

**City of Ionia**  
Request for Proposals  
June 28, 2021

**CITY ATTORNEY/LEGAL SERVICES**

**Introduction**

The City of Ionia seeks qualified attorneys or firms to serve as City Attorney and provide other legal services. Pursuant to the Ionia City Charter (Section 4.03), the City Attorney shall be appointed by the Mayor and confirmed by a majority vote of the entire Council for an indefinite term. The City Attorney shall be the chief legal advisor to the Council, the City Manager and all City departments, offices and agencies. The City Attorney shall perform such other duties as the City may require.

The Ionia City Council has not appointed a City Attorney in nearly 20 years and the City has been utilizing the services of several different attorneys as need arises. It is the desire of the City to appoint a City Attorney consistent with the Ionia City Charter. Specialized legal services, such as labor issues, bond and finance issues, and tax tribunal appeals will be handled by outside attorneys.

**Scope of Work**

1. Draft and/or review all ordinances, agreements and contracts.
2. Participate in non-labor negotiations when requested.
3. Draft and/or review charter amendments.
4. Assist the City in the sale or purchase of real estate.
5. Prepare deeds and other contracts for sale and purchase of property.
6. Prepare formal opinions on the legal ramifications and implications of matters before the City Council, as requested by the City Manager, Department Heads, or the City Council.
7. Provide legal advice on actions taken or contemplated.
8. When requested, provides the Mayor and City Council with guidance as to Robert's Rules of Order, Council Rules and Procedures, City Charter and related procedural matters relating to Council meetings.
9. Recommend legislation to the City Council when appropriate or requested.
10. Attend City Council meetings and/or other meetings of the City Council or boards and commissions when requested.
11. Represent the City 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 City ordinances.
13. Consult with City Manager and/or Department Heads and various boards and City Council on proposed or revised City policies or ordinances.
14. Review and approve, or reject complaints on various issues by appropriate City employees alleging ordinance violations.
15. Meet on a monthly basis or as-needed with the City Manager to review items referred to the City Attorney's office.

**Specifications**

1. The appointed City Attorney may be asked to attend City Council meetings from time-to-time, as need arises. Regular Council meetings are held the first Tuesday of the month, from 7:00 p.m. until completion of the meeting.
2. The City Attorney must be readily available by phone, cell phone, and e-mail.
3. Timeliness of response and accessibility to the City Attorney is an important aspect of services provided. Accessibility and responsiveness of the City Attorney is of greatest importance, although consideration will also be given to access to assistant attorney(s) as well. Accessibility includes the

ability to be generally available to attend meetings in person on short notice and the ability to be reached promptly by telephone or e-mail.

4. Service response is also of high importance. When the City Manager or Council requests draft ordinances or opinions, the City Attorney should provide some estimated time of completion and keep the requesting party apprised of any delays or special considerations.
5. The City Attorney must prioritize the attorney's work load so that City matters are given the highest priority and, therefore, are completed in a timely manner.

### **Statement of Qualifications**

Attorneys or firms wishing to submit proposals should meet the following minimum requirements and provide a statement indicating how they satisfy these requirements:

- Possess a Juris Doctorate and have graduated from a law school accredited by the American Bar Association
- A valid license to practice law in the State of Michigan
- A minimum of five (5) years experience working with municipal clients
- A minimum BV rating from Martindale-Hubbell; an AV rating is preferred

### **Proposal**

Please provide a written proposal responding to each inquiry in the order below, sealed in an envelope and marked "City Attorney Proposal" on the outside center of the envelope. An electronic copy of the proposal shall also be transmitted by thumb drive or CD-ROM. E-mailed proposals will not be accepted.

1. Statement of qualifications (as described above)
2. Firm Experience
  - Provide a narrative description of the firm.
  - Describe the general experience of the firm.
  - Identify at least three other municipal clients/references.
  - Identify experience with municipal issues including land use, zoning, growth management, environmental law, complicated agreements including interlocal government agreements (IGAs), public works, and other municipal specialties.
  - Provide evidence of comprehensive liability and workers compensation insurance coverage for all firm staff assigned to work with the City.
  - Disclose any Bar Association complaints filed against the firm within the last five years.
  - Disclose any termination(s) of the firm by municipal clients and any bankruptcy, reorganization or receivership claims within the last five years.
3. Proposed Attorney(s) and other members of the legal team (paralegals, administrative assistants, etc.)
  - Name and description of the attorney(s) and/or team proposed. Clearly identify the lead City Attorney and name assisting attorney(s), if any.
  - Provide a resume or similar description for each team member, with considerable detail as to the experience and qualifications of the lead City Attorney and any significant assisting attorney(s).
  - Specify the organizational structure applicable to this contract, including who the lead City Attorney is, and the relationship of any assisting attorney(s).
  - If specialty attorney(s) or additional resources are available through the firm (in addition to the named team) to meet special or unique needs, please identify such individuals and specialties as well.
  - Disclose any clients or interests that may reasonably be foreseen to constitute a conflict of interest when representing the City (such as other local governments, developers, bidders, etc.)

4. Accessibility and Responsiveness

- Identify the accessibility of the proposed City Attorney, and the response time that the individual offers to the City when an inquiry is made or a request for services made. Specifically identify the lead-time required for attending scheduled or special meetings.
- Identify the same for any assisting attorney(s).

5. Proposed Fee Structure and Bid Options

The selected firm or attorney will provide general counsel activities on behalf of the city as described in this solicitation for proposals. Generally speaking, the City will NOT require the City Attorney to attend meetings of the City Council or other boards and commissions and thus, should be taken into consideration when formulating a retainer-based proposal.

Attorneys/firms are asked to propose a compensation package, inclusive of all service costs according to the options described below. The City is open to a variety of approaches, including hourly rates or a flat monthly rate (retainer) with add-ons and an annual “true-up” provision, where actual hours worked are compared to those paid and adjustments in the next year are made accordingly. The City will select its preferred legal services provider, in part, 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 cost. The City further reserves its right to select the firm with legal services that best meets the needs of the City in the sole judgment of the City and selection will be based on experience, qualifications, and/or economic benefit to the City. This selection will most likely not be based solely on cost.

**Contract**

As an example of work to be performed as City Attorney, firms or attorneys should draft a contract that would govern the relationship between the firm/attorney and the City.

**Submission**

The entire proposal and other components requested in this document should be received by July 23, 2021 by 4:00 pm at the Ionia City Manager’s Office.

Documents can be mailed or hand-delivered to:

Precia Garland  
City Manager  
114 North Kidd Street  
PO Box 496  
Ionia, MI 48846

Submissions should be contained in a sealed package or envelope. The exterior of the package or envelope should clearly be labeled CITY ATTORNEY PROPOSAL.