



**Request for Qualifications
For City Attorney Services
for
The City of Waxahachie, Texas**

The City of Waxahachie is seeking Request for Qualifications (RFQ) from experienced Professional Legal Firms or Individual Attorneys for the purpose of providing legal services to the City of Waxahachie on a contract basis.

The current City Attorney is retiring after 50 years of service in that capacity.

Any informational question for this request may be directed to Paul Stevens, City Manager, via pstevens@waxahachie.com or 469-309-4001.

Request for Qualifications are due by 3 p.m. on March 30, 2017.

Request for Qualifications
For City Attorney Services
for
The City of Waxahachie, Texas

I. Purpose

The City of Waxahachie is seeking Request for Qualifications (RFQ) from experienced Professional Legal Firms or Individual Attorneys for the purpose of providing legal services to the City of Waxahachie on a contract basis.

The firm/individual will be tasked with providing general municipal counsel, basic legal services, advice on special projects, advice to the City Council, city staff and prosecution in the Municipal Court. The City requests that one attorney be designated as the point of contact or lead attorney.

II. Services Required

The firm/individual selected is to have a Juris Doctorate from an accredited law school, a license to practice law in the State of Texas, and be a member in good standing of the Texas Bar. Experience with Texas municipalities and knowledge of municipal finance law, municipal finance, personnel law, public utilities law and land use regulation.

Basic legal services required include:

- a. Reviewing and drafting ordinances, resolutions, contracts, agreements, deeds and easements;
- b. Providing advice regarding government operations, elections, open meetings, public information, city ordinances, State law, personnel matters, property matters, and real estate, including annexation, zoning and condemnation;
- c. Reviewing agendas and materials for the City Council meeting, preparing legal advice and attending City Council meetings;
- d. Attend Council work session and board and commission meetings on an as needed basis;
- e. Providing counsel and advice to City Council, staff, and Boards and Commissions;
- f. Serving as Municipal Court Prosecutor.

III. Proposal Requirements

The RFQ must address, but does not need to be limited to, the following issues:

1. Firm or individual name, including the address of all firm offices, identifying in which office the work will be performed.
2. Attach a list of Principals in the firm, include a biographical sketch of each including education, years of experience, years of municipal experience and any areas of specialty within the field of municipal government.

3. Provide the name of the assigned Attorney and complete resume who will have primary responsibility for the City's legal matters.
4. Provide a list of attorneys who will provide services to the City. Include a description of the education, years of legal experience, years of municipal legal experience and any areas of specialty within the field of municipal law.
5. Provide a complete list of all current municipal clients including e-mail, and phone contact information. Please identify five clients on the list which you think are most comparable to the City of Waxahachie.
6. If your firm has represented a city in the last five years, which you no longer serve as City Attorney, please provide the name of the city, name of the city manager and contact information and explanation regarding why you no longer represent that city.
7. Provide a brief summary of the firm's experience in each of the following areas and your strategy for managing those areas which your firm does not have experience and would need to outsource:
 - a. Business contracts and agreements.
 - b. Ordinances and resolutions.
 - c. Real estate matters including deeds and easements.
 - d. Elections.
 - e. Open meetings and open records.
 - f. State law as it pertains to municipalities.
 - g. Personnel matters including police and fire civil service.
 - h. Zoning and development process and annexation.
 - i. Economic development incentives including but not limited to tax abatements and Chapter 380 agreements.
 - j. Development Corporation Act.
 - k. Hotel Occupancy taxes.
 - l. Utility districts, water supply corporations and CCN rules.
 - m. Municipal Court prosecution.
 - n. Police specialty law.
8. Please list any client that you currently represent that could cause a potential conflict of interest with the City of Waxahachie. Describe how you would resolve these current or future potential conflicts of interest.
9. If your firm has represented any client in the past ten years against the City of Waxahachie, please describe the case(s).
10. If you have filed any litigation in the last five years in which a municipality was a defendant, please describe the case(s).
11. Any other items, which the firm/individual deems necessary.
12. Firm/individual must maintain their CLE at their expense and must maintain and provide proof of malpractice insurance.

IV. Fees

Identify in your proposal the amount your firm proposes to charge for legal services. Please note the City of Waxahachie is requesting fees to be submitted with two options:

1. Retainer plus hourly fees – Please quote a retainer fee to be charged for general governmental services and outline the items covered by the retainer. Also state separately the rate for any other cost items proposed to be itemized and billed. Outline retainer items your firm would provide as part of the retainer duties. Please be specific.

Please quote the dollar amount of fixed and/or hourly fees and costs your firm will charge for providing legal services to the City of Waxahachie covered by your proposal that fall outside the duties covered by the Retainer. For the hourly fees portion of your proposal, please identify the hourly rate of each attorney and support personnel. Identify the minimum increment of time billed for each service, e.g., phone calls, correspondence, personal conference. Identify charges for travel time and billing for litigation and court time.

2. Hourly billing – Please quote the dollar amount of fixed and/or hourly fees and costs your firm will charge for providing legal services to the City of Waxahachie covered by your proposal. For the hourly fees portion of your proposal, please identify the hourly rate of each attorney and support personnel. Identify the minimum increment of time billed for each service, e.g., phone calls, correspondence, personal conference. Also state separately the rate for any other cost items proposed to be itemized and billed (i.e. photocopying, Westlaw or Lexis fees, overhead factor, etc.). Identify charges for travel time and billing for litigation and court time.

V. Evaluation Criteria

The following criteria and weight factors will generally be used to evaluate the RFQ:

1. Capability to perform all services required by this RFQ, including technical capability. (0-20 points)
2. Reputation for personal and professional integrity and competence and knowledge with regard to the services by this RFQ. (0-20 points)
3. Key personnel's professional background, caliber and experience in providing the services required by the RFQ. (0-20 points)
4. Current workload and ability to meet schedules or deadlines. (0-20 points)
5. Service rate structure. (0-20 points)

Based on the Council's review of submittals, it is expected that several firms may be short listed for further consideration and may be required to submit supplemental information. The firms may be required to make a formal presentation before the Mayor and City Council.

VI. Submittal

Please submit 10 copies of the RFQ by 3 p.m. on March, 30, 2017.

Mailing Address: Lori Saunders, City Secretary, P.O Box 757, Waxahachie, TX 75168

Physical Address: Lori Saunders, City Secretary, 401 South Rogers, Waxahachie, TX 75165

Please mark envelope: Request for Qualifications for City Attorney Services

VII. Inquiries

Any informational question for this request may be directed to Paul Stevens, City Manager, via pstevens@waxahachie.com or 469/309-4001.

VIII. Contract Award

The contract will be awarded for an initial six-month period, at which time the City Council will review the performance and relationship. Assuming the parties mutually agree, the agreement will be automatically renewed for additional one year periods following the initial six-month period unless terminated by either party. However, the City Attorney shall work at the pleasure of the City Council and nothing herein shall limit their ability to terminate the contract at will with no notice or penalty. All costs directly or indirectly related to preparation of a response to this RFQ or any oral presentation required to supplement and/or clarify the RFQ which may be required shall be the sole responsibility of, and shall be borne by, your firm.

IX. General City Information

Waxahachie is the County Seat of Ellis County and has a current estimated population of 34,595. The City Council is comprised of five members. The City Council elects the Mayor and Mayor Pro Tem among its members.

The city's General Fund Budget is \$34.4 million. The city has 298 employees.

There are 59 sworn police officers and 56 firefighters. Both departments operate under Chapter 143 Civil Service.

The city operates its own sewer treatment plant and has two water treatment plants, one of which is a joint venture with Rockett Special Utility District.

The City also has a 4B sales tax that funds a civic center, sports complex other city amenities.