

REQUEST FOR PROPOSALS
CITY ATTORNEY SERVICES
For
CITY OF SEASIDE, OREGON

Open Date: November 1, 2022
Closing Date: December 9, 2022
Interviews: January 2023
(Service goal is to begin on February 1, 2023)

I. Introduction

The City of Seaside 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 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.
 - Serve as the City's municipal court prosecutor.
 - Prepare or review staff-developed ordinances, resolutions, contracts, agreements, leases, deeds, and related documents.
 - 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 directed.
 - 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.

- 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. Selection Criteria

The proposals will be reviewed by the Mayor, City Councilors, and City Manager's Office. Final selection will be made by the City Council. Selection will be based on the following 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.
- C. Preference is for attorney and/or firm to have a location and/or experience along the north Oregon coast. However, all qualified candidates are encouraged to apply. Candidates located outside the area should include details and options for virtual services and process for in-person visits within proposal.
- D. 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.
- E. Cost of services.
- F. Adherence to proposal requirements laid out below.

IV. Proposal Requirements

Proposals from individuals or law firms will be considered. At 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.
 - 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 Seaside for the period of the past three (3) years with state regulatory bodies or professional organizations.

- 4) 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 during the course of City Council and Planning Commission meetings and by telephone/virtually to City staff.
- 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 should include municipal clients with a focus on those of a similar size to Seaside.
 - E. Your office location or locations and your process for working with staff and council (i.e. in person, remote, virtually, etc.)
 - 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. Estimated number of average monthly hours firm expects to dedicate to Seaside.
 - I. 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 Seaside, no later than 4 p.m., Friday, December 9, 2022 at the following address (documents may be hand delivered, mailed, or shipped, so long as time deadline is met:

Kim Jordan, City Recorder
City of Seaside
989 Broadway
Seaside, OR 97132

VI. Selection Schedule

Review of proposals will be completed by both the City Manager's Office and City Council. Final selection will be made by the Seaside City Council. The review process may include an in-person interview of the lead candidate(s) or interviews through an online meeting platform in early January 2023. The City Council is scheduled to consider the recommended selection at their January 23, 2023 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):

1. Issue RFP November 1, 2022
2. Question deadline November 27, 2022
3. Question response from City December 2, 2022
4. Deadline for submissions December 9, 2022, Received by 4 pm PST
5. Interviews (virtual/in-person) January, 2023.
6. Selection and negotiations TBD
7. Appointment January 23, 2023, City Council meeting (goal)
8. Service start February 1, 2023 (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, Spencer Kyle at (503) 738-5311 for further information.