

CITY OF LINCOLNTON REQUEST FOR PROPOSALS (RFP) FOR LEGAL SERVICES

Purpose of RFP

The City of Lincolnton, North Carolina invites the submittal of responses to this Request for Proposals (RFP) from qualified Firm(s) interested in providing legal services as the City Attorney. The City intends to consider Firms and/or individuals who possess the professional and administrative capabilities to provide the scope of services detailed below.

Scope of Work

The City is seeking the firm/individual to dedicate an estimated 3-5 hours per month dependent upon the issues facing the City and its various departments. In addition to providing legal representation for the Mayor and Council, Staff, and Boards and Committees, the City Attorney shall perform the following functions:

1. Performs legal research, fieldwork, and other work and communicates the results to the appropriate person.
2. Negotiates, reviews, and prepares contracts, agreements, and conveyances, such as service agreements, lease agreements, franchise agreements, easements, purchase contracts, cemetery deeds, and other legal documents on behalf of the City.
3. Reviews, analyzes, drafts, and revises ordinances, policies, manuals, and other memoranda for the City and its various departments to ensure they are coherent, enforceable, and consistent with State and Federal law; advises the City Council, the City Manager, and the City departments when revisions and changes need to be made.
4. Researches, interprets, and applies laws, court decisions, and other legal authority in the preparation of opinions and briefs; prepares formal legal opinions upon request of the Mayor and Council and the City Manager.
5. Drafts or supervises drafting of ordinances and resolutions for the Mayor and Council, explains the foregoing to the Mayor and Council, and answers questions related thereto.
6. Analyzes legislation including proposed State and Federal legislation affecting the City.
7. Engages in litigation-related matters including drafting, discovery, court attendance, mediation, investigation, hearings and trials, and similar activities.
8. Prepares for and attends the Council meetings, Board of Adjustment meetings, and other boards and committee meetings of the City.
9. Supervises acquisition of real property interests for the City to include title review, interdepartmental communication, negotiations, and litigation.
10. Performs other such duties as may be required by virtue of this position as City Attorney and as directed by City Council.

Selection Process

From a review of the proposals received, the City may invite several Firms to be interviewed before making a final selection. If the City desires to interview a Firm, that Firm will receive notification of the date and time of the interview.

The selected Firm will negotiate with the City on fee and contract conditions. If in the sole opinion of the City, an agreement cannot be achieved with the first respondent of choice, negotiations will proceed with the second or subsequent choice respondents until a mutually agreed contract can be negotiated.

Submittal Requirements

Interested parties should submit the following items in packet form to the City for consideration. Electronic submissions will be accepted, however we ask that you provide this information in a single PDF file:

1. Statement of Qualification and resources of the firm/individual, including governmental experience to include description of areas of expertise or relevant experience that may benefit the City.
2. Statement of interest in providing service to the City.
3. Indication of ability to provide timely and efficient service to the City, including a specification of how many hours per week could be devoted solely to City business.
4. Suggested contractual terms to include hourly rates.
5. Other factors or information thought to be important to the City in considering the proposal.

While the City Attorney is expected to perform the primary legal service functions for the City, the City may hire specialized legal counsel to represent the City in various matters considered outside the normal scope of work. In the event the Council hires outside counsel, the City Attorney is expected to represent the City's interest and coordinate the use of outside counsel to include keeping the City Council aware of the fees charged by outside counsel.

Evaluation Criteria

The criteria used to evaluate the RFP responses will include, but not be limited to, the following (items listed below are not listed in order of importance):

1. Qualifications of Firm, specifically as they relate to local government experience.
2. Available resources to complete required work.
3. Responsiveness to the RFP, including any additional documents submitted.
4. Professional references.

Additional Instructions, Notifications and Information

No Gratuities – Respondents will not offer any gratuities, favors, or anything of monetary value to any official or employee of the City for the purpose of influencing this selection. Any attempt by a Respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, will be grounds for exclusion from the selection process.

All Information True - By submitting a response, Respondents represent and warrant to the Town that all information provided in the response submitted shall be true, correct and complete. Respondents who provide false, misleading or incomplete information, whether intentional or not, in any of the documents presented to the City for consideration in the selection process may be excluded.

Interviews – After the initial evaluation of the statements of qualifications, Respondents will be notified of their status in the selection process.

Inquiries – Do not contact the City Manager, Mayor, or City Council to make inquiries about the progress of the selection process. Respondents will be contact when it is appropriate to do so. Process inquiries may be directed to Daphne Ingram, City Clerk.

Cost of Responses – The City will not be responsible for the costs incurred by anyone in the submittal of responses.

Contract Negotiations – This RFP is not to be construed as a contract or as a commitment of any kind. If this RFP results in a contract offer by the City, the specific scope of work, associated fees, and other contractual matters will be determined during the contract negotiations.

No Obligation – The City reserves the right to: (1) evaluate the responses submitted; (2) waive any irregularities therein; (3) select candidates for the submittal of more detailed or alternate proposals; (4) waive interviews of any kind before accepting a proposal; (5) accept any submittal or portion of submittal; (6) reject any or all Respondents submitting responses, should it be deemed in the City’s best interest; or (7) cancel the entire process. Proposals will be reviewed and forwarded to the City Council for consideration. The Council reserves the right to select the proposal that best meets the needs of the City and to proceed in any fashion that it deems appropriate in making such selection so long as such process complies with all applicable laws.

Professional Liability Insurance – The Respondent shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of North Carolina.

Submittal Instructions

The City will receive responses to this RFP at the address set forth below until 5:00p.m. on Thursday, June 15, 2023. Responses should be directed to:

Daphne Ingram, City Clerk
City of Lincolnton
114 W. Sycamore Street – P.O. Box 617
Lincolnton, NC 28093
Phone: 704-736-8980

E-mail: dingram@lincolntonnc.org

The Request for Proposals document is available on the City’s website at www.lincolntonnc.org. Electronic submissions will be accepted; however such information must be provided in a single PDF file. You may confirm receipt of your e-mail proposal by calling 704-736-8980 and asking for Daphne Ingram.