



**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES CONTRACT
CITY OF TAYLOR MILL, KY**

NOTICE DATE: April 20, 2019

DUE DATE: May 31, 2019, 3:00 p.m. EST

The City of Taylor Mill, Kentucky, located at 5225 Taylor Mill Road, Taylor Mill, KY 41015, hereby gives notice that it is seeking qualified firms to serve as City Attorney for the City of Taylor Mill. This Request for Proposal (“RFP”) gives specific instructions and requirements for submissions of proposals. All submissions must be received (not postmarked) by May 31, 2019 by 3:00 p.m. EST and addressed to:

Brian Haney, CAO
Re: RFP for City Attorney
City of Taylor Mill
5225 Taylor Mill Road
Taylor Mill, KY 41015

Any proposals received after the above deadline may be rejected. The City reserves the right to reject any and all proposals, to request additional information concerning any proposal for purposes of clarification, to grant deadline extensions for documented medical reasons or other legitimate reasons, and to waive the irregularities and informalities in the submittal and evaluation process, to allow an applicant to make corrections to his/her/its proposal, and/or to make changes or additional requirements applicable to this RFP. This RFP does not obligate the City to pay any cost incurred by respondents in the preparation and submission of a proposal, or to hire any attorney or firm to work on behalf of Taylor Mill. Furthermore, the RFP does not obligate the City to accept or contract for any express or implied services. All inquiries regarding this RFP and current legal services of the City including legal activities and past/current litigation should be directed to the Mayor and City Administrator at the above address.

The City of Taylor Mill, KY (“City” or “Taylor Mill”), population 6,756 is a Mayor-Commission form of government, composed of a Mayor and (4) four Commissioners, located in Kenton County, Kentucky. Taylor Mill employs a full-time city administrator, who supervises the city attorney. The City has 42 employees, including the city administrator, city clerk, treasurer, a police department, fire department, parks department, and a public works department.

The City requires the following concerning any proposal:

1. **Qualifications:** Describe (either through a resume or other document) your or your firm’s qualifications to provide legal services to a municipality such as Taylor Mill; this should include the names of attorneys in your firm, specific litigation experience by the individual attorney, with a focus on the following:
 - a. Legal training and years of practice (including date of admittance to the Kentucky Bar); highlight specifics on partners and associates;
 - b. Years of experience in municipal and other local public sector law practice, as a local government attorney or in private practice law, specializing in local government and Kentucky Municipal Law;
 - c. Range of experience and years of experience with Kentucky real estate and land use law;
 - d. Experience with employment law as it pertains to public entities;
 - e. Affiliations with any governmental entities, boards, organizations, committees, clients, etc., that would be a potential conflict of interest with your firm representing the City in any land use, employment, or other local government matter;
 - f. Scholastic honors and professional affiliations of your firm and your attorney(s) to be assigned to this contract;
 - g. Client references as specified below;
 - h. Accessibility to the City, including your office location, hours of operation, methods of contact, availability to attend regular City Council meetings, amount your firm will charge to provide support in Taylor Mill for travel, if any;

2. **Fee Structure:** Describe how you/your firm intend to provide the full range of services for the City of Taylor Mill pursuant to a monthly retainer that covers meeting attendance of one regularly scheduled monthly commission meetings as well the following scope of services with an hourly rate for any significant litigation not covered below,
 - a. General scope of services: The Attorney/Law firm selected is responsible for City representation as authorized by the Mayor. Services included in the retainer are at least the following:
 - i. Attend at least (1) one regular Commission meeting per month, and any additional special Commission meetings as scheduled;
 - ii. Attend occasional Commission meetings, department head meetings, committee meetings, and other community meetings, as requested by the Mayor or City Administrator, or at the option

of the Mayor or City Administrator, prosecution of matters before such boards;

- iv. Provide general written and oral legal advice to the Mayor and City Council, the City Administrator, and to other City Staff as authorized by the Mayor or City Administrator.
- v. Provide general legal advice and help ensure compliance with the law by the Mayor and City Council members at City Council meetings.
- vi. Preparation and/or review of ordinances (including title and summary publications), resolutions, executive and municipal orders, contracts, and other documents as requested.
- vii. Preparation of legal opinions at the request of the Mayor, members of the Commission, or the City Administrator.
- viii. Training of non-legal City personnel in legal matters and risk management in order to reduce legal expenses and to avoid litigation;
- ix. Providing legal advice for personnel-related matters;
- x. Advise City department personnel on purchasing procedures and public contracting (including prevailing wage rates, etc.).
- xi. Review newly enacted laws, administrative rules, and case law as requested and provide advice to City departments and staff for appropriate compliance measures;
- xii. Provision of staff assistance and legal counsel relating to foreclosure of real property by the City and/or acquisition of real property;
- xiii. Advise the police department relating to asset forfeiture/foreclosure or police procedure and/or constitutional issues.

b. Additional Services: The Mayor or City Administrator may authorize work to be performed outside of the retainer. Failure to obtain approval prior to performing work outside of the retainer may result in the waiver of compensation for services performed. Authorization must be given in writing by either the Mayor the City Administrator. Examples of services that are generally considered outside the retainer for which the City may use outside counsel and/or the City Attorney include:

- i. Preparation for anticipated and/or actual civil litigation in district, circuit, or federal court, and/or representation of Taylor Mill in litigation involving the City;
- ii. Preparation for the issuance and sale of city bonds;
- iii. Assignments mutually agreed as outside the retainer by the City Attorney and the Mayor, and not specifically listed as included in the retainer;

3. In your review of the above item (No. 2), please feel free to provide any alternatives you feel appropriate to the Scope of Services and any alternatives to your proposed retainer monthly fee, if appropriate.

4. Provide a list of current and past clients over the past five years which are municipalities and/or counties in Kentucky or other states, and indicate whether the City may contact those clients as references.

Evaluation of Requests for Qualifications and Proposals: The City reserves the right to accept or reject any and all submitted proposals. In connection with the evaluation, the City may invite one or more applicants to interview with the Mayor and City Administrator (and possibly a member of Commission) and may require the submission of supplemental material intended to substantiate or clarify information previously submitted. In addition, the proposed candidate may be asked to interview and/or present to the entire City Commission.

The following information will be taken into consideration during the evaluation process:

1. Meets qualifications identified in the RFP.
2. Included complete and clear responses to the items above.
3. Familiarity with laws and regulations governing Kentucky local governments and operating procedures relative to conduct City business.
4. Demonstrated expertise in land use and zoning law as it relates to municipalities.
5. Demonstrated expertise in labor law and human resources best practices.
6. Adequate local facilities, available support staff, and range of services offered.
7. Demonstration of workload capacity and a level of experience commensurate with the level of service required by the City.
8. The professional reputation for providing high-quality services, ability to work cooperatively with stakeholders, and demonstration of sound judgment, integrity, and reliability as determined by references provided.
9. Cost of providing basic/retainer and hourly services as per the submitted hourly rate schedule.
10. Results of interview(s).

Selection Process, Term, and Position Details: The City Administrator along with members of the Commission will review the submitted proposals. After review, they will exclude any candidates not meeting baseline criteria. After that point, they will select finalist(s) to interview. Once interviews are complete, at least one candidate will be selected by the City Administrator to be presented to City Commission. After completing contracting negotiations and the contract process, the City may award the contract at its discretion. The City Attorney is supervised by the City Administrator and serves at the pleasure of the City Commission. The City Attorney may be removed at any time, except as provided by ordinance or contract.

The initial term of the contract as proposed in the RFP is **TWO YEAR TERM** that self-renews each year until terminated by either party with 60 days written notice.

It is envisioned to have a City Attorney appointed by the first week of July 2019, absent unavoidable delays.