

PUBLIC NOTICE:

REQUEST FOR QUALIFICATIONS FOR CITY ATTORNEY / LEGAL SERVICES

The City of Lockhart is soliciting Statements of Qualifications until 12pm, Friday, April 12, 2019 from experienced legal firms or an individual attorney for the purpose of providing legal services to the City of Lockhart on a contractual basis. Legal services include general municipal counsel and city prosecutor. The selected firm or individual shall be licensed to practice law in the State of Texas, and be in good standing with the Texas Bar. Experience with Texas municipalities and knowledge of municipal law, municipal finance, land use and development, and regulation are preferred. The RFQ packet is available on the City website at www.lockhart-tx.org. All inquiries regarding the Request for Qualifications should be directed to: Steven Lewis, City Manager at (512) 398-3461 or via email at slewis@lockhart-tx.org.

Responses externally marked "City Attorney RFQ" may be mailed to City of Lockhart, P.O. Box 239, Lockhart, Tx 78644 or delivered to 308 W. San Antonio Street, Lockhart, Texas. Responses not received by the specified date and time will be rejected. The City of Lockhart reserves the right to reject any or all responses.

**REQUEST FOR QUALIFICATIONS
FOR
CITY ATTORNEY / LEGAL SERVICES
CITY OF LOCKHART**

The City of Lockhart is soliciting Statements of Qualifications from experienced legal firms or an individual attorney for the purpose of providing legal services to the City of Lockhart on a contractual basis. Legal services include general municipal counsel and city prosecutor. The City requests that one attorney be designated as the point of contact or a lead attorney.

The City is a council-manager form of government with a Mayor and six Council Members. The City Manager reports directly to the City Council and is responsible for the day-to-day affairs of the City. Lockhart's current population is approximately 14,148.

The selected firm or individual shall be licensed to practice law in the State of Texas, and be in good standing with the Texas Bar. Experience with Texas municipalities and knowledge of municipal law, municipal finance, land use and development, and regulation are preferred.

All inquiries regarding the Request for Qualifications should be directed to: Steven Lewis, City Manager.

THE WORK OF THE CITY ATTORNEY

A. General Counsel

The city attorney currently provides all legal services needed by the City for the City Council and administrative staff, except for occasional services that require unusual expertise not ordinarily within the scope of city attorney services, such as Type B economic development sales tax, condemnation counsel in the acquisition of real property, employment/civil service law, bond counsel, and areas of special expertise requiring outside counsel as the parties may mutually agree. Because the City is insured by the Texas Municipal League, the city attorney represents the City in litigation and/or coordinates the representation of the City by legal specialist or TML-IRP appointed attorney. The city attorney reports directly to the City Council.

As routine legal services the city attorney will:

- Advise city officials on matters relating to city business.
- Attend regular city council meetings (1st and 3rd Tuesday evenings each month).
- 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 the city in intergovernmental relations as appropriate.
- Advise city officials on state and federal legislation, regulations, and judicial decisions affecting the operations of the city.
- Monitors trends in municipal law and risk management issues.
- Maintain appropriate records and files.
- Assist in meeting election requirements.
- Perform related duties as necessary.

B. City Prosecutor

The city attorney can also serve as the city prosecutor. The municipal court is a non-court of record. The city prosecutor attends all pretrial sessions of municipal court, which is currently held on the third Thursday of every month. The city prosecutor is responsible for prosecution of all municipal court class C misdemeanors at all hearings scheduled, including city ordinance violations and truant conduct cases. The city prosecutor works with defendants and other attorneys, if applicable, to reach plea bargains and diversion agreements. The city prosecutor creates petitions for truant conduct cases as they become available and set all court dates for truant conduct hearings. The city prosecutor works closely with the municipal court Judge, court manager and juvenile case manager.

FORMAT FOR STATEMENT OF QUALIFICATIONS

All pages of the response must be numbered consecutively. The responses shall not exceed fifteen (15) pages in length. Resumes, licenses and work examples shall not count against this page limit.

The responses must be organized in accordance with the list of contents.

Responses should include the following items herein described. All items must fall within the maximum page count.

- A. Letter of Transmittal. All responses must include a cover letter addressed to the City Council, and signed by a duly constituted official. The cover letter must include name, address and telephone number of the proposer, and name, title, address, telephone number, fax number and email address of the person, or persons, to contact who are authorized to represent the proposer and to whom correspondence should be directed.
- B. Table of Contents. Include a clear identification of the material by section and by page number.
- C. Executive Summary. The responses shall use this section to introduce the scope of the proposal; (i.e. full city attorney services; general counsel services only; or city prosecutor services only) and to summarize the key provisions of the proposal. Provide a statement describing why you or the firm is qualified to perform this work.
- D. A description of how you or your firm propose to provide legal services to the city. This should also address issues such as office location; accessibility to city council members and city staff; attendance at city council meetings and occasional other meetings; services, if any, that you would expect to receive from the city; and if a firm, how you propose to manage the firm's provision of services to the city—for example, would there be a lead attorney and, if so, who would that attorney be and how would other attorneys be involved.
- E. Proposed Attorney(s), Paralegals and Qualifications. The responses should:
 - a. Summarize your, or the firm's, background and history; include number of years in business and scope of services you or your firm have provided.
 - b. Describe your municipal legal services, training, experience, and current government clients; include number of years.
 - c. Provide a statement describing the capability to respond to time-sensitive or short notice requests and/or complicated issues.
 - d. Provide at least two examples of complex issues you or your firm have successfully handled for municipal or other public agency clients.
 - e. Provide the date you would be able to begin providing legal services to the city; including how you propose to familiarize yourself with the laws, rules, regulations, and operating procedures relative to the conduct of business for the city in order to efficiently and effectively assume responsibilities.

- f. Provide the name and summary of experience of those who will provide legal support.
 - g. Also, include: a) address of your office where most services will be rendered; b) provide what days of the week and hours of the day you or your firm will be available for conversations.
- F. Work Examples. The proposal should:
- a. Provide examples of two or more memos and letters explaining, interpreting, or applying the law to a client (preferably municipal or public entity).
 - b. Provide two or more recent examples of filed legal briefs regarding a matter under litigation, preferably litigation involving a municipal or public entity.
 - c. Provide two or more recent examples of an ordinance, resolution or other public policy document or rule drafted by you or your firm.
- G. References. Provide contact information for three municipal clients, current and/or prior, so reference checks can be conducted.
- H. Additional Information. Any other information that the proposer feels applicable to the evaluation of the proposal or of their qualifications for accomplishing the legal services should be included in this section. You may use this section to address those aspects of your services that distinguish you or your firm from others.

SUBMITTAL INSTRUCTIONS AND DEADLINE

Sealed submittals are required. Seven (7) copies and one (1) original of the response are to be delivered as described below.

Responses may be mailed to:
City of Lockhart
Attention: City Attorney RFQ
P.O. Box 239
308 W. San Antonio Street
Lockhart, Texas 78644

Alternatively, responses may be delivered to Lockhart City Hall, 308 W. San Antonio Street, Lockhart, Texas 78644 in an envelope addressed to Attention: City Attorney RFQ.

The deadline for submission of responses is 12:00 pm, Friday, April 12, 2019.

Responses received via mail after the deadline will be returned to the sender unopened. Hand delivered responses will not be accepted after the deadline.

EVALUATION

The city reserves the right to seek clarification of each response submitted. The city also reserves the right to require other evidence of technical, managerial, financial, or other abilities prior to selection.

The city manager will receive all submitted responses. An evaluation committee will be created to review all submitted responses and may select one or more finalists for interviews. Additionally, the city manager or evaluation committee may require submission of supplemental materials. The successful attorney(s) or firm(s) will be the one that in the judgment of the evaluation committee best demonstrates the ability to cover the broadest range of legal services in the most cost-effective manner. Upon completion of the evaluation process by the evaluation committee, the City Council will consider the recommendations of the evaluation committee. The City Council may review responses and conduct interviews with finalists in executive session. No final decision will be made in executive session. Upon completion of the evaluation process, a member designated by the City council will advise the responders of the selection and negotiate the appropriate agreements(s). The agreement(s) will define the extent of services to be rendered, method and amount of compensation. The city reserves the right to negotiate a final contract that is in the best interest of the city. The response to this RFQ will become a part of the agreement. The city attorney serves at the pleasure of the City Council. The contract may be terminated at any time by the City Council. Once a proposed agreement is prepared, it will be presented to the City Council for consideration.

NOTICE/RESERVATION OF RIGHTS

In addition to all other rights granted to it under Texas law, the city reserves the right to waive formalities in the response process; to accept or reject any or all proposals received as a result of this request; to request additional information concerning any proposal; to accept or negotiate modifications to any proposal; to negotiate with qualified attorneys; to interview any proposer; to cancel, in part or in its entirety, the request for qualifications; or to waive any irregularities in any response following the response submission deadline date in order to serve the best interests of the city. The city also reserves the right to negotiate separately with any responder 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 response.