

BUENA VISTA CHARTER TOWNSHIP

REQUEST FOR PROPOSAL

LEGAL SERVICES

BUENA VISTA CHARTER TOWNSHIP

REQUEST FOR PROPOSALS (RFP)

FOR

LEGAL SERVICES

To provide legal services for Buena Vista Charter Township

**Buena Vista Charter Township
1160 S. Outer Drive
Saginaw, MI 48601**

BUENA VISTA CHARTER TOWNSHIP

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Buena Vista Charter Township (BVCT) will receive sealed Request for proposal for **LEGAL SERVICES** according to the following specifications.

Sealed proposals, with a fee proposal enclosed in a separate sealed envelope, will be received until 4:00 P.M. prevailing Eastern Time, Tuesday, March 7, 2023. Proposals shall be addressed as follows:

BUENA VISTA CHARTER TOWNSHIP
ATTN: Torrie Lee, Township Superintendent
1160 S. Outer Drive
Saginaw, MI 48601

All proposals must be signed by a legally authorized agent of the proposing firm.
ENVELOPES/SHIPPING BOXES MUST BE PLAINLY MARKED "LEGAL SERVICES" AND MUST BEAR THE NAME OF THE PROPOSER.

The BVCT Board reserves the right to accept any or all alternative proposals and award the contract to other than the lowest bidder, to waive any irregularities or informalities or both; to reject any or all proposals; and in general to make the award of the contract in any manner deemed by the BVCT Board, in its sole discretion, to be in the best interest of the Buena Vista Charter Township.

Notice Dated: January 24, 2023

NOTICE TO PROPOSERS:

Buena Vista Charter Township officially distributes RFP Documents through the Township's website at www.bvct.org and at the Buena Vista Charter Township Clerk's Department, 1160 S. Outer Drive, Saginaw, MI 48601. **Copies of RFP documents obtained from any other source are not considered official copies.** The BVCT Board cannot guarantee the accuracy of any information not obtained from the above sources and is not responsible for any errors contained by any information received from alternate sources. Only those vendors who obtain RFP documents from the above sources are guaranteed access to receive addendum information, if such information is issued. If you obtained this document from a source other than the source indicated, it is recommended that you contact the Buena Vista Township Office and obtain an official copy.

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1. IMPORTANT DATES

The tentative timeline is:

<u>Task</u>		<u>Target Date</u>
RFP posted		January 24, 2023
RFP(s) due		March 7, 2023
Interviews, if necessary	(week of)	March 13, 2023
Negotiations/clarification on contract terms	(week of)	March 20, 2023
Recommendations to Board of Trustees		March 27, 2023
Contract begins		April 3, 2023

2. GENERAL INSTRUCTIONS

Qualified legal firms are invited to submit qualifications to Buena Vista Charter Township for Legal Services. The legal services sought need to include the specialized legal service and expertise needed for municipal government. The Attorney is a contract position and will work closely with the Township Superintendent and the Board of Trustees.

Only Licensed attorneys, or law firms with licensed attorneys, that practice law and maintain an office in Michigan may respond to this RFP.

To be considered by the Board of Trustees, **one (1) UNBOUND original, eight (8) copies** of the proposal with the fee proposal enclosed in a separate sealed envelope must be received by the date and time specified. A sealed envelope containing the fee proposal may be sent in the same package as the technical proposals. **Late submittals will not be considered.**

Submitted copies become the property of Buena Vista Charter Township and shall not be returned.

Buena Vista Charter Township shall not be responsible for any cost associated with the preparation of a response to this RFP. Firms are encouraged to provide the minimum amount of information necessary to address the RFP.

Consultant service agreements are for a three (3) year duration. Buena Vista Charter Township retains the right to extend the agreement upon mutual consideration of both parties.

Please submit questions to:

Torrie Lee, Township Superintendent at Superintendent@bvct.org. Answers to questions received will be posted as a supplement to the original RFP/RFP statement for all prospective respondents.

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3. SCOPE OF SERVICES

Legal services to be performed on behalf of Buena Vista Charter Township include, but may not be limited to:

General Counsel

1. Draft and/or review all ordinances, agreements and contracts for the Township to include the Downtown Development Authority (DDA), Planning Commission and other Township Commissions as requested.
2. Participate in non-labor negotiations when requested.
3. Draft and/or review charter amendments.
4. Review, draft, and negotiate real estate purchase agreements, sale documents including deeds, and advise on real property disposition.
5. Advise on real estate, land use, Tax Increment Finance Authority legal issues, policies, and negotiations.
6. Prepare formal opinions on the legal ramifications and implications of matters before the Board of Trustees, as requested by the Township Superintendent.
7. Provide legal advice on actions taken or contemplated.
8. Recommend legislation to the Board of Trustees when appropriate or requested.
9. Attend Board of Trustee meetings as requested.
10. Prepare various legal documents required by the Township.
11. Represent the Township in administrative proceedings before State agencies (but not to include proceedings before the tax tribunal or the appellate courts).
12. Advise appropriate officials on policy affecting the enforcement of all Township ordinances. Consult with the Township Superintendent, various boards and Township Board on proposed or revised Township policies or ordinances.
13. Review and approve or reject complaints on various issues by appropriate Township employees alleging ordinance violations.
14. Meet on a bi-monthly basis (minimum) or as-needed with the Township Superintendent to review Township matters.
15. Provide monthly time records to the Director of Finance for work performed under the flat rate agreement, and monthly reports to the Township Superintendent on pending litigation. If items are handled outside the Contract on a flat rate or hourly rate, appropriate records will be kept and provided to the Township Superintendent and Director of Finance on a monthly basis.
16. Other legal services as needed.

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The scope of services may include the following:

Prosecution Services

1. Represent the Township as Prosecutor in District Court for ordinance violations, municipal civil infractions, violations of the Uniform Traffic Code, and violations of the Michigan Motor Vehicle code.
2. Represent the Township as Prosecutor in all appeals of convictions at the local level only.
3. Recommend and possibly draft ordinance amendments based on cases prosecuted.
4. As requested by the Township Superintendent, provide time records for work performed and statistics on the cases opened and pending.

Other Specialty Services

Tax tribunal, labor, bankruptcy, and/or bond counsel services, and litigation will be handled outside the normal Township Attorney Contract but may be considered during the RFP process.

Estimated Workload

The Township does not guarantee a set workload and/or billable hours.

4. SPECIFICATIONS

1. **Format** – The following outline shall be followed for all Qualification Packages:
 - a. Name of the firm and firm principals, business address, telephone, fax, and email addresses. Also, the year of establishment and key team members for this project. The name and title of the principal authorized to negotiate on behalf of the firm shall be identified.
 - b. Name and qualifications of staff proposed to be assigned to Buena Vista Charter Township. Note: a principal, director, or equivalent is expected to be available to provide legal services to Buena Vista Charter Township.
2. **Experience and Qualifications** – The primary attorney assigned to work on Township legal matters shall, at a minimum, possess the following:
 - a. A juris doctorate degree from an American Bar Association accredited college or university.

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- b. A valid license to practice law in the State of Michigan.
 - c. A minimum of five (5) years experience in municipal law and municipal legal issues.
 - d. A minimum BV rating from Martindale-Hubbell, however an AV rating is preferred.
3. **References** – Provide the names, telephone and fax numbers, e-mail addresses, and addresses of three recent client references.
4. **Attorney Qualifications** – The respondent should have experience in the following areas:
- a. Michigan Municipalities, Authorities, and similar tax-exempt organizations;
 - b. Real-estate development
 - c. Tax increment financing
 - d. Bond financing
 - e. Grants and contracts

The Respondent should describe the qualifications of each attorney to be assigned to this project. The description should include:

- a. Professional and educational background of each attorney
 - b. Prior experience of the individual attorneys with respect to the required experience listed above
 - c. Only include resumes of attorneys likely to be assigned to the representation. Education, position in the firm, years, and types of experience; continuing professional education will be considered.
5. **Compensation** – Buena Vista Charter Township is considering alternate methods of compensation for services depending on the nature and scope of the services provided. These include but are not limited to hourly rate compensation and flat fee compensation. Please provide your expected type of compensation including, as applicable, hourly rate or rates, flat fee rates. Note that any rates submitted remain subject to negotiation after submission as this is not a bid submittal since the scope of the work remains somewhat undefined.
6. **Other** – Provide any other information necessary to fully describe services and

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7. qualifications (not to exceed 10 pages). The total number of pages in the submittal shall not exceed forty (40). Economy of preparation and brevity are encouraged.
8. **Review Process** – BVCT reserves the right to reject any or all submittals. BVCT may request one or more firms to provide a detailed proposal. BVCT reserves the right to modify the scope with one or more of the respondents, and to waive any/all requirements which BVCT deems to be in their best interest. The public entities are not liable for any costs incurred by any agent or firm prior to the negotiation, approval, and execution of an agreement. This RFP should not be construed as creating a contractual relationship between BVCT and any agent or firm submitting a response to this RFP. Buena Vista Charter Township shall have no obligation or liability to any agent or firm responding to this RFP.
9. **Evaluation Criteria** – The following will be considered in the selection of a consultant:
 - a. Relevant Experience
 - b. Qualifications
 - c. Team compatibility, including the ability of firm/attorney to work with staff and board members based on references and other supporting information.
 - d. Unique resources the firm/attorneys may bring regarding innovative techniques.
 - e. The professional reputation of the law firm and its attorneys.

The evaluation of proposals will be done by the Township Superintendent and BVCT Board. Firms are invited to attend the regularly scheduled Board of Trustees meeting, said meeting begins at 6:00p.m.on March 27, 2023; building located at 1160 S. Outer Drive, Saginaw, MI 48601.; while the meeting is open to the public, any questions should be answered by no more than two representatives from their respective firms. The evaluation process will be based on qualifications. Fee proposals, which are to be submitted in a separate sealed envelope, will be reviewed after the most qualified firms have been established.

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Appendix B

Legal Services Request for Qualifications

1. Firm name
 - a. Areas of specialty.
 - b. Years in business.
2. Offices
 - a. Office location where the majority of the work will be performed.
 - b. Name and address of parent firm (if applicable).
3. Personnel
 - a. Principal contact (name, phone number, email) of the firm. (Answers to questions received from prospective respondents to this RFP will be emailed to the address provided.)
 - b. Proposed personnel for legal services to be provided for each discipline. Please provide the specific name of the individual who will handle each discipline (general and prosecution) and attach a current resume.
 - c. Other key personnel names who will be used for Township business.
 - d. Total number of licensed attorneys at office listed in 2a. above.
 - e. Total number of all staff at office listed in 2a. above.
4. Does firm have adequate staff to handle another municipal client or will staff need to be hired?
5. Experience - provide a short narrative (no more than five (5) pages) detailing experience in municipal law including areas of expertise. Be sure to include any information on items identified as specialty services in Appendix A as well.
6. List specific reasons (no more than two (2) pages) why your firm should be considered by the Township of Buena Vista for legal representation.
7. Provide three (3) or more municipal references from prior or current clients, including contact name and telephone number.
8. Disclosure of any clients or interests that may reasonably be foreseen to constitute a conflict of interest when representing the Township (such as other local governments, developers, bidders, etc.).
9. Describe how your firm will handle the day to day activities (ordinances, court appearances, and attendance at meetings) of this contract. This is particularly important if you do not have a local Saginaw County office.

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10. Provide evidence of a comprehensive liability and workers compensation insurance policy for all staff assigned to work for the Township.
11. Note any exceptions or deviations to the required scope of services outlined in Appendix A.
12. During the past five (5) years, has the firm had any Bar Association complaints filed against it? If so, please explain.
13. Has the firm been in bankruptcy, reorganization or receivership in the last five (5) years?
14. Has the firm been terminated by any municipal client in the last five (5) years? If so, please explain.
15. Define the standard time frames for response by the Township Attorney to inquiries from the Township Superintendent.
16. Describe how your firm would familiarize yourself with the current issues facing Buena Vista Charter Township.
17. Pricing - note the Township prefers a combination of monthly retainer and per hour charges (to the tenth of an hour), but will consider all pricing structures submitted.

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Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Monthly General Counsel Retainer 1. Attendance at one Board of Trustees Meeting per month	\$ _____ \$ _____
B. Monthly Prosecution Retainer	\$ _____
C. Hourly Rate (For Filed Civil Cases)	\$ _____
D. Hourly Rate (For Other Specialty Services Provided by Your Firm)	\$ _____
E. Listing of All Other Expenses to be Charged Outside of the Above Fees: 1. 2. 3. 4. 5.	\$ _____ \$ _____ \$ _____ \$ _____ \$ _____

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