

Request for Qualifications (RFQ)
For Town Attorney Services
Submission Due Date: May 2, 2022 5:00 PM

Contact/Submittal Address:

Town of Bainville
Ms. Nikki Rogers
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Bainville, MT 59212

Telephone (406) 769-2621

REQUEST FOR QUALIFICATIONS(RFQ):

The Town of Bainville, Montana is seeking a law firm or individual attorney to provide Town Attorney services on a contract basis. Law firms and attorneys are invited to submit qualifications and proposals for the provision of these services. In order to be considered; proposals must address each of the concerns requested in this document, including rates and fees.

SUBMISSION DEADLINE:

All proposals must be received no later than Monday May 2, 2022 by 5:00 PM.

INTRODUCTION:

The Town of Bainville has a population of approximately 271 and is a full service Town, providing residents with administrative, police, fire, public works services.

SCOPE OF SERVICES/DESCRIPTION OF RESPONSIBILITIES:

The Town attorney will be required to provide general municipal counsel, basic legal services, and advice on special projects. The Town requests one attorney is designated as the point of contact or lead attorney. Accessibility to and a timely response from the attorney is essential to this position.

Minimum qualifications include a Juris Doctorate from an accredited law school, a license to practice law in the State of Montana, and be a member in good standing with the Montana Bar. Experience with Montana municipalities and knowledge of Municipal and Contract law is preferable.

General municipal counsel of the Town Attorney includes but is not limited to: (1) having charge of all litigation in which the Town is a party ; (2) representing the Town in all legal matter and proceedings in which the Town is a party or interested; (3) advising the Town Council or any committee or member thereof, and the heads of all departments and all other officers and agencies of the Town as to all legal questions affecting the Town's interest; (4) approving as to form all ordinances, contracts, deeds, bonds, and any other documents to be signed in the name of, or made to or with the Town.

Basic legal services include: (1) reviewing or drafting ordinances, resolutions, contracts, agreements, deed, easements; (2) providing advice regarding government operations, elections, open meetings, open records, Town Ordinances, State law , routine matters, personnel matters, and property matters including real estate acquisitions and sale, annexation, zoning, condemnation and public finance; (3) reviewing agendas and materials for Council meetings, anticipating and preparing legal advice on items to be addressed at the Council meetings, attending Town Council meetings which are generally held on the first and third Monday evenings of each month; (4) prosecuting municipal citations; and (5) providing legal opinions upon request.

Special projects including large projects requiring 20 hours or more, such as an extensive drafting or revising of ordinances or code sections, research concerning in-depth issues, etc.

Generally, the Town Attorney may anticipate the job requiring 20-30 hours per month. Town Staff may work in-house to produce initial drafts, such as Town ordinances and resolutions, prior to the attorney's review. The Town may also seek outside specialized counsel as necessary.

The Town Attorney will be required to provide a detailed, itemized billing on a monthly basis, in order to avoid any misunderstanding.

A standing request exists for legal review of contracts, ordinances, and resolutions presented to the Town Council for consideration at its regular meeting in addition to anticipating and preparing legal advice up for consideration, as well as attendance at the regular Town Council meetings. Further, a request for legal services exists upon phone or written request of the Mayor, Council member, or Department Head for official Town business. For all other requests, including citizen's inquiries, approval by the Mayor prior to commencement of service is required. The Town Attorney will be required to generally familiarize himself/herself with the general municipal law and keep abreast of legislation affecting cities outside the scope of billable services.

REQUESTED INFORMATION:

If you or your firm is interested in the opportunity to work with the Town of Bainville, please provide the following information:

1. Firm or individual name and contact information, including email and website addresses and year organized.
2. Summary of qualifications, specializations, experience (including municipal), professional affiliation, special training, availability, Montana Bar license numbers, and contact information for key personnel and proposed lead and back-up attorneys for the Town.
3. Information on any previous experience or services provided, including municipal experience, such as general Town Attorney services, Town-related court cases, condemnation, eminent domain, annexations, zoning, litigation experience, list of past or present municipal clients, etc.
4. List of clients that you currently represent that could cause a conflict of interest with your responsibilities as the Town Attorney. Describe how you would be willing to resolve these or any future conflicts of interest.
5. If your firm or you have filed any litigation in the past five years in which the Town or one of its employees was named as a party, please describe the case(s).

6. Other factors or special considerations you believe would influence your selection.

7. List of references and contact information.

8. Proposed monthly flat rate fee.

OTHER TERMS AND CONDITIONS:

The Town reserves the right to reject any or all responses. The Town reserves the right to waive any variances from the original RFQ specifications in cases where the variances are considered to be, at the sole discretion of the Town, in the best interests of the Town.

All proposals submitted in response to this RFQ shall become the property of the Town. The Town retains the right to use any or all information presented in any proposal to the RFQ, whether amended or not. Selection or rejection of the proposal does not affect this right.

Contracts shall be awarded to the applicant determined to be best qualified to meet the Town's needs with a mutually agreeable start date.

EVALUTION AND SELECTION CRITERIA:

- General qualifications of the candidate for the position and key support personnel
- Quality and extent of services available
- Experience
- References
- Compliance with this Request for Qualifications
- Other criteria which pertain to providing effective and efficient legal services such as availability for questions and contact, timeliness, responsiveness and follow-through

SUBMITTAL:

Please provide one (1) unbound copies of the proposal, including one original with the signature of an authorized individual on a typed letter of submittal. Proposals shall be submitted in a sealed envelope, clearly marked on the outside of the envelope, "Town Attorney Services."

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