



REQUEST FOR QUALIFICATIONS

CITY OF FOREST PARK ATTORNEY SERVICES

Issue Date: October 12, 2023



RFQ – City Attorney Services

**City of Forest Park
745 Forest Parkway
Forest Park, Georgia 30297**

SECTION 1: INTRODUCTION

The City of Forest Park, Georgia (the “City,”) invites interested legal firms or qualified individuals to submit written proposals to provide contracted legal services to the City. The successful firm must be able to provide a designated, primary individual to serve as City Attorney, and he or she should have the capability to provide expertise in the area of general municipal law, zoning and land use law, personnel and human resources law, contracts, bonds transactions, and other such issues common to local government in Georgia. City Attorney Services will be for a term of twelve (12) months with the option to renew for an additional twelve (12) months. If interested in this opportunity, two (2) printed copies of the proposal (1 original, 1 copy) and one usb containing the proposal must be received. Proposals MUST be submitted in a sealed envelope clearly marked “City Attorney Proposal” and addressed as follows:

City of Forest Park
Re: City Attorney Recruitment
Attn: Ricky L. Clark, Jr., City Manager
745 Forest Parkway
Forest Park, Georgia 30297

Emailed responses will NOT be accepted. The deadline for bid proposals will be Friday, November 3, 2023 at 5:00 PM local time. The Mayor and Council reserve the right to reject any or all proposals, request additional information concerning any proposal for purposes of clarification, and to waive any irregularities if such action serves the City's best interest as determined solely by the Mayor and Council.

Complete RFQ packages are available on the city’s website at www.forestparkga.gov.



SECTION 2: SCOPE OF SERVICES

- A. **General Legal Services Requested.** In furtherance of those duties set forth in Section 3.13 of the City Charter, the City Attorney is expected to perform all general legal representation for the City as required. Compensation for these defined services will be at an hourly rate. Such general legal representation includes, but is not limited to:
1. Legislative work associated with City Council meetings, including preparation or review of ordinances and resolutions, and written policies and procedures, together with research work, as necessary, associated with the preparation of those documents. This activity shall include providing assessments of legal likelihoods in support of City risk analyses.
 2. Prepare oral or written opinions on legal matters as required by City Council and/or the City Manager.
 3. Negotiate and prepare agreements, leases, contracts, or similar documents.
 4. Review and comment on contract form(s) between the City and independent contractors.
 5. When requested by City Council or by the City Manager, perform investigations that may require interviewing witnesses, taking testimony, review of reports, and legal research.
 6. Provide legal counseling, guidance and opinions to the City Manager and Department Directors regarding the operations of the City; provided, however, except in the event of an emergency problem, all requests made by Department Directors for such legal counseling, guidance and opinions shall be channeled through the City Manager.
 7. Participate in meetings and/or telephone conferences with the City Manager and/or City staff as requested by the City Manager, as required.
 8. Provide staff assistance, legal research and counseling related to the acquisition or sale of real property, preparation of leases, deeds and easements; utility franchise agreements; referendum questions, contracts, surety/performance/payment bonds, insurance policies, bills of sale, liens, waivers, subordinations, and other legal instruments; liability situations; grant guidelines; arbitration; and other matters as necessary requiring legal advice.
 9. Maintain legal files and provide to the City Manager copies of all correspondence, and all pleadings and orders in all litigation the City Attorney is handling for the City. On a monthly basis, the City Attorney will provide a summary written report on the status of all litigation that the City Attorney is directly handling or is overseeing on behalf of the City. Furthermore, the City Attorney shall notify the Mayor, Council and City Manager within 48-hours of any ante litem notice, any notice of claims, and/or any legal actions that have been initiated against the City.
 10. Keep the Mayor, City Council and the City Manager informed of legislation or judicial decisions that have the potential to impact the City.
 11. Oversee, in a cost-effective manner, litigation in which the City is represented by the City's insurance carriers.
 12. Perform other professional duties as may be required including, but not limited to, conducting legal research as required for the performance of duties representing the City.
 13. With the exception of requests for Legal Services issued by City Council acting as a body, the City Manager shall act as a "gatekeeper" for the City in requesting Legal Services or assistance of the City Attorney, coordinating the flow of work to the City Attorney and establishing the relative priorities to be placed by the City Attorney on each task for which the assistance of the City Attorney is required. No member of the City staff may require the efforts of the City Attorney on behalf of the City unless expressly authorized by the City

Manager. Notwithstanding the foregoing, the Mayor and any member of City Council may request Legal Services and opinions of the City Attorney regarding City matters upon approval of City Council.

14. Attend regular City Council, and Planning Commission meetings, all Special Meetings, work sessions and executive sessions, and any other City meetings as requested by the Mayor, City Council, or the City Manager.
15. Participate in special projects as authorized by the Mayor, City Council, or City Manager, including, but not limited to, the negotiation for sale of purchase of real estate, including fee ownership and easements and acquisition of interest in real estate through the exercise eminent domain by the City.
16. Provides guidance and legal advice on the Georgia Open Meetings Act, the Georgia Open Records Act, Robert's Rules of Order, and City of Forest Park rules, policies and procedures.

B. Other Legal Services. The City Attorney shall provide representation on behalf of the City in the following services.

1. The City Attorney or their designee shall be the City's representative in all litigation in any court and all other hearings, meetings, or other such functions as enumerated in this RFQ.
2. The City Attorney or their designee shall also represent the City in proceedings in any court of competent jurisdiction and in hearings before administrative tribunals where the City is a party or intervener in respect to the issues that are pending before such court or administrative tribunal when directed to do so by City Council. The City Attorney may also represent the municipality in other pending legal proceedings, not specifically enumerated herein, at the request of the City Council or City Manager.
3. The City Attorney or a designated attorney from the City Attorney's office will represent the City in all litigation matters (litigation matters, meaning all actions filed in Federal, Superior Court or State Court against the City) involving the City's elected officials, officers, and personnel acting in the course of City business. Separate billing will begin on litigation matters only after the date of filing of an action. As long as the City, its elected officials, officers and personnel are named as parties to the litigation, the City Attorney is to be included as an attorney of record and will appear either personally or through a designee before the applicable court for any hearing or trial to protect the interest of the City and its officials.
4. Other Experts. In certain cases, the City Attorney may determine that it is necessary or desirable to retain the Legal Services of others who have expertise in the particular matter under review. Fees incurred by such professionals will be approved by City Manager and billed separately to the City. The anticipated services and fees for any professional used in this manner will be submitted to the City Manager for review and approval prior to utilization of the professional.
5. The City Attorney or their designee shall oversee the City's Real Estate, Title and Closing Matters.

SECTION 3: SUBMITTAL REQUIREMENTS

1. The firm or individual must have a minimum of ten (10) years of experience serving Georgia local government clients to include cities, counties, authorities, TADs and/or CIDs, etc.



2. Please provide an employment history (past ten years) for the individual(s) to be designated City Attorney as well as for any individual who may provide the City with supplemental legal services. In addition, please include the following:
 - a. Attorney's Name
 - b. Name, Address and Phone Number of Firm
 - c. Length of Employment in Present Capacity
 - d. Area of Specialization
3. Please describe the qualifications for the individual to be designated as City Attorney and those of any associated party(s) who will be used in a subordinate capacity. At a minimum this information should include:
 - a. Legal education and training, and type and years of practice to include the date of admission to the Georgia Bar;
 - b. Years of municipal or other local public-sector law practice as a full-time, contracted or part-time local government attorney and/or private law practice with specialization in local government law;
 - c. General description of tasks associated with past practice as a local government attorney;
 - d. A statement of types of clients currently or previously represented other than local government clients;
 - e. General description of experience in litigation representing local government including types or categories of cases litigated;
 - f. Office Location and accessibility/availability to Forest Park;
 - g. A description of any complaints filed or pending with the Georgia Bar or any out of state Bar Association and the disposition of any complaint that may have been filed.
 - h. Also, a description of any law suit in which you have any personal involvement currently or in the past.
4. Please state the hourly rate(s), (Schedule A) together with costs reimbursement(s) you propose for rendering legal services to the City of Forest Park, including rates for lead Counsel, all other attorneys and staff and travel time to the Council meetings in Forest Park.
5. The selected firm shall provide to the City of Forest Park evidence of Commercial General Liability insurance. Coverage should include \$1,000,000 per occurrence and \$2,000,000 aggregate, as applicable. For the entire term of the contract, the firm shall procure and maintain errors and omissions liability insurance appropriate to the legal profession.
6. Please describe how you would provide for professional liability insurance, indemnity for the City, amendment, extension, and/or termination of the contract.
7. Please define the normal time frame for responses by the City Attorney to direction and/or inquiry by the Mayor, and City Council or the City Manager. Note that, except for Council direction in a meeting format, all such instructions to the City Attorney involving billable hours must be approved in advance by the City Manager.
8. Please provide a list of all public clients for which the firm currently provides services.
9. Please provide one signed and dated original, one copy of your Proposal, and one copy on digital media if possible.
10. Please note that all RFQs will be subject to the Open Records Act



11. Describe how the respondent protects client confidentiality. This applies to all information and communications, including electronic communications, unless available to the public through a public records request and otherwise not subject to specific exemption.
12. Provide a list of all local agencies or clients that the respondent now represents which may cause a potential conflict of interest with the City of Forest Park.

SECTION 4: EVALUATION AND SELECTION PROCESS

1. To be considered, all proposals are due and must be submitted on or before, 5:00 PM Local Time, Friday, November 3, 2023. Regardless of reason, proposals received after this date and time will not be considered.
2. Proposals should be submitted in a sealed envelope which is clearly marked, "City of Forest Park re: Attorney Proposal" and addressed or delivered to Office of the City Manager, 745 Forest Park, Georgia 30297
3. All Proposals will be reviewed and evaluated by the Mayor and Council.
4. The following will be taken into consideration during the evaluation process
 - a. Qualifications and information contained in the Response;
 - b. Complete and clear answers in the Response;
 - c. Familiarity with laws and regulations governing local governments;
 - d. Demonstrated expertise and experience in local government law;
 - e. Range of services offered and available support staff; Demonstration of workload capacity commensurate with the level of service required by the City;
 - f. Professional reputation for providing high-quality services, ability to work cooperatively with City Council, City Manager, and department heads;
5. The Mayor and Council, or its designee, will commence negotiation beginning with its first choice. If negotiations fail, Council will then move to the second choice, etc. However, at any point in the process Council reserves the right to reject any and/or all proposals as previously stated.
6. Preference will be given to specific overall local government experience of the individual providing City Attorney Services and associated individuals, as well as factors such as total projected cost of service, accessibility to the City, immediacy of availability and responsiveness to the Request for Proposals.
7. Assuming a successful response and the selection and negotiation of a contract for City Attorney, it is anticipated that the City Council will announce the selection at a Council Meeting during the month of December 2023.

SECTION 5: DOCUMENTS REQUIRED WITH PROPOSAL SUBMITTAL

1. Schedule A
2. Commercial General Liability Insurance Certificate
3. W-9
4. E-Verify Affidavit (notarized)





PROPOSAL FORM COVER SHEET

SUBMITTED TO:

The City of Forest Park
Attn: Ricky L. Clark, Jr., City Manager
785 Forest Parkway
Forest Park, Georgia 30297

Responses must be received by 5:00 PM on Friday, November 3, 2023.

The time/date stamp clock located in the Office of the City Manager shall serve as the official authority to determine the lateness of any proposal. The above response deadline shall be strictly observed. Under no circumstances shall proposals delivered after the specified time be considered. Such proposals will be returned unopened.

Type or print

SUBMITTED BY:

Name

Firm

Address

City, State & Zip

Telephone

Email

I am fully aware of the requirements established by the City for selection of a City Attorney. The attached information is complete and accurate.

Print Name

Signature

Title

Date

