

## **City of Cambridge, Maryland**

### **Request for Proposals Legal Services – City Attorney**

The City Cambridge, Maryland is requesting interested individuals and full-service law firms with experience advising and representing local governments to submit proposals to provide legal services to the City of Cambridge.

#### **Background on the City:**

The City of Cambridge is a full-service city located in the Choptank River in Dorchester County Maryland. The population of is approx. 12,500. Cambridge is home to an historic downtown Main Street area, a Hyatt resort, waterfront park and Marina, and annual Iron Man events. Dorchester County features the Blackwater Wildlife Refuge, the soon-to-open Harriet Tubman Underground Railroad National Monument, and extensive outdoor sports activities. In 2015, the Council implemented a Charter Resolution establishing the Council/Manager form of government. The City of Cambridge has 125 full-time permanent employees, and offers a full range of municipal services including street maintenance, public parks, water and sewer utilities, trash collection, building safety, planning and economic development, police and fire services. The 2017 City Budget totals \$18 million.

The City currently has a part-time contract City Attorney. The City Charter provides for the City Attorney to be appointed by the Council. The City Attorney takes direction from the City Council and is required to closely coordinate his/her activities with the City Manager.

The City Council has regular meetings on the second and fourth Mondays of each month which begin at 6:00 p.m. Closed sessions are held prior to regular meetings and generally begin at either 5:00. The Council occasionally schedules additional meetings. The City Attorney attends all Council meetings. The Planning and Zoning Commission meets monthly and is staffed by the City Planner and City Attorney. The City Sailwinds Committee meets twice per month and the City Ordinance Committee meets at least monthly and are attended by the City Attorney.

#### **Scope of Services:**

*Note: The final Scope of Services is subject to change following the selection process and negotiations with the selected firm or individual attorney. Therefore, the City reserves the right to make revisions.*

- Provides clear and concise legal advice and consultation (oral and written) as requested or required, to the Mayor, City Council, City Manager and staff on a variety of matters pertaining to all aspects of governance.
- Researches and interprets laws, court decisions and other authorities in order to prepare legal opinions and to advise the Mayor, City Council, City Manager and staff on legal matters pertaining to City matters.
- Drafts, reviews, and/or revises documents, including but not limited to memoranda concerning legal issues, contracts, ordinances, resolutions, license agreements, city policies, notices, leases, deeds, loans, permits and staff reports. Clear, concise, well-organized writing is prerequisite.
- Represents the City in litigation – primarily code enforcement and coordinates the work of outside legal counsel for specified litigation matters including labor matters.
- Coordinating the work of outside legal counsel, as directed by the City Council or the City Manager.
- Represents and/or participates in intergovernmental projects and other matters, as needed.
- Advises City Council, the Planning and Zoning Commission, the Municipal Utilities Commission, the Ethics Commission, the City Manager, other City boards, and department directors on issues regarding resolutions, ordinances, application of City Code and Uniform Development Code, leases, zoning, contracts, sale and purchase agreements, numerous planning-related matters, code enforcement, elections, and various agreements relevant to municipal government. Providing legal advice and assistance to operating departments with regard to employee disciplinary actions.
- Conducts legal work pertaining to property acquisition, property disposal, public improvements, public rights of way and easements, and matters relating to public utilities.
- Prepares correspondence and other legal documents on behalf of the City as directed.
- Performing other duties as directed by the City Council and as requested by the City Manager.
- Represents and advises the City Council, city officers, boards and commissions in all matters of law pertaining to their offices.
- Attends regular and special City Council meetings (open and closed sessions) and advises the City Council on matters on the agenda as well as procedural matters that may arise during and following the meeting.
- Is available a minimum of 20 hours per week with on-site presence as required by the City Manager.

Illustrative of the work of the City Attorney, is a typical month's work is apportioned follows: 35% City Council and Council Sub Committee matters (meetings, preparation of materials); 20% Matters related to Public Works, Planning and Zoning Commission, zoning text amendments, Board of Zoning Appeals; 15% consultation with City Manager and department directors; 10% property issues, enforcement actions, zoning appeal court cases; and 20% special assignments such as development project.

**Qualifications:**

The attorney representing the City of Cambridge shall be a member in good standing of the Maryland Bar and the Maryland Court of Appeals. Substantial experience in a broad range of local government law practice areas with emphasis on contracts, planning and land use is preferred. Five (5) experience years representing a Maryland municipality is also preferred.

**Availability:**

It is expected that the City Attorney will work part-time – a minimum of 20 hours per week, inclusive of attendance at meetings of City Council, Planning and Zoning Commission, Sailwinds Committee, and other board and committee meetings on an as needed basis. The City wishes to have the City Attorney physically present at City Hall as needed in order to better coordinate and work with the City Manager and Department Heads on a face-to-face basis.

**RFP Requirements:****A. Your Qualifications to Provide Services:**

Please describe the firm's qualifications for providing City legal services. Include in your response the overall capabilities, qualifications, training, and areas of expertise of the individual attorney offeror or the partner/principal in an offering firm who would be the designated city attorney, including but not limited to:

1. Name of individual(s) with resume;
2. Length of employment with firm;
3. Specialization;
4. Legal training;
5. Scholastic honors and professional affiliations;
6. Date of admittance to Maryland Bar;
7. Years of practice;
8. Years of municipal or other public sector experience;
9. Years of experience as a City Attorney, with cities represented, and references for each city;
10. Knowledge of, and experience with Maryland Municipal Law, what percentage of practice represents municipal law, and statement of other types of clientele represented;
11. Litigation experience and track record;
12. Knowledge and practice of law relating to land use and planning, Maryland and federal environmental law, real estate, code enforcement, other related law;
13. Experience in the areas of personnel, LEOBR, workers' compensation, general liability and employee relations;
14. Experience in the area of contracts and franchises;
15. Experience in the preparation and review of ordinances and resolutions;

16. Experience in the area of the Maryland open meeting laws, public information laws conflicts of interest, and the elections code;
17. Experience in negotiating agreements and disputes;
18. Whether the individual attorney or partner/principal have ever been successfully sued for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar. Please provide information on the nature of the incident, the dates on which the matter began and was concluded, and the results of the situation.

B. Your Approach to Providing Legal Services. Please include a written response which includes answers to the following questions:

19. Describe your preferred working relationship between the City Attorney and the City Council, City Manager, Department Heads, and other members of the City Staff.
20. Define the standard time frames for response by the City Attorney to direction and/or inquiry from the City Council, City Manager, and Department Heads.
21. Describe the computer resources currently utilized within your office. It will be a requirement that the City Attorney utilize Microsoft Office Suite. The City Attorney's office will be required to connect one or more computers to the City's computer local area network, or to maintain Internet services such that mail and files can be transmitted between City Staff and the City Attorney, all with an adequate security system.
22. The City will require evidence of appropriate professional liability insurance, errors and omissions insurance, and worker's compensation insurance coverage as needed prior to commencement of work.
23. Confirmation of availability for City of Cambridge work, including on-site availability and attendance of City Council and Planning & Zoning Commission meetings. A description of the pertinent information regarding the general liability and malpractice insurance maintained by the firm, including the amount of coverage under such insurance.

C. Your Current Practices/Conflicts of Interest

24. Please list any political contributions of money, in-kind services, or loans made to any member of the Cambridge City Council, including the Mayor, within the last five years by the applicant individual attorney or the law firm and all of its attorneys (including the attorney being proposed as City Attorney).
25. Please list all public clients for which your firm currently provides legal services over the last five (5) years.
26. For the proposed City Attorney, please specify current or known future professional commitments in order that the City may evaluate your continuing availability for providing legal services to the City.

#### D. Your Professional References

Please provide three professional references for the individual recommended for appointment as the City Attorney and the proposed senior deputy. Include with each the name, address, email address, and work telephone number of the reference.

#### E. Your Proposal for Compensation to Provide Services

Proposals shall describe how the offeror intends to bill for the legal services provided, either on a flat monthly retainer, or on a different basis. The City prefers a flat monthly retainer. If it is proposed that general municipal services will be paid for through a retainer with additional charges for special services, the proposals should clearly define what would be considered to be within the scope of general municipal services covered by the retainer and what services would be considered special services subject to additional charges, and the rates that would be charged for those special services. If hourly billing rates would be charged and those rates would vary for different types of work, such as litigation, indicate what rates will be charged for each type of service. Under both alternatives, services listed in the Scope of Services will be provided in the scope of any retainer proposal for general municipal services, or included within the hourly rates applicable to general municipal services, if hourly rates are proposed. Proposals shall identify what charges the firm will impose for travel time.

#### **Selection Process and Timeline**

The City Council reserves the rights and options to:

- Reject any or all of the submittals.
- Waive any of the provisions in the Request for Proposals.
- Issue subsequent Requests for Proposals.
- Cancel the Request for Proposal process.
- Waive any technical error in the responses it receives.
- Negotiate with any, all, or none of the respondents to the Request for Proposals in regard to costs or to further refine the scope of services to be provided.

The following selection process will be utilized. Appointment will be made by the Mayor and City Council.

January 12, 2017	RFP issued and posted on the City of Cambridge website.
<b>February 17, 2017</b>	<b>Proposals due by 12:00 PM Eastern Standard Time</b>
March 3, 2017	A short list of proposers will be notified of interview dates.
March 21, 2017 (tent.)	Preferred firm or individual attorney will be notified of selection and negotiations.
April 10, 2017 (tent.)	Mayor and City Council take action on recommended appointment and agreement.
April 17, 2017 (tent.)	Effective date of city attorney agreement.

Questions concerning the RFP may be directed to Sandra Tripp-Jones, City Manager:

Phone: 410-228-4020

Email: [citymanager@choosecambridge.com](mailto:citymanager@choosecambridge.com)

**Submittal Deadline**

Interested individuals and firms are required to submit two (2) unbound originals in a sealed envelope, marked on the outside as

“RESPONSE TO REQUEST FOR PROPOSALS – CITY ATTORNEY SERVICES”

- by Friday 12:00 PM (noon) on February 17, 2017
- to Sandra Tripp-Jones, City Manager
- at 410 Academy Street, Cambridge, MD 21613

NOTE: Electronic submissions will NOT be accepted.