



**CITY OF BLACK DIAMOND
REQUEST FOR PROPOSALS
CONTRACTED CITY ATTORNEY SERVICES**

The City of Black Diamond invites interested individuals or firms to submit proposals for contracted City Attorney services. Submissions are due at City Hall by 4:00 p.m. on March 28, 2017. Faxed proposals WILL NOT be accepted.

The City seeks services encompassing the traditional scope of work including legal counsel, opinions, consultation and coordination with special counsel. Attendance at a variety of meetings will be required, including staff meetings and Council meetings as specified. This will not include prosecuting services. **For a copy of the RFP you can access the City's website at www.ci.blackdiamond.wa.us or phone Brenda L. Martinez at 360-886-5700 or email bmartinez@ci.blackdiamond.wa.us.**

Delivery: Submissions may be mailed, or hand delivered to the City of Black Diamond City Hall. Please see the RFP for specific information regarding delivery.

Communications: All communications regarding this request for proposals are to be directed to the Mayor, Carol Benson cbenson@ci.blackdiamond.wa.us.

Minimum Qualifications:

1. Each attorney in the proposed team must possess a Juris Doctorate degree and have graduated from a law school accredited by the American Bar Association;
2. Each attorney in the proposed team must be a member in good standing of the Washington State Bar Association;
3. The proposed designated City Attorney must have a minimum of five years experience in the field of municipal law with particular experience in land use and public works construction.

The City of Black Diamond reserves the right to reject any or all proposals, waive technicalities or irregularities and to accept any submission if such action is believed to be in the best interest of the City.

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GENERAL INFORMATION

Purpose

The purpose of this Request for Proposals (RFP) is to solicit and select a qualified individual or firm to provide a full range of municipal legal services serving as the City's legal counsel on a contractual basis. The City of Black Diamond is a code city as described under Title 35 A in the Revised Code of Washington.

BACKGROUND INFORMATION

Incorporated in 1959, Black Diamond has doubled in size due to the annexation of Lake Sawyer. Current population according to the Washington State Office of Financial Management 2015 estimate is 4,200.

The City operates under a strong Mayor form of government with five elected Councilmembers serving staggered four-year terms. The Mayor serves as the Chief Administrative Officer of the City and may hire a City Administrator to assist in the day-to-day operations. The City has its own Police Department and Municipal Court. Prosecution Services are provided under contract by Kara Murphy and Public Defender Services are provided under contract by O'Brien, Barton & Hopkins, PLLP. Labor and employment services are provided under contract with The Summit Law Group. The City has its own Public Works Department and provides water and sewer service to approximately 900 households within the City. The City has three union contracts; two with Teamsters Local 117 and one with the Black Diamond Police Officers Association. Fire services are contracted with Mountain View Fire & Rescue. There are approximately 30 employees in the City with the majority in Police.

Currently the City has approval for the following two master planned developments:

- The Villages consisting of approximately 4,800 homes on 1,200 acres including ¾ million square feet of commercial space.
- Lawson Hills consisting of approximately 1,250 homes on 371 acres including 390,000 square feet of commercial space.

SCOPE OF SERVICES

The City will need a full array of Municipal City Attorney services, including but not limited to:

General legal counsel for the Mayor, City Council, and staff including but again not limited to:

- Attending meetings with Mayor, City Administrator and staff when requested.
- Being available for phone consultations with the Mayor, Councilmembers, Administrator and staff.
- Bringing to the attention of the Mayor, City Council, Administrator, or staff matters of relevance as a result of new legislations or recent court decisions.
- Maintaining a liaison with other associated special counsel.
- Attending and actively participating in management meetings as needed.
- Attendance at all regular City Council meetings. The City Council regularly meets every first and third Thursday evening of each month.

- Availability for special sessions of the City Council.
- Review and original preparation of ordinances, resolutions, and contracts when requested.
- Litigation services – Representing the City either as a plaintiff or defendant. Representing the City before Administrative proceedings before other governmental units.
- Services related to the formation of Local Improvement Districts and the collection of assessments.
- Contract law including such subjects as personal services, equipment, and real estate leases and purchases.
- Eminent Domain
- Right of Way Acquisition
- Utilities

Areas of particular need are land use law, including but not limited to public records act, zoning and development regulations, platting, Growth Management Act compliance, annexations, and Shorelines Management Act compliance.

SELECTION PROCESS

Submittal Criteria: The Selection Committee, determined by the Mayor, will review all proposals and may invite the most qualified firms to an interview. In reviewing and evaluating the submitted proposals and interviews, the Selection Committee will use the following criteria:

- Advanced knowledge of all municipal government legal issues.
- Availability, references, and billing rates of person or persons serving as the City's contracted attorney.
- Advanced understanding of Washington State land use law including, but not limited to GMA, SMA and SEPA.
- Proposed fee structure. Propose a compensation package, inclusive of all service costs. The City is open to a variety of approaches, including

hourly rates or a flat, monthly with add-ons. The City will select the finalists by considering the proposed compensation as a “best and final offer”, although the City reserves the right to negotiate terms as needed to improve elements of the proposal to best meet the needs of the City, including costs.

- Qualifications of the key staff that will be assigned to the City. (Indicate their assigned role, amount of time available, past relevant experience and resume, etc.)
- Include a rate schedule for all assigned staff. (Please address experience with municipal government legal services.)
- Names and references, including contact person and telephone numbers of organizations for which the firm has provided similar services.

Consultant Selection: Submittals will be narrowed to a short list that may be asked to participate in interviews. The City will review and evaluate each statement of qualifications on the basis of:

- Demonstrated understanding of municipal government issues and law
- Proposed fee structure
- Qualifications of assigned counsel and other staffing resources
- Availability of legal counsel to attend meetings and otherwise serve City of Black Diamond
- Results of references
- The City reserves the right to modify the selection criteria

Consultant Fee and Contract: Upon selection, the fee and contract will be negotiated with the Mayor. The City Council then considers approval of the contract.

QUESTIONS

All questions regarding this proposal shall be directed to:

Carol Benson, Mayor

Email: cbenson@ci.blackdiamond.wa.us

Phone: 360-886-5700

TERMS AND CONDITIONS

Not all proposers may be interviewed. The proposer shall be responsible for the accuracy of the information supplied. The City of Black Diamond reserves the right to reject any and all proposals, to issue one or more agreement(s) for the intended scope of services, to waive minor irregularities, to issue additional RFPs, and to either substantially modify or abandon the selection process prior to any award of a contract. The City reserves the right to negotiate all elements which comprise the apparent successful proposal to ensure that the best possible consideration is afforded to all concerned. Nothing contained herein

shall require the City of Black Diamond to award a contract, and the City of Black Diamond reserves the right to determine its own selection criteria in the award of the final agreement. The contract resulting from acceptance of a proposal by the City shall be in a form supplied or approved by the City and shall at a minimum reflect the specifications in the RFP. The City reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFP and which is not approved by the City Council. The City shall not be responsible for any costs incurred by the firm in preparing, submitting, or presenting its response to this RFP.

SCHEDULE OF PROPOSAL PROCESSES

The City provides the following schedule. This is for information only and will be adjusted as needed. Proposers are encouraged to reserve flexibility for interviews as the City will not be able to allow much advance notice when scheduling initial interviews.

- Distribution of RFP – March 3, 2017
- **Deadline for Submittal of Proposals – March 28, 2017 at 4:00 p.m. All submissions must be received by the City on this date. Late submissions will not be considered.**
- Possible Finalist interviews: To be determined
- Firm selection: To be determined

SUBMISSION DEADLINE

Five (5) copies of the response materials shall be submitted on or before 4:00 p.m. on **March 28, 2017** to:

Mailing Address:

City of Black Diamond
ATTN: Carol Benson
PO Box 599
Black Diamond, WA 98010

Hand Delivery Address:

City of Black Diamond
ATTN: Carol Benson
24301 Roberts Drive
Black Diamond, WA 98010

Questions regarding this request should be submitted to Carol Benson, Mayor at cbenson@ci.blackdiamond.wa.us or by phone at 360-886-5700.

Late submissions, faxes or telephone proposals will not be accepted. Digital proposals may be submitted via email, but the City assumes no responsibility for formatting or transmission errors.

Proposals should be prepared simply, providing a straightforward, concise description of provider capabilities to satisfy the requirements of the request. Emphasis should be on completeness and clarity of content. Items such as special bindings, color displays, glossy finishes, and promotional materials are not desired. Submittals should be limited to a total of 25 pages.