

**REQUEST FOR  
QUALIFICATIONS FOR  
CITY ATTORNEY/LEGAL SERVICES FOR  
THE CITY OF CLARKSVILLE, TEXAS**

On or before 3:00 P.M. on, MONDAY, NOVEMBER 13, 2017 the City of Clarksville will receive qualification statements from interested attorneys or law firms for services related to providing legal assistance to the City. No late statements will be accepted.

Interested firms should submit nine (9) copies of their sealed statement of qualifications to:

**City of Clarksville, Texas  
Shannon Barrentine, City Manager  
800 W. Main Street, Clarksville, TX 75426**

Further information may be obtained by contacting the City Manager's office at:

**City of Clarksville, Texas  
Shannon Barrentine, City Manager  
citymanager@suddenlinkmail.com**

PLEASE NOTE: The selection of an attorney or firm to provide the described scope of services will not be made on cost alone, but may be made based on the consideration of qualifications-related factors contained in this Request for Qualifications.

**I. Purpose**

The City of Clarksville is a General Law Type A municipality, with a population of approximately 3,285. It provides a wide variety of services to citizens and visitors in the Clarksville area. These include water distribution, wastewater collection and treatment, public safety, municipal court, building inspections and code enforcement, and other services.

An important part of this governance relies on quality legal services. This scope of services will include the appointment of one individual or law firm to serve in the position of City Attorney, who will be appointed by and serve at the will and pleasure of the Clarksville City Council.

## **II. Professional Credentialing and Legal Services Required**

The firm selected is to have a Juris Doctorate from an accredited law school, a license to practice law in the State of Texas, and be a member in good standing of the Texas Bar. Experience with Texas municipalities and knowledge of municipal law, municipal finance, personnel law land use and regulation are required.

### **A. The legal services under consideration in this Request for Qualifications involve (but are not limited to):**

1. Providing a variety of proactive, high-quality and timely legal opinions to the City Council and City staff.
2. Attending meetings as requested by the City Council or other Boards of City.
3. Being intimately familiar with the City's Code of Ordinances, applicable State and Federal laws, and other applicable documents (such as the City Personnel Policies and Procedures, code enforcement process, etc).
4. Providing advice to the City on a variety of legal matters.
5. Representing the City as the City Attorney in legal matters.
6. Reviewing and/or drafting ordinances, resolutions, and other documents as requested by the City Council, City Manager, or assigned staff.
7. Negotiating and administering contracts, as well as assisting with contract disputes.
8. Reviewing and making recommendations on a variety of projects and

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proposals which have legal ramifications.

9. Maintaining an appropriate relationship with professional organizations in the field of municipal legal services.
10. Staying abreast and informing the City of new or proposed State and Federal legislation affecting the City.
11. Researching alternative approaches to resolving legal problems.
12. Providing proactive legal counsel on issues pertaining to personnel policies and procedures and providing counsel in all compliance employment matters such as, but not limited to State and Federal employment law, Workers Compensation, EEOC, FLSA, FMLA, and OSHA requirements.
13. Assisting the City Manager in staying current on State and Federal Election Laws and administration of elections for the City.
14. Knowledge of land use laws and abilities of the City to implement and administer such laws in conformance with State requirements and the City Council's desire to improve such land use planning.
15. Knowledge of laws and experience with managing extraterritorial jurisdiction and annexation.
16. Knowledge of laws and methods to facilitate effective Code Enforcement to improve deteriorating areas of the City, including demolition procedures and property maintenance code provision.
17. Knowledge of Texas Open Records and Open Meeting Laws.
18. Knowledge of laws and experience in applying Chapter 380 provisions to economic development.
19. Knowledge of laws and experience in working with utility districts, water supply corporations, and emergency services districts.
20. Attending zoning hearings and appeals at the Planning and Zoning committee meetings as requested.

21. Attending Board of Adjustment hearings and appeals as requested.
22. Serving as the Municipal Court Prosecutor (not currently, but could in the future).

### **III. Proposal Requirements**

#### **The Statement of Qualifications must address the following criteria:**

- A. Name of firm, owner, address and telephone number.
- B. Personnel Qualifications. Identify the key attorney who will serve in the position of City Attorney; provide their resume and summarize their experience. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.
- C. Specialized Legal Services Competence. Provide information about the attorney and firm's experience in providing legal services to municipal organizations. Provide at least three references from these organizations including names, contact persons and phone numbers.
- D. Capability. Provide information about the attorney and firm's capability to perform on short notice and in a timely manner. If the appointed City Attorney is not available are there other means of responding to requests?
- E. Client List. Provide a list of current municipal clients.
- F. Approach To Communicating With The City. Describe the attorney and firm's approach to communicating with the City in regard to progress reports, status reports, recommendations, status of opinions, etc.
- G. Understanding of Services to Be Provided. Describe the attorney's/firm's understanding of the scope of work.
- H. Work Schedule and Approach to Project Management. Provide a plan for service delivery, and an explanation of how tasks and projects are managed within the firm to ensure timely response and completion.

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I. Conflict of Interest. List any clients you currently represent that could cause a conflict of interest with your responsibilities as City Attorney for Clarksville and describe how you would be willing to resolve these or any future conflicts of interest.

J. Fees. Please provide rates for providing the services described above. Note that the City of Clarksville is requesting fees to be submitted with two options:

Option A: *Monthly retainer plus hourly fees*  
(Indicate specific items to be covered by the retainer)

Option B: *Hourly fees for all work without a retainer.*  
For hourly fees, please identify hourly rate of each attorney and support personnel, and indicate minimum increment of time billed for services. Also state rates for other cost items proposed to be itemized and billed.

K. Statement: The attorney or firm, by submitting a proposal, certifies that to the best of its knowledge or belief, no elected or appointed official of the City is financially interested, directly or indirectly, in their firm or in the purchase of services as described in this RFQ. They also certify that the information contained in the Statement of Qualifications is correct and complete to the best of their knowledge.

**IV. Evaluation Criteria:**

The City reserves the right to accept or reject any and all submissions in the best interest of the City. In connection with the evaluation, the City may invite one or more applicants to make an oral presentation to the City Council at a time and location to be announced and may require the submission of supplemental material intended to substantiate or clarify information previously submitted.

The following information will be taken into consideration during the evaluation process:

- Meets qualifications identified in the Request for Qualifications
- Proposals included complete and clear responses to items.

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- Familiarity with laws and regulations governing Texas local government and operating procedures relative to conduct of City business.
- Demonstrated expertise in land use and zoning law as it relates to municipalities.
- Available support staff and range of services offered.
- Demonstration of workload and a level of experience commensurate with the level of service required by the City.
- The professional reputation for providing high-quality services, ability to work cooperatively with City Council, City Manager, and City staff and demonstrates sound judgment, integrity, and reliability as determined by the references provided.
- Cost of providing basic and hourly services as per the submitted hourly rate.

**V. Evaluation Process**

The City Council and City Manager will review the submitted proposals. After review, the City Council will select finalists for interviewing. After completing negotiations and contract process, City Council will appoint a City Attorney and award a contract. The City Attorney serves at the pleasure of the City Council and may be removed at any time by a majority vote of the Council.

**Time Line:**

- Issue Request for Qualifications and Proposals September 28, 2017
- Questions will be accepted via email to [citymanager@suddenlinkmail.com](mailto:citymanager@suddenlinkmail.com) until November 13, 2017 at 3:00PM CST
- Receive Qualifications and Proposals November 13 – 3:00PM
  - o Proposals will be opened at 3:30 PM on November 13<sup>th</sup> at Clarksville City Hall.
- Review Proposals and Select Finalists November 17, 2017

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- Finalists Interviews with City Council TBA
- Complete Negotiation and Contract Process TBA
- Present Contract to Council for Final Approval TBD

**VI. Contract Award**

The Contract will be awarded for a one year period and automatically renewed for additional one year periods unless terminated by either party.

All costs, directly or indirectly, related to the preparation of a response to this RFQ or any oral presentation required to supplement and/or clarify the RFQ which may be required shall be the sole responsibility of, and shall be borne by the applicant.

The individual or law firm that represents the City is not an employee of the City; does not receive any City benefits, nor maintain an office provided by the City. The attorneys are independent contractors responsible for their own benefits, office expenses, malpractice insurance and staff.