



**CITY OF PORT ORCHARD  
REQUEST FOR QUALIFICATIONS  
CONTRACTED CITY ATTORNEY SERVICES**

**GENERAL INFORMATION**

**Purpose**

The purpose of this Request for Qualifications (RFQ) 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 Port Orchard is a code city as described under Title 35A in the Revised Code of Washington.

**BACKGROUND INFORMATION**

The City of Port Orchard, originally the Town of Sidney, was incorporated in 1890. Port Orchard has increased in size due to the annexation of McCormick Woods and the Bethel Corridor. Current population according to the Washington State Office of Financial Management 2019 estimate is 14,390.

The City operates under a strong Mayor form of government with six elected Councilmembers serving staggered four-year terms and one At-Large Council member serving a two- year term. The Mayor serves as the Chief Administrative Officer of the City. The City has its own Police Department and Municipal Court. Prosecution Services are provided under contract by Kitsap County and Public Defender Services are provided under contract by LaCross and Murphy, PLLC. The City has its own Public Works Department and provides water and sewer service to approximately 3,674 households within the City. The City has five union contracts, two with the Police Guild and three contracts with the Teamsters Local No. 589. There are approximately 90 employees in the City with the majority in the Police Department.

## **SCOPE OF SERVICES**

The City will need a full array of Municipal City Attorney services, including but not limited to serving all departments of a code city including police, court, finance, public works, community development city clerk and general administration.

Some of the services may include (but not limited to):

- Land use, building, permitting, and code enforcement
- Personnel and collective bargaining
- Public utilities including water, sewer, storm drainage
- Public Records and Open Public Meetings Act,
- Contract law, including such subjects as personal services, equipment, and real estate leases and purchases.

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

- Being available for phone consultations with the Mayor, Councilmembers, and staff.
- Bringing to the attention of the Mayor, City Council, or staff matters of relevance as a result of new legislations or recent court decisions.
- Maintaining a liaison with other associated special counsel.
- Respond in a timely manner to inquires from authorized City department and/or elected officials through the City routing system and provide regular status reports on active issues through present routing system.
- Attendance at all regular City Council meetings every second and fourth Tuesday evening of each month and attendance at the Work Study sessions every third Tuesday of the month, as needed.
- Availability for special sessions of the City Council.
- Attending and actively participating in management meetings and any special meetings with Mayor and staff, when requested.

- Prepare and/or review of ordinances, resolutions, contracts, and other documents as requested to represent and protect the City's interest and advise the City with regards thereto.
- Litigation services - Representing the City either as a plaintiff or defendant. Representing the City before Administrative proceedings before other governmental units.

## **SELECTION PROCESS**

### **The Mayor desires the following:**

- 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 Mayor is open to a variety of approaches, including hourly rates or a flat, monthly with add-ons. The Mayor will select the finalists by considering the proposed compensation as a "best and final offer", although the Mayor 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 list that may be asked to participate in interviews. The Mayor 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 Port Orchard.
- Results of references.
- The Mayor reserves the right to modify the selection criteria.
- It is anticipated that interviews will be conducted December 4, 2019.

### **CONSULTANT FEE AND CONTRACT**

Upon selection, the fee and contract will be negotiated with the Mayor.

### **QUESTIONS**

All questions regarding this proposal shall be directed to:

Human Resources Coordinator – Debbie Lund

Email: [dlund@cityofportorchard.us](mailto:dlund@cityofportorchard.us)

Phone: 360-876-7014

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.

### **TERMS AND CONDITIONS**

Not all proposers may be interviewed. The proposer shall be responsible for the accuracy of the information supplied. The Mayor 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 and, to issue additional RFQs. The Mayor 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 Mayor to award a contract. The contract resulting from acceptance of a proposal by the Mayor shall be in a form supplied or approved by the Mayor and shall at a minimum reflect the specifications in the RFQ. The Mayor reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFQ. The City shall not be responsible for any costs incurred by the firm in preparing,

submitting, or presenting its response to this RFQ.

### **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 RFQ – October 14, 2019.
- Deadline for Submittal of Proposals – November 15, 2019, 4:30 p.m. Pacific Time.
- All submissions must be received by the City on this date. Late submissions will not be considered.
- Selected finalists will be notified by 4:30 pm on November 27, 2019, for upcoming interviews
- Finalist interviews are anticipated to be scheduled for December 4, 2019.
- Firm selection following interviews and contract negotiations with a tentative effective date in January 2020.

### **SUBMISSION DEADLINE**

One (1) original and three (3) copies of the response materials shall be submitted on or before **4:30 p.m. Pacific Time, on November 15, 2019**. All proposals must be sealed and marked “City Attorney-Legal Services Proposal”. Submit to:

**Mailing Address:**

City of Port Orchard  
ATTN: Debbie Lund  
216 Prospect St.  
Port Orchard, WA 98366

**Hand Delivery Address:**

City of Port Orchard  
ATTN: Debbie Lund  
216 Prospect St.  
Port Orchard, WA 9836

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 15 pages.