Manager
 City of Ontario
 444 SW 4th St.
 Ontario, OR 97914

VI. Selection Schedule

Review of the proposals and recommended selection will be made by Councilors and the City Manager. The review process might include an in-person interview of the lead candidate(s) or interviews through an online meeting platform. The City Council is scheduled to consider the recommended selection at their September 14th meeting. Cost of the services will be negotiated between the parties as part of the selection process.

Planned RFP schedule (illustrative, interview and selection dates are subject to change without notice):

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| 1. Issue RFP | August 6, 2021 |
| 2. Question deadline | August 18, 2021 |
| 3. Question response from City | August 23, 2021 |
| 4. Deadline for submissions | August 27, 2021, Received by 3:00pm PST |
| 5. "Zoom" interviews | September 14, 2021 |
| 6. Selection and negotiations | TBD |
| 7. Appointment | September 28, 2021 City Council meeting (goal) |
| 8. Service start | October 1, 2021 (goal) |

VII. Limitations

In addition to all other rights granted to it under Oregon law, the City reserves the right to waive formalities in the proposal process, to accept or reject any or all proposals received as a result of this request, to negotiate with qualified attorneys, or to cancel, in part or in its entirety, the request for proposals if it is in the best interest of the City to do so. City also reserves the right to negotiate separately with any Proposer whatsoever, in any manner necessary to serve the best interests of the City. This request for proposals does not commit the City to pay any costs incurred in the preparation of a proposal.

VIII. General Information

Please contact City Manager, Adam Brown at (541) 709-4001 for further information.