



## **Request for Proposals Town Attorney**

### **General Information**

The Town of Basalt is requesting proposals from qualified law firms and individual attorneys to provide legal services to the Town. To be considered, an electronic copy and nine hard copies of a proposal must be received at Town Hall by **4:00 p.m. on Friday, April 6, 2018.**

### **Introduction**

The Town of Basalt is home rule municipality with a council-manager form of government. The Town Attorney is appointed by the Council and is the legal representative of the Town and shall advise the Council and Town officials in matters affecting the Town. The Town Attorney shall be an attorney-at-law licensed and admitted to practice in the State of Colorado.

### **Nature of Services Requested**

- Act as legal counsel for Elected Officials, Town Boards/Commissions and when directed by Council, as legal advisor to Town Manager/Department Heads or Town Employees.
- Familiarity with all ordinances, state or federal laws, and to inform any legislative matters or changes that may affect the Town.
- Draft, review or present agreements, bonds, contracts, ordinances, resolutions, staff reports and other written instruments pertinent to Town functions or that will be considered by Town Council or the Town Manager and provide a legal opinion as to the consequences of such documents.
- Provide interpretation and written and oral legal opinions on municipal code and State Statutes.
- Provide guidance on personnel matters, including employee disciplinary and grievance matters when requested.
- Involvement in liquor and marijuana licensing issues as needed.
- Assist elected officials and staff in maintaining awareness of legal and ethical standards.
- Review various municipal policies for legal compliance when requested.
- Attendance at Town Council meetings, and other meetings as requested.
- Provide training and advice to elected officials on roles, responsibilities and potential liability.
- Drafting and interpreting land use code, advising staff and Town Council concerning policy and enforcement.
- Drafting, reviewing and presenting legal documents relating to acquisitions, easements, variances, annexations, subdivisions, zoning, rights-of-way and other land uses.

- Drafting and reviewing contracts and agreements relating to the purchase, sale, transfer or lease of land or improved property.
- Assisting in negotiations related to the purchase, sale, transfer or lease of land or improved property.
- Manage, conduct and/or oversee litigation in all Courts. In special or complex matters, assist the Town in obtaining services of outside counsel and act as liaison to staff and elected officials.
- Perform other legal services and tasks, as requested.

### **Minimum Qualifications**

In order to be considered, the firm or individual presenting the proposal must be:

- Licensed by the Colorado State Bar & in good standing.
- Have at least 5 years of experience providing legal services with preference given to experience relevant to local government.
- Experienced in general municipal procedures involving: Town Council procedures under the Colorado Open Meetings Law, the Colorado Open Records Act, liquor licensing and municipal election law.
- Experienced in community development in Colorado with the ability to negotiate, draft, review and present legal agreements and documents relating to development and land use.

### **Proposal Requirements**

- Description of experience with municipal law generally and specifically with respect to any other areas you believe are relevant to the Town's decision.
- Provide a list of any attorneys in your firm who may provide services under this request, a list of services they may provide, overall supervision to be exercised, and list any past or present disciplinary proceedings against them or bankruptcy.
- Describe any knowledge or experience that makes you or any attorney(s) in your firm, particularly qualified to fulfill the Town Attorney duties.
- Describe any support services you would receive from your firm if selected.
- Describe your philosophy for servicing a Town and commitment to customer service and quality assurance.
- Please describe what other areas of law you or your firm specialize in. What is the percentage of other areas of specializations to the municipal law specialization?
- The Town is soliciting talent and expertise first and foremost. While cost to the Town is important, the selection will not be based solely upon cost. Please detail and explain your required fees to perform the requested services.
- If you propose to bill for services at an hourly rate, provide the current hourly rate for each attorney and for each employee of your firm who may work on Town matters. Or, state specifically whether you will work on a fixed fee (retainer) basis and, if so, how you propose that such a fee be determined. Please specify how your hourly or fixed fees will be based and

whether such fees would be raised prior to January 1, 2019. Please disclose any other applicable billable rates and expenses, such as, travel mileage, photocopying and postage.

- Provide a minimum of three client references.
- Provide the name of your professional liability insurance carrier and worker's compensation carrier and the limits of your insurance.
- Please disclose any potential conflicts of interest that may arise in the performance of Town Attorney duties by you or any member of your law firm.
- The Town may request additional information to further clarify, explain or validate the contents of any proposal. All supplemental information must be submitted to the Town in writing within three working days of the Town's request.

### **Evaluation Process**

Prior to awarding the engagement, a committee composed of Town staff and elected officials will evaluate the proposals and consider the qualifications of firms by reviewing the substance, appropriateness and quality of the proposal, review of relevant experience, checking references from other clients and interviews. The total cost of the proposal is a significant consideration but not the only factor in selecting a Town attorney.

### **Submission of Proposals**

The Town reserves the right to reject any and all proposals, to request additional information concerning any proposal for purposes of clarification, and to waive the irregularities and informalities in the submittal and evaluation process. This RFP does not obligate the Town to pay any cost incurred by respondents in the preparation and submission of a proposal. Furthermore, the RFP does not obligate the Town to accept or contract for any expressed or implied services. All inquiries regarding this Request for Proposals and current legal services of the Town including legal activities and past/current litigation should be directed to the Town Manager. at the above address or [ryan.mahoney@basalt.net](mailto:ryan.mahoney@basalt.net)

PLEASE MAIL HARD COPIES OF PROPOSALS TO:

Town of Basalt  
Attn: Ryan Mahoney  
101 Midland Avenue  
Basalt, CO 81621

EMAIL AN ELECTRONIC COPY TO: [ryan.mahoney@basalt.net](mailto:ryan.mahoney@basalt.net)

PROPOSALS MUST BE RECEIVED ON APRIL 6, 2018

BY 4:00 PM IN ORDER TO BE CONSIDERED.