

AGENDA
MAPLEWOOD CITY COUNCIL
MANAGER WORKSHOP
5:00 P.M. Monday, January 28, 2013
Council Chambers, City Hall

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. UNFINISHED BUSINESS

None

E. NEW BUSINESS

1. Gateway Corridor Alternatives Analysis Update Presentation by the Washington County Planning Department
2. Discussion on Request for Proposals for General Civil Attorney and Prosecuting Attorney Contract

F. ADJOURNMENT

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MEMORANDUM

TO: James Antonen, City Manager
FROM: Michael Martin, AICP, Planner
Charles Ahl, Assistant City Manager
SUBJECT: **Gateway Corridor Alternatives Analysis Update Presentation
by the Washington County Planning Department**
DATE: January 22, 2013

INTRODUCTION

At the January 28, 2013 city council workshop, representatives from Washington County will be in attendance to present the findings and alternatives for the Gateway Corridor. Washington County staff serves as the project managers and staff liaisons for the Gateway Corridor Commission.

In the fall of 2010, the Gateway Corridor Commission began leading an Alternatives Analysis Study to determine the best mode of transit. Options included light-rail transit, commuter rail and bus-rapid transit. In addition the Commission needed to determine estimated ridership, potential routes and estimated costs for construction and operation of the transit line.

The Gateway Corridor is a proposed transit line that would run mainly within the Interstate 94 corridor from Woodbury to downtown St. Paul. The line would have a potential walk up transit stop at or near the 3M Center. Originally, the corridor study considered transit opportunities from St. Paul to Eau Claire, Wisconsin.

DISCUSSION

On January 28, 2013, at the regular city council meeting council will consider adopting a resolution supporting the Gateway Corridor Commission's Alternatives Analysis Study. After reviewing numerous options to improve transit connectivity of the east metro to downtowns St. Paul and Minneapolis, the Gateway Corridor Commission identified a dedicated Bus Rapid Transit (BRT) line or Light Rail Transit (LRT) line along Hudson Road from St. Paul to Woodbury as the best option for the region. The Hudson Road decision was the best option after extensive analysis and public involvement campaign spanning nearly two years. More information on the decision making process and the preferred alternatives can be found at the corridor's website – www.thegatewaycorridor.com.

The Gateway Corridor Commission released the draft final report for the Alternatives Analysis Study in early November 2012. Public comments are being sought on the report and the recommendation by the Commission to advance the Hudson Road alignment into the Draft Environmental Impact Statement (DEIS). The draft final report can also be found at the website given above.

The next phase of the study, preparation of a Draft Environmental Impact Statement (DEIS), is expected to start in early 2013. The Commission advanced the BRT and LRT options along Hudson Road. Both options have the same route, station stops and similar service plans.

RECOMMENDATION

No action required.

Attachments:

1. October 2012 Gateway Corridor Newsletter



Alternatives Analysis Newsletter

Volume 6

October 2012

The Gateway Corridor Commission initiated a "Transit Alternatives Analysis" (AA) study in Fall 2010, looking at the I-94 corridor from downtown Minneapolis to Eau Claire, Wisconsin. The AA is the first step in determining the best transit mode (light rail, commuter rail, bus rapid transit or express bus) and route for transit service in the corridor. The study includes forecast ridership, station stop locations, and estimated cost to build, operate and maintain a system. The study will help address issues of congestion, potential economic development/revitalization, and social and environmental impacts.

Gateway Corridor Commission Narrows List of Transit Alternatives Bus Rapid Transit (BRT) along Hudson Road is the Top Option

On October 11, the Gateway Corridor Commission recommended that two alternatives along one route advance into the next phase of study which will involve the preparation of a Draft Environmental Statement (DEIS). **Alternative 3 - Bus Rapid Transit (BRT)** and **Alternative 5 - Light Rail Transit (LRT)** are recommended for further study. The final Alternatives Analysis (AA) report will be released for public comment at the end of October. Public comments will be taken until January 3, 2012 (see page 4).

The preferred alignment runs from Union Depot in downtown St. Paul east along Kellogg Boulevard, then southeast along Mounds Boulevard and then runs generally along Hudson Road east to Manning Avenue. The ten proposed station stops will provide connections to key destinations throughout the Corridor including Union Depot, Metro State University, SunRay Shopping Center, 3M and multiple commercial and job centers in the eastern suburbs. This "optimized" alignment was selected following additional analysis focused on finding ways to increase the benefits and decrease the impacts and costs of all of the alternatives evaluated during the AA process.

Gateway Corridor Alternatives 3 (BRT) and 5 (LRT)



Overall Evaluation of Alternatives after Optimization

The purpose of the optimization work was to look at ways to reduce the impacts and costs and increase the benefits associated with each alternative. The additional analysis provided better data for selecting recommended alternatives. The optimization process included several refinements to the alternatives. The most significant of these refinements included:

- Adjusting the alignment of Alternatives 3 and 5 to run along Hudson Rd east of I-494/I-694 rather than in the median of I-94.
- Shortening all alternatives to end at Manning Ave with express bus serving Hudson.
- Adding bus bypass lanes at BRT stations to allow express buses to use the transitway.
- Evaluating reductions in transitway and/or street widths on St. Paul streets for Alternatives 4 and 6 (it was found that these changes did not significantly reduce property impacts along East 7th Street, White Bear Avenue or Hudson Road).

The optimization process resulted in the following notable improvements:

- Ridership increased for all optimized alternatives.
- Capital costs and operating and maintenance costs decreased for all optimized alternatives.
- Economic development opportunities increased for exclusive guideway BRT and LRT alternatives.

Based on the new technical data, the alternatives were reevaluated against project goals and ranked based on their overall performance in relation to those goals.

Alternative Ranking after Optimization			
Alternative	Alternative Description	Revised Ranking	Carry Forward
3	BRT along Hudson Rd/I-94 - OPTIMIZED	HIGH	Yes
5	LRT along Hudson Rd/I-94 - OPTIMIZED	MEDIUM	Yes
8	BRT Managed Lane (I-94) - OPTIMIZED	MEDIUM	No
2	TSM - <i>FTA requirement</i> - OPTIMIZED	LOW	No
6	LRT along St. Paul streets/Hudson Road	LOW	No
4	BRT along St. Paul streets/Hudson Road	LOW	No
7	Commuter Rail	Dismissed by Gateway Corridor Commission on March 15, 2012	

All alternatives were given serious consideration before the decision was made to recommend only Alternatives 3 and 5 for further study in the DEIS.

The commission removed BRT and LRT alternatives that traveled along White Bear Avenue and East 7th Street, Alternatives 4 and 6, due to the significant number of properties impacted and slower overall travel times compared to alternatives along Hudson Road.

BRT Managed Lane, Alternative 8, was removed because its limited number of stations and location in the median of I-94 provided less opportunity for economic development compared to the other alternatives.

Advancing Alternatives



Alternative 3: BRT Along Hudson Road

Alternative 3 was ranked the highest after the optimization process. The alternative best meets the Commission's established goals of improving mobility; providing a cost-effective, economically viable solution that promotes economic development; protects the natural environment; and preserves community quality of life and overall safety.



Alternative 5: LRT Along Hudson Road

Alternative 5 was ranked second due to its higher capital costs for generating the same amount of riders as Alternative 3. Both alternatives have the same route, station stops and similar service plans. Advancing this LRT option forward provides an opportunity for a more detailed side-by-side comparison of the two transit technologies.

Comparison of Recommended Alternatives

Criteria	Alternative 3 - BRT along Hudson Rd	Alternative 5 - LRT along Hudson Rd
Daily Ridership	8,800-9,300	9,300
Capital Cost	\$400 million	\$920 million
Annual Operating & Maintenance Cost	\$9.6 million	\$11.5 million
Travel Time	17 minutes from Oaks Business Park to Union Depot	15 minutes from Oaks Business Park to Union Depot

Next Steps

January, 2013	Gateway Corridor Commission approves final AA report
Early 2013	Draft Environmental Impact Statement Begins
Late 2013	Process to select final alternative for the Gateway Corridor, known as the Locally Preferred Alternative (LPA)
2013-2014	Further detailed evaluation on environmental impacts, capital and operating costs, ridership and station locations and design.
Ongoing	Public Involvement and Outreach

Public Comment Sought on Recommended Alternatives and Final AA Report

The Commission is seeking public comment on the alternatives recommended for study in the DEIS and on the final AA report, which will be available for review at www.thegatewaycorridor.com by the end of October. All comments should be submitted in writing prior to **January 3** to:

Gateway Corridor
Washington County Regional Railroad Authority
11660 Myeron Road North
Stillwater, MN 55082
gatewaycorridor@co.washington.mn.us

Additional Opportunities for Input

The Gateway Corridor Project Team can present more information about the Gateway Corridor, the recommended alternatives, and the next steps in the project development process. Contact us if your neighborhood association, educational institution, community organization or business group is interested in learning more. Your feedback will provide the Gateway Corridor Commission with valuable insights about your community needs and desires.



www.thegatewaycorridor.com
GatewayCorridor@co.washington.mn.us
651-430-4300



AGENDA REPORT

TO: James Antonen, City Manager
FROM: Charles Ahl, Assistant City Manager
SUBJECT: Discussion on Request for Proposals for General Civil Attorney and Prosecuting Attorney Contract
DATE: January 23, 2013

INTRODUCTION

At the November 26, 2012, City Council meeting, the staff recommended a 2-year contract extension to continue general civil attorney services and prosecuting attorney services with Alan Kantrud. The Council approved a 1-year contract and requested a work session review of information on the process for conducting a request for proposals [RFP] process to review the costs of services beginning in 2014. This report is intended to start the discussion and to determine if additional information is required for the City Council; and for the Council to provide direction to the staff on any process for an RFP review. No decision on the RFP or attorney contracts is recommended at this time.

Background for Discussion

The following table summarizes the costs that the City has incurred for Prosecution and Civil attorney expenses since 2001:

<u>YEAR</u>	<u>Prosecution</u>	<u>Civil</u>	<u>TOTAL</u>
2001	63,000.00	123,531.83	186,531.83
2002	117,900.00	172,279.54	290,179.54
2003	117,900.00	196,304.34	314,204.34
2004	117,900.00	200,533.58	318,433.58
2005	117,900.00	190,180.20	308,080.20
2006	116,512.50	162,919.87	279,432.37
2007	99,000.00	103,755.00	202,755.00
2008	99,000.00	103,105.15	202,105.15
2009	99,000.00	103,701.50	202,701.50
2010	99,000.00	104,489.50	203,489.50
2011	99,000.00	109,428.85	208,428.85
2012	102,000.00	105,320.26	207,320.26

Services for City Attorney, both Prosecution and Civil were provided by Kelly and Fawcett through July 10, 2006. At the July 24, 2006, Alan Kantrud was introduced as the City Attorney and Prosecuting Attorney. He has been in that role since that time.

Note: Kelly and Fawcett provided limited HR Attorney services as part of their General Civil contract prior to July 2006. That is currently a separate cost to the City.

Review of Other Cities

The staff has conducted a brief review of 4 other communities with similar contractual attorney arrangements as Maplewood, including relatively similar staff size, prosecution for police functions and city size, as follows:

Richfield: have separate firms for Prosecution and Civil.
2013 Budget: \$148,000 for Prosecution and \$149,550 for Civil.
They have a retainer and bill for hours depending upon legal issue.
Civil includes HR hours needed.

Roseville: has one firm handle both Prosecution and Civil.
2012 Costs: \$160,332 for Prosecution and \$144,480 for Civil.
All work is done on retainer except litigation which is based on their hourly rate.
Civil includes HR hours as needed.

White Bear Lake: have separate firms for Prosecution and Civil.
2013 Budget: \$111,200 for Prosecution and \$54,150 for Civil.
Retainer plus pay for additional hours as needed.

Brooklyn Park: Have separate firms for Prosecution and Civil.
2012 Costs: \$365,000 for Prosecution and \$257,000 for Civil.
Retainer plus pay for additional hours.
Above amount includes \$90,000 for HR needs.
\$55,000 in 2012 were due to special litigation and project expense.

Request for Proposal Process

Council Member Cardinal provided the attached information from the League of Minnesota Cities. That packet provides samples of Request for Proposal documents and processes used by other Cities. From that information, as possible schedule for the Council to consider should they choose to go through a proposal process would be:

RFP Preparation and Approval by the Council	June 2013
Notice of RFP Published	July 2013
Receipt of Proposals	Early August 2013
Small Group [Management/Council] Review Proposals	Mid-late August 2013
Council Approves Semi-Finalists	2 nd Meeting of August 2013
Interviews conducted with Semi-Finalist Firms	Early to mid September 2013
Council Select Firm(s) as Finalists	2 nd Meeting September 2013
Contract Negotiations	Early to mid October 2013
Council Approves Contracts for 2014	2 nd Meeting October 2013
Firms start work for City	January 1, 2014

Discussion

Mr. Kantrud was appointed as the City Attorney and City Prosecutor on a permanent basis on September 25, 2006. The process for his selection at that time was conducted by the City Manager and the Council approved the appointment. During the 1990's, the City had separate Prosecution and Civil Attorney firms, which were combined late in the 1990's. Staff has not researched the timing or process for the selection for that change. If the Council wishes to review this information, they should direct the staff to re-schedule an additional Work Session for the purpose of receiving that information after additional staff research.

From a staff perspective, the cost of Mr. Kantrud's services from 2007 through 2012 are nearly \$100,000 less on an annual basis than costs incurred during 2001 – 2005. Our brief review of other communities show that our costs are below similarly sized cities. This is certainly not a detailed review that an RFP would provide, but generally costs seem very reasonable. Again, if the Council desires additional research, they should direct the staff accordingly. The biggest difference between Mr. Kantrud and other firms in other communities on a cost basis as well as previous years in Maplewood, appears to be that Mr. Kantrud does not bill for additional time for larger projects, although by contract, he is permitted to do so. An example is that Mr. Kantrud is providing general civil services for the TH 36 – English project property acquisition process without billing additional costs to the City. During 2003-2005, on a similarly sized project, the County Road D Extension, the City incurred sizable legal expenses above the normal annual costs. It is also noted that Mr. Kantrud's service and performance, from the staff perspective, has been very satisfactory during the past 5-6 years.

Recommended Action

No specific action is recommended.

It is requested that the City Council discuss the information provided regarding the City Attorney and City Prosecuting Attorney costs and provide direction to the staff regarding the Request for Proposal [RFP] process and timeline or if additional information / research is desired.

Attachment

1. Sample RFP Documents

Tim Antman

bobcardinal@comcast.net

From: Grundhoefer, Tom <TGrundho@lmc.org>
Sent: Thursday, December 06, 2012 2:12 PM
To: bobcardinal@comcast.net
Subject: Request for Proposals for City Attorney Services
Attachments: 3260_001.pdf.pdf; 3259_001.pdf.pdf; 3258_001.pdf.pdf

Bob: It was good talking with you this morning.

Here are some sample documents that might help if Maplewood decides to issue a request for proposals for legal services. I'm in the process of collecting a few more, but I wanted to get you what was readily available. Take a look at these and let me know whether you have any further questions.

Tom Grundhoefer | General Counsel
Tel: (651) 281-1266 | Cell: (651) 295-1399
tgrundho@lmc.org | www.lmc.org
League of Minnesota Cities
145 University Ave. West | St. Paul, MN 55103

Connecting & Innovating since 1913

Member Kathleen Carmody introduced the following resolution and moved its adoption:

RESOLUTION NO. 97-186

RESOLUTION ADOPTING SCHEDULE FOR REQUESTS FOR PROPOSALS FOR LEGAL SERVICES

WHEREAS, the City Council wants to ensure that legal services will be periodically reviewed and that the proper balance will be maintained between cost and quality of services; and

WHEREAS, the City Council wishes to establish a schedule to solicit requests for proposals for legal services; and

WHEREAS, the schedule should be adhered to unless there is a performance problem or other justification for an earlier request for proposal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that requests for proposals for civil and criminal services be solicited on an alternating four-year basis.

BE IT FURTHER RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the first year for soliciting requests for proposals for criminal law services be 1997, and the first year for soliciting requests for proposals for civil law services be 1999.

October 14, 1997

Date

Myrna Kragness
Mayor

ATTEST:

Sharon Knutson

City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Debra Hilstrom

and upon vote being taken thereon, the following voted in favor thereof:

Myrna Kragness, Kathleen Carmody, Debra Hilstrom, Kay Lasman, and Robert Peppe; and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

We thank the City which supplied this material through the Friends of the Library Program.

DRAFT

SECTION I. REQUEST FOR PROPOSALS

The City of Brooklyn Center is accepting proposals for civil legal services for the City.

Included in this RFP are the following:

1. A more detailed description of the services to be provided.
2. An outline of proposal requirements.

Submitted proposals will be reviewed by the City Manager, who will recommend to the City Council no more than three firms as finalists for City Council consideration.

In order to ensure a fair review and selection process, firms submitting proposals are specifically requested not to make other contacts to City staff or Council Members regarding these proposals.

SECTION II. INSTRUCTIONS TO PROPOSERS

- A. Proposals should be submitted to Sharon Knutson, City Clerk, City of Brooklyn Center, 6301 Shingle Creek Parkway, Brooklyn Center, MN 55430. Proposals must be received no later than 4:30 p.m. on October 1, 1999.
- B. All proposals submitted must provide information as indicated in this request. Any other information that the proposer wishes to include for evaluation and consideration by the City as part of the proposal may also be included.

SECTION III. REQUIRED CONTENTS FOR PROPOSALS

- A. Firm Background
 1. Name of firm.
 2. Address(es), phone number(s), and fax number(s) of firm.
 3. Brief history of firm.
 4. Number of attorneys by their specialties.
 5. Number of paralegals by their specialties.
 6. Number and position titles of support personnel.

7. Description of office organization (organizational chart).
8. Flow chart of work process for municipal civil law work.

B. Attorney Qualifications

1. Identify each attorney, paralegal, and support personnel who will be supplying services for which the City will be billed.
2. For each person identified, please state:
 - Their relevant academic training and degrees.
 - A description of their prior experience in civil law matters and an estimate of the hours or percentage of their work in this area during the past four years.
 - Number of years with your firm, position title(s) and years in these positions, and areas of responsibility with your firm.
 - Other background or experience which may be helpful in evaluating your proposal.
3. A description of the proposed allocation of work between the attorney(s) and support personnel identified (i.e., who will be the primary city attorney and what work will be handled by junior partners, associates, or paralegals).
4. Current principal responsibilities for individual designated as primary city attorney including a statement indicating future availability.
5. A description of the availability of and identification of experienced backup attorneys in the case of illness, turnover, or other loss of personnel.

C. Firm Qualifications

1. The names and telephone numbers of three client references whom the City may contact. If your firm has represented any municipalities or governmental agencies during the last four years, state the name of that municipality or agency and the name, title, and telephone number of a reference at that municipality or agency whom the City may contact. If your firm has represented such an entity but does not wish the City to contact that entity, list the name of the municipality or agency, and state your reasons why no contact is requested.
2. A statement of how the workload of Brooklyn Center would be accommodated and what kind of priority it would be given.

3. Statement of total 1998 billings related to municipal civil law services and percentage of municipal civil law services to total billings.

D. Fees

1. Your proposal for the dollar amount of fixed and/or hourly fees and costs your firm will charge for providing the legal services for civil law matters to the City of Brooklyn Center covered by your proposal. For the hourly fees portion of your proposal, please identify the hourly rate of each attorney, paralegal, and support personnel. Also state separately the rate of any firm cost items to be billed (e.g., photocopying).
2. The City of Brooklyn Center requests monthly billing statements which:
 - Itemize the date of services.
 - Identify the attorney, paralegal, and/or support personnel providing the services.
 - List time spent.
 - Provide a detailed description of the services performed.
 - State the fees for those services.
 - Organize billing on the basis of activity and contact.
 - Summarize monthly (and annually) costs by type of activity.

If another billing format will be proposed, please describe that format and provide a sample.

SECTION IV. CIVIL LAW SERVICES DESCRIPTION

The services and qualifications that are required for Brooklyn Center civil law services include, but are not limited to, the following areas:

- A. General municipal laws and charters.
- B. General state and federal laws relating to municipal government.
- C. Zoning, housing, and economic development activities including development, redevelopment, enforcement, and property and real estate law.
- D. Laws relating to human resources including employment law, labor law, and workers' compensation.
- E. Ordinance and resolution development and interpretation.
- F. Contract law.

- G. Environmental law.
- H. The primary city attorney or a qualified backup from the firm must attend and participate in City Council meetings.
- I. Trial activity.
- J. Location of a fax machine at your firm's office.
- K. The primary city attorney for the City must have a minimum of at least five years experience in the municipal law field.
- L. Attend other meetings as requested by City Manager.

SECTION V. PROPOSAL EVALUATION AND CONTRACT AWARD

- A. The City intends to award a contract to the proposer evaluated to be best qualified to perform the work for the City, cost, and other factors considered.
- B. Based upon the evaluation, the City Manager will recommend to the City Council the selection of the firms judged to be the most responsive and responsible proposers. The actual selection of the firm and contract award will be made by the City Council.
- C. The City shall not be liable for any expenses incurred by the proposer including, but not limited to, expenses associated with the preparation of the proposal, preparation of a cost proposal or final contract negotiations.
- D. The City of Brooklyn Center reserves the right to reject any and all proposals or to request additional information from all proposers.

SECTION VI. CONTRACT EXECUTION

- A. Contract Negotiations

Notwithstanding a contract award, the City reserves the right to negotiate the final terms and conditions of the contract to be executed. Should the City and the proposer to whom the contract is recommended to be awarded be unable to mutually agree upon the entire contract, the City reserves the right to discontinue negotiations, select another proposer or reject all the proposals.

Upon completion of negotiations agreeable to the City and the proposer, a contract shall be executed.

B. Contract Ethics

1. No elected official or employee of the City who exercises any responsibilities in the review, approval, or implementation of the proposal or contract shall participate in any decisions which affects his or her direct or indirect personal or financial interest.
2. It is a breach of ethical standards for any person to offer, give or agree to give any City employee or Council Member, or for any City employee or Council Member to solicit, demand, accept, or agree to accept from another person or firm, a gratuity or an offer of employment whenever a reasonably prudent person would conclude that such consideration was motivated by an individual, group or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded to the general public.
3. The firm shall not assign any interest in this contract and shall not transfer any interest in the same without the prior written consent of the City.
4. The firm shall not accept any client or project which places it in a conflict of interest with its representation of the City of Brooklyn Center. If such a conflict of interest is subsequently discovered, the City shall be promptly notified.

SECTION VII. CITY INFORMATION

A. City Organization

The City of Brooklyn Center was incorporated in 1911 and is a Charter City. It has a Council/Manager form of government. The City provides a full array of municipal services and general administrative functions.

1. City Council. The City Council, composed of four members and the Mayor, is the legislative and policy making body of the City. The Mayor, who presides over the City Council meetings, is elected at large. All Council Members are also elected at large. Council Members and the Mayor are elected for four-year terms.

Set forth in the following table is information pertaining to the City Council:

	<u>Term Expires</u>
Mayor Myrna Kragness	December 31, 2002
Councilmember Debra Hilstrom	December 31, 2002
Councilmember Kay Lasman	December 31, 2000
Councilmember Ed Nelson	December 31, 2002
Councilmember Robert Peppe	December 31, 2000

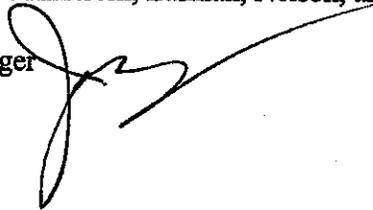
2. City Manager. The City Manager is the chief executive and administrative officer of the City. The City Manager reviews and coordinates all matters coming before the City Council. He is responsible for the implementation of Council direction and the coordination and management of City departments on a daily basis.

3. City staff. The City Manager implements Council direction through the department heads of City departments.



MEMORANDUM

TO: Mayor Kragness, Councilmembers Hilstrom, Lasman, Nelson, and Peppe

FROM: Michael J. McCauley, City Manager 

DATE: August 4, 1999

SUBJECT: Civil Legal Services

Pursuant to the City Council's policy, civil legal services are to be reviewed in 1999. Civil law services were last appointed in April of 1994. Attached is a draft request for proposal form for your consideration. This draft request for proposals differs from the last request for proposals in that bond counsel service is not included in the request for proposals. We have been operating with separate bond council and have found this practice to be very functional. Since we have been involved in several on-going development projects, we have not solicited proposals for bond counsel. I would request that we defer bond counsel solicitation until after completion of the civil legal service solicitation.

Since the civil legal services are provided directly to the City Council, I would inquire of the Council as to the process that you would like to follow in reviewing proposals. The draft would have proposals reviewed by me with a recommendation of no more than three firms as finalists for City Council consideration. Actual award and selection of the firm would be made directly by the City Council itself. The item is being placed on the agenda for Council discussion and direction regarding the solicitation of proposals for general civil legal services.



Brooklyn Center

1-20-00

To: Mayor Kragness and Council Members Hilstrom, Lasman, Nelson and Peppe

From: Michael J. McCauley
City Manager

Date: January 20, 2000

Re: Process for Reviewing Civil Legal Service Proposals — *Criteria for selection, Interview Questions, Reference checks*

I would propose the following process for the Council's consideration to review and interview the top 3 legal firm proposals to provide civil legal services to the City:

Dates of Interview:

Monday February 7th

6:00 PM

7:00 PM

8:00 PM

Monday February 14th as a back-up if a firm cannot make the February 7th date. This interview would occur after the regular City Council meeting

Survey

I would propose that the attached survey be sent to selected cities where the firms serve as City Attorney and selected references given by the firms. The surveys would be sent to the Mayor and City Manager/Administrator of each City.

Jensen, Bell, Converse & Erickson

- City of White Bear Lake
- City of Vadnais Heights

Also to the following references submitted by the firm:

- City Manager of Roseville

We thank the City which supplied this material through the Friends of the Library Program.

Sweeney, Borer & Sweeney

City of Blaine
City of Little Canada

I would suggest that references not be contacted for Kennedy & Graven since the Council can perform its own evaluation of service for purposes of the review process. Additionally, the Council has the Brooklyn Center staff survey results.

If the Council wished to survey other cities regarding Kennedy & Graven, the following would be suggested:

City of Rosemount
City of New Brighton
City of Cambridge

Fees

Prior to the interview, each firm would be requested to put their proposed fees in the same format used by Kennedy & Graven so that all firms can be compared on the same basis. As indicated in my memorandum of December 10th, the fee basis used by Kennedy & Graven is advantageous to the City in using a firm to do general routine civil work and other firms for specialized matters as indicated.

Questions:

As a framework for the Council's interview process, I would suggest the following questions:

1. Has the firm represented plaintiffs in actions brought against cities or counties?
 - if the firm has represented plaintiffs who have sued cities or counties, describe how often and in what type of cases
 - if the firm has not represented plaintiffs, would it represent plaintiffs in the future?
2. Has the firm represented defendants in actions brought against them by cities or counties, including eminent domain actions?
 - if so, describe the type and frequency of such cases?
3. Does the firm do criminal defense work?
 - if so, describe the volume of such work
4. What is the firm's focus in its practice?

5. Which individual will be the primary provider of civil legal services and be designated as city attorney?

- follow up questions as needed on specifics of background and work load
- How many other cities/governmental bodies does the person represent as the chief provider of legal services or as the contact person?
- What professional municipal organizations does the person participate in?
- What is nature of participation in municipal organizations, especially municipal legal organizations?
- Has the designated attorney produced training materials, served on panels, or made presentations to municipal attorneys or municipal officials?

6. Reviewing the materials submitted: have the firm explain:

- how the City's work load would be accommodated and given priority
- work flow process in handling City's work

7. What is the average amount of municipal billing by the firm?

- on an annual basis in total
- on an annual basis per lawyer (using the total number of lawyers in the firm)

8. Questions raised by the answers during the interview or to clarify materials submitted.

The City of Brooklyn Center, pursuant to City Council policy, is reviewing 3 proposals for civil legal services. The Mayor and City Council would appreciate your assistance in reviewing these proposals by completing this survey regarding the provision of civil legal services to the City of _____ by the firm of _____.

How would you rate the current civil legal services on the following aspects?

A) Response to legal issues/questions is:

1. Prompt _____ almost always
_____ usually
_____ sometimes
_____ not usually

2. Complete _____ almost always
_____ usually
_____ sometimes
_____ not usually

3. Gives and understandable and usable answer
_____ almost always
_____ usually
_____ sometimes
_____ not usually

4. Definitive: a direct answer to guide decision making
_____ almost always
_____ usually
_____ sometimes
_____ not usually

Comments: _____

B) Accessibility

1. Are you able to contact or receive return calls in a timely fashion?

_____ almost always
_____ usually
_____ sometimes
_____ not usually

Comments: _____

C) Projects

1. Are projects completed in a timely fashion?

- _____ almost always
- _____ usually
- _____ sometimes
- _____ not usually

2. Are projects completed in an accurate manner?

- _____ almost always
- _____ usually
- _____ sometimes
- _____ not usually

3. Are projects completed in a comprehensive fashion?

- _____ almost always
- _____ usually
- _____ sometimes
- _____ not usually

Comments: _____

D) Representation or assistance in dealing with others.

1. Have you been satisfied with the assistance or representation during negotiations or hearings?

- _____ almost always
- _____ usually
- _____ sometimes
- _____ not usually

Comments: _____

*Miscell
3/2003*

City of Mounds View
REQUEST for QUALIFICATIONS and PROPOSALS
for LEGAL SERVICES

(Revised March 10, 2003)

I. PURPOSE

The City of Mounds View is requesting qualifications and proposals for Legal Services from firms experienced in municipal law. Firms may choose to be considered for either or both or all of the following services:

- City Attorney
- Prosecuting Attorney

II. BACKGROUND

The City of Mounds View, located in the northwest corner of Ramsey County, is a fully developed Home-Rule Charter City with a population of 12,900. The form of government established by the City Charter is the "Mayor-Council Plan". Except as otherwise provided by state law or the Charter, all powers of the City are vested in the Council. Mounds View is governed by a City Council composed of a Mayor and four Council Members. All are elected at-large, the Mayor for a two-year term and the Council for four-year terms. Mounds View has 43 full-time employees, a 2003 total budget of \$4,964,000 and a tax levy of \$2,543,000.

Historically the City has retained a private firm or firms to provide City Attorney and prosecution services. The City has also utilized additional firms to provide bond counsel service and to work with TIF-related development issues.

III. PROCESS

- A. The City will use the following process for selecting Legal Service Providers.
1. The City Council will appoint a Selection Committee to interview firms. The Committee will recommend to the City Council the firm or firms to be selected for the two areas of legal service.
 2. The City Council will, by resolution, appoint the firm or firms selected to provide the services indicated.
 3. It is the intent of the City Council to award a contract for legal services for an initial term not to exceed three years. Prior to the expiration of said legal services contract, the City Council will review and assess the firm's performance. The Council may take action to either extend or terminate the contract, as it deems appropriate.

IV. GENERAL INSTRUCTIONS

- A. Responses must provide complete information as described in this request. Ten (10) copies shall be submitted by 4:30 p.m. on April 18, 2003:

City Clerk/Administrator
City of Mounds View
2401 Highway 10
Mounds View, MN 55112

- B. To ensure fairness and uniformity, firms submitting responses are requested to not contact City staff or the City Council. Questions about this RFP may be sent by e-mail to rfp@ci.mounds-view.mn.us prior to the submission deadline.
- C. The City will not reimburse any expenses incurred by the firm submitting responses including, but not limited to, expenses associated with the preparation and submission of the response and attendance at interviews.
- D. The City reserves the right to reject any and all proposals, to request additional information from any and all Proposers, and to suggest modifications to the terms and conditions of a retainer agreement from that offered by a Proposer.

V. REQUIRED CONTENTS OF RESPONSE

- A. Firms shall indicate which of the two legal services (City Attorney and/or Prosecuting Attorney) for which they wish to be considered.
- B. Firm Background:
1. Brief history of firm
 2. Number of attorneys, including number of partners and associates and areas of specialty
 3. Support personnel: number and expertise
 4. Office organization and support capabilities
 5. Office location(s)
 6. Current use of technology, especially capability for computerized legal research and for sharing and editing documents electronically.
 7. Statement of any malpractice claims and/or ethics complaints taken against your firm or firm's attorney(s) over the last five years and the status or outcomes of such action. Indicate whether any action is pending or is currently under review by the State Ethics Board.

8. Statement of 2002 billings for municipal work as a percentage of total 2002 billings.
9. Describe malpractice insurance coverage: carrier, limits, and exemptions.
10. Statement of compliance with federal and state laws respecting civil rights.

C. Attorney Qualifications:

1. Identify the specific attorney who will serve as the lead attorney for each of the legal services you have expressed interest in providing, and indicate the following:
 - Academic training and degrees
 - Description of background and experience
 - Description of prior municipal experience including cities served in a similar capacity
 - List of litigation in communities where designated attorney served as lead attorney and outcomes of litigation
 2. Identify attorney who will serve in the lead attorney's absence, and provide information as requested in No. 1 above.
 3. Identify other attorneys and support staff who will supply services for which the City will be charged.
 4. Indicate current responsibilities of person designated to serve as lead attorney.
- D. List of cities you currently represent and for what type of service.
- E. List of cities you began representing in the last three years and cities you stopped representing in the last three years.
- F. Names, telephone numbers, and contact person of at least five (5) client references, at least two (2) of which shall be cities.
- G. Description of the firm's view of their responsibilities to the City in the provision of legal services.
- H. Copy of Malpractice/liability Insurance Certificate in a minimum amount of \$1,000,000.
- I. Conflict of Interest:

1. Indicate whether designated lead attorneys or the law firm represent, or have represented, any client whose representation may conflict with your ability to provide legal services to the City.
2. Indicate whether designated lead attorneys or the law firm currently represent any real estate developers. If so, please identify those companies or persons in detail and provide a percentage breakdown of how much this work represents of your firm's total billings.
3. Indicate whether designated lead attorneys or the law firm currently represents any other local units of government having jurisdiction within, or contiguous to, the City of Mounds View.
4. Identify what procedures your firm utilizes to identify and resolve conflicts of interest.

K. Fees:

1. City Attorney—firms desiring to be considered for City Attorney services shall indicate a monthly retainer amount and describe specific services to be included within the retainer and any services that would be outside the retainer (refer to the list of services in Section VII.) For services outside the retainer, indicate the hourly rate for City Attorney and other attorneys and support staff that may be working on City business.
2. City Prosecutor—firms interested in providing City Prosecutor services shall indicate a monthly retainer amount and describe specific services to be included within the retainer and provide an hourly rate for the lead attorney and hourly rates for other attorneys and staff that may be working on non-retainer City business.
3. The City is interested in exploring alternative fee arrangements other than the retainer or hourly rate. Indicate any alternate billing arrangements you would be willing to consider and under what circumstances they would be most appropriate.
4. Firms shall indicate all other costs and reimbursables including travel (per mile), telephone, printing, photocopying, etc.
5. Firms shall indicate the minimum increment of time billed for each service including phone calls, correspondence and personal conferences.

VII. Legal Services Requirements

Following are the primary responsibilities for each of the two legal service areas:

City Attorney

1. Attend City Council meetings and other City Board, Authority, Commission or Committee meetings as requested by the City Council or City Clerk/Administrator.
2. Draft and/or review ordinances, resolutions, and correspondence, as requested. Review City Council and agendas and meeting minutes as requested.
3. Advise the Mayor, Council Members, City Clerk/Administrator, Department Heads and other staff on city legal matters.
4. Prepare and/or review municipal contracts, such as contracts for public improvements, joint powers of agreements, construction, and purchase of equipment.
5. Codification of City ordinances on a regular basis.
6. Represent City in matters related to the enforcement of City building and zoning codes.
7. Research and submit legal opinions on municipal or other legal matters, as requested by City Council or City Clerk/Administrator.
8. Meet with the City Council, Economic Development Authority, City Clerk/Administrator, Department Heads and City Staff as needed to review Council agenda items, the status of all legal matters before the City.
9. Provide legal briefings as requested to City Council and Staff regarding new or proposed legislation affecting municipal operations and activities.
10. Provide written update on new State or Federal legislation or judicial decisions impacting the City and suggested action or changes in operations or procedures to assure compliance.
11. Provide advice on open meeting law, data practice, records retention and privacy issues.
12. Represent the City in employment related issues, labor negotiations, Civil Service Commission, arbitration, administrative hearings and in litigation involving same.

13. Interpret and advise with respect to municipal employment matters including, but not limited to, PERA, labor agreements, personnel policy, FLSA, Veterans' Preference, and unemployment compensation.
14. Defend City in litigation (except in those cases where insurance companies are required to provide defense) including, but not limited to, 1) human rights claims; 2) condemnation; 3) permits and administrative actions; and 4) labor and employment matters.
15. Defend City in uninsured claims and other insurance matters.
16. In coordination with Bond Counsel, review of financing, special assessments, bonds and insurance requirements required by or for City contracts or activities.
17. Represent City in the acquisition of properties for public improvements, easements, and parks.
18. Represent City in condemnation proceedings for public improvement projects.
19. Represent City in workers' compensation matters.
20. Initiate litigation on behalf of City as requested by City Council.
21. Interpret and advise regarding State land use statutes and City Code.
22. Interpret and advise regarding laws relating to Comprehensive Plans and Metropolitan Council approvals.
23. Interpret and advise regarding impact fees and legal uses.
24. Advise and represent the City on environmental matters.
25. Prepare and/or review the following:
 - a. Conditional Use Permits and Documentation
 - b. Vacation of Rights-of-way
 - c. Special Assessments
 - d. Planned Unit Developments
 - e. Development Agreements
 - f. Subdivision and Zoning Requests
26. Possess an adequate knowledge of TIF laws and understand their application.
27. The firm shall not subcontract out or assign any interest in the contract and shall not transfer any interest in the same without prior written consent of the City.

Prosecuting Attorney

1. Represent and prosecute all criminal law matters within the City's jurisdiction, included but not limited to scheduling, coordinating officer appearances, reviewing all criminal cases presented for purposes of prosecution, determine technical compliance with criminal code and other state statutes, writing complaints, making recommendations to the Court for alternatives to prosecution where appropriate, act as a resource to the Police Department in the development of criminal cases, and provide training sessions for Police staff as needed.
2. Timely pursuit of disposition of criminal cases in advance of actual Court cases to avoid unnecessary officer court time.
3. Process and present forfeiture cases on behalf of Police Department.

VIII. Anticipated Timeline

Following is the anticipated schedule the City Council expects to utilize for the review and selection of a City Attorney and Prosecuting Attorney:

- | | |
|-------------------------------------|---|
| 1. <u>March 11, 2003:</u> | Distribute RFPs |
| 2. <u>April 18, 2003 (4:30 PM):</u> | Deadline for receipt of RFPs |
| 3. <u>April 21 - 25, 2003:</u> | Selection Team Review Period |
| 4. <u>April 28 - May 2, 2003:</u> | Interview Semi-Finalists |
| 5. <u>May 12, 2003:</u> | Selection of Firm |
| 6. <u>May 13 - 23, 2003:</u> | Negotiate Contract Agreement |
| 7. <u>May 26, 2003:</u> | City Council Resolution appointing Firm and authorizing execution of Contract Agreement |

IX. Affirmative Action

The City of Mounds View has adopted an Affirmative Action Plan and preference shall be given to firms having adopted such a policy. The City is committed to achieving the goals of Equal Employment Opportunity and Affirmative Action and fully supports the incorporation of non-discrimination and Affirmative Action Rules and regulations in contracts. Any subcontractor to the City not complying with all applicable Equal Opportunity/Affirmative Action laws, directives and regulations of the Federal, State and Local governing bodies or agencies thereof, specifically Minnesota Statutes §363 will be encouraged to come into compliance or risk the loss of future contracts.

Bob Cardinal

From: Grundhoefer, Tom <TGrundho@lmc.org>
Sent: Friday, December 07, 2012 3:54 PM
To: Bob Cardinal
Subject: RE: City Attorney Services
Attachments: Arden Hills Civil.pdf.pdf; Eden Prairie Pros.pdf.pdf; Farmington Pros.pdf.pdf; Mound-Civil.pdf.pdf

Bob: Here's few more recent ones.

Tom

From: Bob Cardinal [<mailto:Bob@calhouncompanies.com>]
Sent: Friday, December 07, 2012 8:27 AM
To: Grundhoefer, Tom
Subject: City Attorney Services

Tom, Thank you. This is just what we need. ~ BC

Bob Cardinal

Calhoun Companies
Director of Investor Relations
Direct: 952-564-3806 952-831-3300 Work
(651) 398-1457 Mobile
(651) 765-8600 Home
bob@calhouncompanies.com
bobcardinal@comcast.net
bob.cardinal@ci.maplewood.mn.us
4940 Viking Drive Suite 450 Edina MN 55435

This email has been scanned by MessageLabs



CITY OF ARDEN HILLS, MINNESOTA

REQUEST FOR PROPOSALS
FOR LEGAL SERVICES
October 2012

I. Purpose

The City of Arden Hills is requesting proposals for legal services from firms experienced in municipal law and representation of municipal clients as City Attorney.

II. Background

The City of Arden Hills is located in northern Ramsey County, Minnesota. Arden Hills was incorporated on February 14, 1951. The population of the City is 9,652 (2010 Census). The City is approximately 10 square miles in area. The City has I-35W along most of its western boundary and I-694 runs east/west through the center of the City. Most of the northern four square miles of the City, the area north of County Highway 96, is owned by the U.S. Army. The western part of this U.S. Army property, approximately 430 acres, is known as the TCAAP site (Twin Cities Army Ammunition Plant). Excluding the Army property the City is mostly fully developed.

The City operates under Minnesota Statutes "Plan A" form of government. The City's governing body consists of a Mayor and four Councilmembers, all elected at large. Councilmembers serve four-year overlapping terms of office, and the Mayor serves a four-year term. Regular City Council meetings are held the second and last Monday of each month, with a work session meeting scheduled for the third Monday of each month. The Planning commission meets once a month on the first Wednesday that follows the first Monday of each month.

The City Council is responsible for adopting the City's budget and tax levy, adopting resolutions and ordinances, all hiring and firing decisions, policy making, development and growth planning, and guiding the overall direction of the City. In addition to providing general government services, the City offers a full range of other services including building and other safety inspections, code enforcement, planning and zoning, parks, street maintenance, snow removal, infrastructure maintenance and repair, and others. The City provides municipal water and sewer services.

The City contracts for Police, Fire, IT, and election services. In addition, the City contracts for legal services for prosecution and civil matters.

III. Scope of General Legal Services

The law firm/attorney(s) are required to be knowledgeable in a variety of legal areas, including but not limited to:

- General municipal laws.
- Labor law.
- General state and federal laws relating to municipal government.
- Municipal litigation.
- Zoning, land development, platting, MSA 429 Projects, housing, subdivision, land use law.
- Economic development activities including development, redevelopment, enforcement, and property/real estate law.
- Legal activity relating to general obligation bonds, revenue bonds, and other bonding and financial processes.
- Ordinance and resolution development and interpretation.
- Contract law.
- State rules and regulations that control and manage private utilities in public right-of-way.
- Environmental law.
- Eminent domain.

It is important to note that Arden Hills does utilize a separate bond attorney.

It is also important to note that at this time, legal work on TCAAP is excluded from this proposal as the City has retained a separate attorney for this project.

IV. City Attorney Services Requested

City Attorney services, for the purpose of this proposal, shall include those legal services generally understood within the field of municipal law to fall within the category of "general counsel" work, and shall include, but not necessarily be limited to, the following:

- Routine legal advice, telephone and personal consultations with the City Council, City Administrator, and department heads or authorized representatives.
- Assistance in the preparation and review of ordinances, resolutions, agreements, contracts, forms, notices, certificates, deeds, and other documents required by the City.
- Attendance at regular City Council meetings as well as other City Council meetings as requested.
- Attendance at other board, commission, and committee meetings, upon request.
- Attendance at meetings with City staff, upon request.
- Legal work pertaining to property acquisitions, property disposals, public improvements, easement dedications, and right-of-way vacations.

- Reviewing bonds and insurance requirements required by or for City contracts or activities.
- Provide advice on open meeting law, data practice, records retention, and privacy issues.
- Preparing deeds, easements, and other documents for recording purposes. Record documents at Ramsey County and provide original document to the City.
- Acquiring easements and public right-of-way through negotiations or the use of eminent domain and in compliance with federal acquisition and relocation regulations.
- Enforcement of City codes, zoning regulations, and building standards through administrative and judicial actions.
- Monitoring of pending and current state and federal legislation and court decisions, as appropriate.
- Coordination of outside legal counsel, as needed and as directed by the City Council and City Administrator.
- Defending the City in all litigation, as requested, except in those cases where insurance companies are required to exclusively provide defense including, but not limited to: (1) human rights claims; (2) condemnation, (3) zoning and land use regulation matters, (4) permits and administrative actions, and (5) labor and employment matters.

V. **Required Contents for Proposals**

A. Firm Background:

- Brief history of firm.
- Number of attorneys, including number of partners and associates and areas of specialty.
- Support personnel: number and expertise.
- Office location(s).
- Statement of any malpractice claims and/or ethics complaints taken against your firm or firm's attorney(s) over the last five years and the status or outcomes of such action. Indicate whether any action is pending or is currently under review by the State Ethics Board.
- Statement of 2011 billings for municipal work as a percentage of total billings.

B. Attorney Qualifications:

- Identify the specific attorney who will serve as the lead attorney and indicate the following:
 - Academic training and degrees.
 - Description of background and experience.

- Description of prior municipal experience including cities served in a similar capacity.
 - Identify attorney who will serve in the lead attorney's absence, and provide information as requested in bullet 1 above.
 - Identify other attorneys and support staff who will supply services for which the City will be charged.
- C. List of cities you currently represent and for what type of service.
- ✓ D. List of cities you began representing in the last three years and cities you stopped representing in the last three years.
- E. Description of the firm's experience, and the experience of the designated lead attorney, with representing municipal clients in the redevelopment process.
- F. Copy of Malpractice/Liability Insurance Certificate.

VI. Clients/Conflict of Interest

- Indicate whether designated lead attorneys or the law firm represent, or have represented, any client whose representation may conflict with your ability to provide legal services to the City.
- Indicate whether designated lead attorneys or the law firm currently represents any other local units of government having jurisdiction within, or contiguous to, the City of Arden Hills.
- List any and all personal or professional relationships that the proposed lead attorney has with the City Council members or members of the community.
- Indicated whether the designated lead attorneys or the law firm currently represent any real estate developers in Arden Hills or in any municipality contiguous to its borders. If so, please identify those companies or persons in detail.
- Identify what procedures your firm utilizes to identify and resolve conflicts of interest.

VII. Compensation

Firms desiring to be considered for City Attorney services should:

- State the hourly rates for the City Attorney and other attorneys and support staff that may be working on City business.
- State the rate for meeting attendance, whether hourly or otherwise.
- Identify the minimum increment of time billed for each service, e.g. telephone calls, correspondence, personal conference.
- Define the type and unit rates for reimbursement of expenses such as mileage, reproduction of documents, and word processing charges.

VII. Professional References

Provide three (3) professional references for the individual designated as City Attorney, including addresses and work telephone numbers. References should be currently employed public agency officials or agents.

IX. Evaluation and Selection Process

The selection committee will be composed of the City Administrator, the Director of Finance and Administrative Services, the Director of Community Development, and the Director of Public Works. The qualifications for the top candidates will be verified and references will be checked. In reviewing proposals, the city will carefully weigh the following:

- Depth and breadth of experience and expertise in the practice of law, specifically in those areas most often encountered in municipal government operations.
- Capability to perform legal services promptly and in a manner that permits the City Council and staff to meet established deadlines and to operate in an effective and efficient manner.
- Degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems.
- Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners in the municipal law field.
- Communication skills.
- Cost of services.
- Other qualifications/criteria as deemed appropriate.

The contract will require that the individuals or law firm selected as City Attorney maintain general liability, automobile, workers' compensation, and errors and omissions insurance. The contract will also contain provisions requiring the selected individual or law firm to indemnify the city and provide that the City Attorney is an independent contractor serving at the will of the City Council. Other required provisions will include the City Council's right to terminate the agreement, at its sole discretion, upon the provision of notice.

The City requires compliance with Equal Opportunity regulations and therefore, the firm selected shall not discriminate under the contract against any person in accordance with federal, state, or local regulation and shall certify to such in their proposal.

The City will not provide reimbursement to anyone for any expense incurred that is associated with the preparation and submission of the proposal and attendance at interviews.

X. Schedule

Law firms or individuals interested in submitting proposals for City Attorney shall submit ten (10) complete copies of the proposal, along with a proposed contractual agreement, in a sealed envelope bearing the caption, "Arden Hills City Attorney Proposal". Late proposals will not be

considered. All proposals will be deemed confidential and will be retained by the City of Arden Hills. The envelope shall be delivered to:

Sue Iverson, Director of Finance and Administrative Services
City of Arden Hills
1245 W. Highway 96
Arden Hills, MN 55112

Proposal Due Date and Time: Friday, November 9, 2012 at 4:30 p.m.
Start Date of Firm: January 1, 2013

The City reserves the right to reject all proposals, to request additional information concerning any proposal for purposes of clarification, to accept or negotiate any modification to any proposal following the deadline for receipt of all proposals, and to waive any irregularities if such would serve the best interests of the city as determined by the City Council.

In order to ensure a fair review and selection process, firms submitting proposals are specifically requested not to make contacts to the city staff or council members regarding these proposals, but to direct all response and inquiries to the City Administrator or Director of Finance and Administrative Services.

**CITY OF EDEN PRAIRIE, MINNESOTA
REQUEST FOR PROPOSAL
CITY PROSECUTOR SERVICES
JULY 2012**

I. INTRODUCTION

This request has been prepared by the City of Eden Prairie to retain the services of a Prosecution Attorney and staff for prosecution and related legal services.

II. SCOPE OF WORK

Provide the City of Eden Prairie with prosecution against petty misdemeanors, misdemeanors, and gross misdemeanors as well as providing related legal advice. This includes the ability to cite codes as necessary and assist in the development of City policies and guidelines for managing different existing and potential situations.

In 2011, prosecution activity was as follows:

- Arraignments 1,802
- Pre-trials 680
- Court Trials set 75
- Jury Trials set 98
- Complaints Issued 329
- Other Appearances 760
- State Patrol matters 125

III. INSTRUCTIONS TO PROPOSERS

A. Four (4) copies of each proposal should be sent to:

Sonja Ritchie Roy, Projects Coordinator
Eden Prairie Police Department
8080 Mitchell Road
Eden Prairie, MN 55344

B. All proposals must be received no later than 4:30 p.m. on Friday, August 17, 2012.

IV. PROPOSAL CONTENT

- A. Title Page – Show the RFP subject, the name of the firm, local address, telephone number, name of contact person and the date.
- B. Table of Contents – Include a clear identification of the material by section and page number.
- C. Consultant Profile

As a minimum, the proposal shall:

- a. Provide resumes for your firm and for each attorney who may provide services to the City.
- b. Describe special areas of expertise held by members of the applicant firm and describe how they may be utilized/applied within the prosecution function.
- c. Describe criminal appellate experience.
- d. Discuss how your firm intends to be readily accessible to City personnel, especially police officers.
- e. Describe who would primarily serve as prosecutor. Describe how you will ensure sufficient backup personnel are available as needed.
- f. Describe your legal library and research capabilities.
- g. Describe your support staff (knowledge, skills, abilities, expertise).
- h. Describe, in detail, all related services that will be rendered in conjunction with the proposed prosecution services (training sessions for police, regular written updates and policy statements, etc.)
- i. List and describe any previous or current experience in municipal legal services, specify activities performed and the name of a person who may be contacted at the municipality.
- j. List previous or current activities performed for the City of Eden Prairie.
- k. Describe any potential conflicts of interest the firm may have providing services to the City.
- l. Provide a detailed description and explanation of all fees and/or charges that may arise for provided prosecution and related legal services.
- m. Provide a recent audit or financial report.

IV. PROPOSAL EVALUATION AND CONTRACT AWARD

- A. The City intends to award a contract to the proposer based on an evaluation of the qualifications to perform the work for the City, cost and other relevant factors.
- B. Based upon the evaluation, the City Manager will recommend to the City Council the selection of the firm judged to be the most responsive and responsible proposer for each position.
- C. The City shall not be liable for any expenses incurred by the proposer including expenses associated with the preparation of the proposal, attendance at interviews, preparation of a cost proposal or final contract negotiations.

- D. The City of Eden Prairie reserves the right to reject any and all proposals or to request additional information from all proposers.

V. CONTRACT EXECUTION

A. Contract Negotiations – Notwithstanding a contract award, the City reserves the right to negotiate the final terms and conditions of the contract to be executed. Should the City and the proposer to whom the contract is recommended to be awarded be unable to mutually agree upon the entire contract, the City reserves the right to discontinue negotiations, select another proposer or reject all of the proposals. Upon completion of negotiations agreeable to the City and proposer, a contract shall be executed.

B. Contract Ethics

1. No elected officials or employee of the City who exercises any responsibilities in the review, approval or implementation of the proposal or contract shall participate in any decision which affects his or her direct or indirect personal or financial interest.
2. It is a breach of ethical standards for any person to offer, give or agree to give any City employee or Council person, or for any City employee or Council person to solicit, demand, accept or agree to accept from another person or firm, a gratuity or an offer of employment whenever a consideration was motivated by an individual, group or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded to the general public.
3. The firm shall not assign any interest in this contract and shall not transfer any interest in the same without prior written consent to the City.
4. The firms shall not accept any client or project, which, by nature, places it in an ethical conflict with its representation of the City of Eden Prairie.
5. The City requires affirmative action, and therefore, the firms selected shall not discriminate under the contract against any person in accordance with federal, state or local regulation.

VI. TIMELINE

August 17	RFP return deadline
September 4	City Manager selects finalists for interviews
September 17 - 21	City Manager & Police Chief interview finalists
October 16	Council meeting; City Manager recommendation
October 17 – December 31	Transition time.
January 1, 2013	New contract begins



City of Farmington

**Request for Proposals
For City Legal Services and
City Prosecution Services**

City of Farmington
430 Third Street
Farmington, MN 55024
www.ci.farmington.mn.us

October 2012

I. INTRODUCTION AND BACKGROUND

A. General Information and Scope of Work

The City of Farmington invites written proposals from qualified law firms interested in providing a full range of civil legal services to the City of Farmington. The City Attorney is expected to provide general legal services for the City and act in an advisory capacity to the City Council, City Administrator, staff and appointed committees, as directed. Specifically, the City Attorney can expect to provide the following services:

- Attend all City Council meetings and selected work sessions, Commission and Committee meetings as requested by the City Council or City Administrator. City Council meetings are ordinarily held the first and third Monday of the month.
- Draft ordinances, resolutions and correspondence as requested.
- Prepare official documents including development agreements and planned unit development agreements.
- Review Council and Planning Commission agenda backgrounds and minutes.
- Participate in meetings and discussions with Mayor, Councilmembers, City Administrator, staff and other individuals as requested.
- Draw up municipal contracts for public improvements, joint powers agreements, purchases and other purposes as requested.
- Assist staff in processing licensing violations, administrative fines and suspensions.
- Represent the City in the acquisition of property and easements.
- Conduct occasional law updates for City Council and staff as necessary.
- Represent the City in condemnation proceedings for public improvement projects.
- Advise and assist staff as requested in the development of Requests for Proposal and formal bid documents.
- Represent the City in matters related to the enforcement of City building, housing, zoning and fire codes.
- Research and submit legal opinions on legal matters requested by City Council or City Administrator.
- Defend the City in litigation as required.
- Advise and represent the City in employment related issues, labor negotiations, arbitration, administrative hearings and related litigation.
- Interpret and advise the City on municipal employment matters including but not limited to: PELRA, labor agreements, personnel policy, FLSA, Veterans' preference, unemployment compensation and human rights/EEOC/affirmative action issues.

The City's attorney will also provide for the prosecution of petty misdemeanors, misdemeanors, and gross misdemeanors as well as providing related legal advice. This includes the ability to cite codes as necessary and assist in the development of City policies and guidelines for managing different existing and potential future situations.

As a minimum, the proposal shall include:

- Provide resumes for your firm and for each attorney who may provide services to the City.
- Describe special areas of expertise held by members of the applicant firm and describe how they may be utilized/applied within the prosecution function. Describe criminal appellate experience.

- One important consideration in the provision of Farmington's prosecution services is that the attorney(s) be readily accessible to City personnel, especially police officers. Discuss how your firm intends to meet this goal.
- Describe who would primarily serve as prosecutor. Describe how you will ensure sufficient backup personnel are available as needed.
- Describe your research capabilities, and the references that you utilize. Detail your capabilities to maintain a proper response time for legal reports and memos.
- Describe your support staff (knowledge, skills, abilities, expertise).
- Describe in detail all related services that will be rendered in conjunction with the proposed prosecution services (training sessions for police, regular written updates and policy statements, etc.)
- List and describe any previous or current experience in municipal legal services, specify activities performed and the name of a person who may be contacted at the municipality.
- List previous or current activities performed for the City of Farmington.
- Define any potential conflicts of interest the firm may have providing services to the City.
- Provide a detailed description and explanation of all fees and/or charges that may arise for provided prosecution and related legal services.
- Provide a recent audit or financial report.

B. Qualifications and Selection Criteria

The City of Farmington intends to select and award a contract to the firm best qualified to perform the work described in Section A based on cost, extent and quality of firm's resources, communication and presentation skills, and quality and extent of municipal representation experience.

C. Review and Recommendation Process

Based upon review of the submitted proposals and potential interview of qualified candidates, one firm will be recommended for City Council approval. Interviewing, if needed, is preliminarily scheduled for November 14, 2012 at Farmington City Hall.

D. Financial Liability Limitations

The City of Farmington shall not be liable for any expenses incurred by the applicant including, but not limited to expenses associated with the preparation of the proposal, attendance at the interviews, preparation of a compensation (fees) schedule or final contract negotiations.

E. Rights of Review

The City of Farmington reserves the right to reject any proposal or to request additional information from any or all applicants.

II. PROPOSAL INSTRUCTIONS

A. Proposal Submission

Six (6) copies of the Proposal shall be submitted to:

David McKnight
City Administrator
City of Farmington
430 Third Street
Farmington, MN 55024
651-280-6801
dmcknight@ci.farmington.mn.us

All responses, questions, and correspondence should be directed to David McKnight. In the interest of fairness to all respondents, do not contact other staff or elected or appointed officials.

B. Schedule

1. Proposal Due Date October 30, 2012
2. Review of RFP's Completed November 5, 2012
3. Interviews (If Needed) November 14, 2012
4. Contract Negotiation Completed December 2012
5. Contract Finalization December 2012
6. Contract Effective Date January 1, 2013

NOTE: ALL PROPOSALS MUST BE RECEIVED BY OCTOBER 30, 2012 AT FARMINGTON CITY HALL NO LATER THAN 1:00 P.M.

III. PROPOSAL CONTENT

During the evaluation process, the City of Farmington shall reserve the right to request additional information or clarifications from a firm, or to allow corrections of errors and/or omissions.

The following material is required to be received by October 30, 2012, for a proposing firm to be considered:

A. **Cover Letter/Title Page**

Title page showing the following: The firm's name, address, telephone, and email address of the contact person; and the date of the proposal.

B. **Transmittal Letter**

A signed letter of transmittal briefly stating the firm's understanding of the work to be done, the commitment to perform the work within requested time periods, a statement why the firm believes that it is best qualified to perform the engagement and a statement that the proposal is a firm and irrevocable offer.

C. **Technical Proposal**

The proposal for technical qualifications shall be limited to eight-pages excluding resumes and references.

The purpose of the technical proposal is to demonstrate the qualifications, competence, and capacity of the firm seeking to undertake the City Attorney role for the City of Farmington in conformity with the requirements of this request. As such, the substance of the proposals will carry more weight than form or manner of presentation. The technical proposal should demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement. Please identify the primary attorney who would be assigned responsibility for Farmington and his/her primary backups.

1. **Firms Profile**

- a. A description of the legal services, specifically relating to City government, which the firm is capable of providing, together with an explanation of how these services might best assist the City of Farmington.
- b. A brief description of the experience of the firm in representing municipalities.
- c. A brief description of the proficiency of the firm in dealing with development and redevelopment issues.

- d. Any additional information which might be beneficial to the City of Farmington in evaluating the firm's qualifications to serve as City Attorney.

2. Personnel Qualifications - Resumes

For each member of the professional staff proposed to be assigned to this engagement, please provide the following information:

- a. A brief resume of the professional experience and qualifications of the individual.
- b. An outline of the proposed function of the individual in the proposed engagement.
- c. A description of the accessibility and availability of the individual during the course of the engagement.
- d. The office location to which the individual is assigned.

3. References

- a. Please include a list of municipal clients where related services were provided by the professional staff proposed along with the name and telephone number of a person who may be contacted at the municipality.
- b. Include a list of previous or current services provided to the City of Farmington.

4. Compensation Schedule

- a. The proposal should clearly set forth the basis for fees to be charged for the work proposed. Rates should be clearly stated for varying levels of staff expected to perform support services.
- b. Identify any other costs the city will be charged in addition to those noted in 4a.

IV. CONTRACT EXECUTION

The information below is being provided as part of this Request for Proposal to give proposers an understanding of the City's expectations with respect to contract execution.

A. Negotiations and Contract Execution

The City reserves the right to negotiate the final terms and conditions of the contract to be executed. Should the City and a firm be unable to agree upon the entire contract, the City reserves the right to discontinue negotiations, select another firm, or reject all of the statements of proposal. Upon completion of negotiations agreeable to the City and firm, a contract shall be executed.

It is anticipated that the City will establish a relationship with a selected firm for a minimum of five (5) years. A contract for one year with annual renewals is expected. Each party may terminate the contract with 90-day notice.

Contracting Ethics

1. No elected official or employee of the City of Farmington who exercises any responsibilities in the review, approval, or implementation of the proposal shall participate in any decision, which affects his or her direct or indirect financial interests.
2. It is a breach of ethical standards for any person to offer, give, or agree to give any City of Farmington employee or Council person, or for any City of Farmington employee or Council person to solicit, demand, accept, or agree to accept from another person or firm, a gratuity or an offer of employment whenever a reasonable prudent person would conclude that such consideration was motivated by an individual, group or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded the general public.
3. The firm shall not assign any interest in this contract and shall not transfer any interest in the same without the prior written consent of the City.
4. The firm shall not accept any private client or project which, by nature, places it in ethical conflict during its representation of the City of Farmington.

**REQUEST FOR SERVICES FOR PROSECUTION SERVICES FOR THE CITY OF
MOUND, ISSUED SEPTEMBER 15, 2012**

Approved for services in years 2013 – 2015

Purpose of Request (RFP)

The City of Mound is requesting proposals from experienced law firms for municipal prosecution legal services. The law firm requesting consideration must have special knowledge and experience in the area of criminal law. Detailed information concerning the City's needs is outlined in the following sections of this RFP.

Submission Instructions

All proposals should be sent and all questions and correspondence should be directed to:

Catherine Pausche
Finance Director
City of Mound
5341 Maywood Road
Mound, MN 55364

Questions and correspondence can also be sent via e-mail to catherinepausche@cityofmound.com or through direct contact via telephone at (952)472-0633.

A. IN ORDER TO ENSURE A FAIR REVIEW AND SELECTION PROCESS, LAW FIRMS AND/OR ATTORNEYS SUBMITTING PROPOSALS ARE SPECIFICALLY PROHIBITED FROM CONTACTING OTHER STAFF AND COUNCILMEMBERS REGARDING THESE PROPOSALS. ANY LAW FIRM THAT DOES NOT ABIDE BY THIS PROHIBITION WILL BE PRESUMED TO HAVE WITHDRAWN ITS PROPOSAL BY SO DOING, AND WILL NOT BE CONSIDERED.

B. Submittals must be received by 4:00 p.m. on September 7, 2012 at the City of Mound City Hall.

C. The City will not reimburse any expenses incurred by the responders including, but not limited to, expenses associated with the preparation and submission of the response and attendance at the interviews.

D. Proposals will be accepted for municipal prosecution services.

City of Mound Background

The City of Mound is located in western Hennepin County and is a fully developed city with a population of approximately 9,000. It is a Plan B statutory city with a Council-Manager form of government. The City has 41 full-time and various regular/seasonal part-time employees, and a 2012 General Fund budget just under \$5.8 million.

The City BCA crime statistics have been included for consideration.

Timetable for evaluating RFPs

A. Submittals must be received by 4:00 p.m. on Friday, October 26th, 2012 at the Mound City Hall.

B. An evaluation committee composed of two Council members, the City Manager, Interim Police Chief, and other City staff, as deemed appropriate, will review responses, identify finalists and schedule interviews with finalists, if appropriate.

C. After completing a review of responses to this RFP and after conducting any appropriate interviews, the evaluation committee will prepare a report for consideration of the City Council in November 2012. The report will include a recommendation(s) for future prosecution legal services.

D. The City Council is expected to act on the recommendation(s) in November 2012.

E. It is the goal of the City Council that a new contract for municipal prosecution legal services would have an effective date on or about January 1, 2013, provided it can be accomplished through a reasonably smooth transition plan.

Proposal Contents

A. Transmittal Letter: A signed letter of transmittal briefly stating the firm's understanding of the work to be performed, the commitment to perform the work within requested time periods, a statement expressing why the firm believes that it is best qualified to perform the engagement and a statement that the proposal is a firm and irrevocable offer.

B. Title Page: Show the RFP subject, the name of the proposer's law firm, street and Email address, telephone and fax numbers, name of contact person, and the date.

C. Table of Contents: Include a clear identification of the materials by section and by page number.

D. Law Firm Background

- 1 Provide information on the number of years in business under this name, areas of expertise and general services available.
- 2 Discuss the Firm's specific qualifications for the performance of municipal prosecution legal services and years of experience with this form of legal services. List relevant CLE attendance and professional association activities dealing with prosecution legal service
- 3 For each of the past 5 years, specify the number of municipal criminal charges prepared and the number of municipal criminal court processes conducted with statistical breakouts akin to those provided in the "City of Mound Background" section of this RFP.
- 4 Identify who would primarily serve as the City Prosecutor and who would be primarily responsible for the management and administration of a contract with the City (if different). Discuss the experience and qualifications of the individuals for these roles. List the current principal responsibilities of these individuals and include a statement of assurance as to future availability.
- 5 Specify office location to be used for support of municipal prosecution legal services and describe office organization. Describe specific services that will be provided by each paralegal and support staff member and provide estimate of percentage of time expected to be spent in an 'average' workweek in support of the prosecution legal services contemplated in this RFP.
- 6 Discuss the Firm's approach toward communication with the City's Police Department and methods used to convey information and training on new rulings, trends, and other prosecution considerations. How will the Department's service expectations be identified, monitored and addressed?
- 7 The City's Police Department interaction with municipal prosecution legal services includes heavy use of shared law enforcement data bases and information systems, templates for efficient forms preparations, and data transfer systems that enable secure electronic transmission and receipt of all criminal files, including audio and video recordings, photos and other evidence. Submittals for this RFP should clearly demonstrate an ability to 'meet or exceed' these current capabilities. Please also specifically comment on the Firm's current use and capabilities in the following areas:

- Phone, voice and e-mail systems and applications;
- Computerized legal research;
- Obtaining criminal history documents/records and gun permit registrations from the BCA;

- Obtaining certified driver's license and registration documents/records from Driver and Vehicle Services;
- Data Transfer Systems, including ability to share and edit documents electronically, including transmittal of police reports, including audio and video recordings, photographs, and other evidence, and complaints between city and your office, also identify any necessary software or hardware which city would be required to have in order to accomplish this;
- Familiarity with the LOGIS Records Management System
- Implementation of electronic filing and electronic signatures for court documents.
- Ability to access to MNCIS and other court data, regarding Order for Protection's, pending cases, and juvenile data.

E. Staff Qualifications

- 1 Identify each attorney, paralegal and support personnel who will be supplying services for which the City may be billed and list the relevant academic training and degrees for each individual. The submission of resumes is encouraged.
- 2 List the billing fee for each individual. If hourly rates apply, please identify the rate.
- 3 Discuss prior prosecution experience in the areas covered by your proposal for each individual. Describe any other individual background or experience in the area of municipal criminal prosecution.
- 4 Specify the proposed allocation of work between the proposed City Prosecutor, other senior partners, junior partners, associates, or paralegals.
- 5 Identify any malpractice claims and/or ethics complaints/investigations undertaken over the last five years against your law firm or any attorney, paralegal or support personnel who will be supplying services pursuant to the proposed contract for municipal prosecution legal services. Discuss the status of outcomes for any such action.
- 6 Indicate whether any action is pending or is currently under review by the Office of Lawyers Professional Responsibility or any other ethics board.

F. References Provide the names and telephone numbers of at least five client references. At least two references must be from municipal clients, who received professional services from the proposed staff members that were similar to those proposed in this RFP.

G. Conflict of Interest

- 1 Indicate whether designated personnel and/or the law firm represent, or have represented any client which representation may conflict with your ability to serve as City Attorney.
- 2 Indicate whether designated personnel or the law firm currently represents any other local units of government having jurisdiction within, or contiguous to, the City of Mound.
- 3 Indicate whether the designated representative and/or the law firm represent or have represented individuals in any matters against the City of Mound.
- 4 Indicate whether designated personnel and/or the law firm represent or have represented any union that is in a collective bargaining contract with the City.
- 5 Indicate whether the designated personnel and/or the law firm represent individuals as defense attorneys for criminal cases.

H. Core Municipal Prosecution Legal Services Requirements Core municipal prosecution legal services requirements include but are not limited to the following:

- 1 Prosecution of gross misdemeanors, misdemeanors and petty misdemeanor cases including traffic violations, DWI cases, theft and City code violations and civil forfeiture cases.
- 2 Drafting of complaints, representing the City at court appearances, including omnibus hearings, pretrial conferences, court and jury trials and post-conviction hearings.
- 3 Preparation of regular reports of prosecution activities.
- 4 Working with appropriate personnel on all law enforcement activities.
- 5 Training of police personnel on law related matters including report writing, legislative changes, and general police/prosecution relationship issues.

I. Approach to scope of work

1. The law firm's proposal should include an indication on whether and to what extent the law firm is capable and interested in providing the services listed above in the Core Services sections.

J. Billing of Services The City will require the selected law firm to document all services according to task performed and project area. All fees and charges shall be separately accounted.

1 Indicate the dollar amount of fixed and/or hourly fees and costs your firm will charge for providing the legal services covered by your proposal. For the hourly fees portion of your proposal, identify the hourly rate of each attorney, paralegal, and support personnel.

2 Identify the minimum increment of time billed for each service including phone calls, correspondence and personal conferences.

3 Identify additional cost items to be billed (e.g. travel, photocopying, faxes, law research searches, subpoena service, etc.) and associated rates.

4 Identify compensation for handling of civil forfeiture cases (e.g. percentage or fee).

5 The City is interested in exploring fee arrangements other than a retainer or hourly rate. Indicate what alternate billing arrangements you would be willing to consider and under what circumstances they would be applied.

K. Disclosure and Assurances Compliance with EEOC – The City of Mound, Minnesota has adopted a policy that it will not discriminate in equal employment practices on the basis of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, public assistance status, or disability; and that it will transact business only with law firms who have adopted similar non-discriminatory practices.

L. Insurance coverage Please document and attach current insurance coverage and limits, including professional liability insurance.

M. Applicant authority Please provide assurance that the signatory making representations in the proposal on behalf of the proposer has the authority to do so and to bind the law firm to a contract.

N. Contract Ethics

1. No elected official or employee of the City who exercises any responsibilities in the review, approval or implementation of the proposal or contract shall participate in any decisions, which affects his or her direct or indirect personal or financial interest.

2. It is a breach of ethical standards for any person to offer, give or agree to give any City employee or City Councilmember, or for any City employee or Councilmember to solicit, demand, accept or agree to accept from another person or law firm, a gratuity or an offer of employment whenever a reasonably prudent person would conclude that such consideration was motivated by an individual, group, or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded to the general public.

3. The law firm shall not assign any interest in this contract and shall not transfer any interest in the same without the prior written consent of the City.

4. The law firm shall not accept any client or project, which places it in a conflict of interest with its representation of the City of Mound. If such a conflict of interest is subsequently discovered, the City shall be promptly notified, and the law firm shall address the conflict in accordance with the Code of Professional Responsibility.

O. Terms and Conditions

1. The City reserves the right to reject any and/or all proposals, and is not bound to accept the lowest cost proposal if that proposal is deemed by the City to be contrary to the best interests of the City.

2. It is the intention of the City to maintain the contract period for up to three years, with annual reviews of performance conducted by the City Council, with input by the City Manager and management team.

3. The City reserves the right to cancel or amend the RFP at any time.

4. The City reserves the right to determine the successful respondent.

5. Upon submission, all proposals become the property of the City, which retains the right to use any ideas presented in any proposal submitted, whether or not the proposal is accepted.

6. For the purpose of this agreement, the law firm shall be deemed to be an independent contractor, and not an employee of the City. Any and all agent, servants, or employees of the attorney, or other persons, while engaged in the performance of any work or services required to be performed by the City under this agreement, shall not be considered employees of the City of Mound and any and all claims that may or might arise on behalf of the City, its agents, servants, or employees as a consequence of any act or omission on the part of the law firm, its agents, servants, employees or other persons shall in no way be the obligation or responsibility of the City. The law firm, its agents, servants or employees

shall be entitled to none of the rights, privileges, or benefits of
City employees except as otherwise may be stated herein.

7. Apart from the proposals, the City will negotiate a separate fee agreement with the
chosen law firm to be executed before the effective date of representation.