



REQUEST FOR QUALIFICATIONS

SEALED PROPOSALS will be received in the Office of the City Manager at 47 Hall Street, Powell, Ohio 43065 until **2:00 P.M. ET, December 13, 2024**. All qualified firms are invited to submit proposals to the City of Powell for the following:

Legal Services

SUBMIT: Three (3) hard copies OR a digital .pdf format file of all requested documentation must be received on or before 2:00 P.M. ET, December 13, 2024.

ADDRESS BOUND COPIES TO: City of Powell
Office of the City Manager
Attention: Andrew D. White
47 Hall Street
Powell, Ohio 43065

E-MAIL DIGITAL COPY TO: awhite@cityofpowell.us

MARK OUTSIDE OR SUBJECT LINE: RFQ – Legal Services

PURPOSE OF THE REQUEST

The purpose of this Request for Qualifications (RFQ) is to solicit submittals from qualified attorneys and/or law firms who desire to serve the City of Powell in the capacity of the director of law. Presently, the city contracts with a law firm for law director services.

THE CITY OF POWELL

FORM OF GOVERNMENT – Council Manager Plan

- The City Manager is the chief administrative and law enforcement officer.
- City Council performs the legislative functions of government and consists of seven members elected by residents to four-year terms.
- Council exercises its powers by adopting ordinances and resolutions.
- City Council members have been granted certain powers by the Ohio Constitution, the laws of the State of Ohio and Powell Revised Charter. Council exercises those powers by or through the adoption of ordinances and resolutions. Among other things, the Charter gives City Council the authority to create and abolish departments; audit city accounts and records; conduct inquiries and investigations; levy taxes; enact ordinances establishing police, sanitary and other regulations contemplated by Article XVIII, Section 3 of the Ohio State Constitution; adopt a budget; and appropriate funds.

- Under the Charter, the City Manager appoints the Director of Law, subject to the consent and approval of Council.

Responders are encouraged to visit the City’s website at www.cityofpowell.us to learn about the City’s history, events, activities, projects, and initiatives.

SCOPE OF SERVICES

In accordance with the City Charter and Powell Codified Ordinances, the Director of Law shall be the legal counsel for the City and all offices, departments, boards, and commissions thereof in matters relating to their official duties. This includes representation of the City and its elected officials, public officials, or employees in any civil claim, demand, or cause of action arising out of such official’s or employee’s service to the City.

The Director of Law also performs other duties as required by the Charter, ordinance, Council, or the City Manager. These duties include, but are not limited to:

- Attending regular and special meetings of City Council, Council committees, and the Planning and Zoning Commission.
- Providing routine legal advice, electronic communication, telephone, and personal consultations with City Council, the City Manager, department heads, and other City staff.
- Performing research and interpreting laws, court decisions, and other legal authorities to prepare legal opinions and advise the City Council, City Manager, and other City staff.
- Preparing and reviewing ordinances, resolutions, agreements, contracts, forms, notices, certificates, deeds, and other documents as necessary and required by the City.
- Representing the City in all legal proceedings; appearing on the City’s behalf in court at all stages including trials and appeals.
- Advising on matters relating to risk management, State and Federal laws, legal matters, etc.
- Performing legal work pertaining to property acquisition, property disposals, public improvements, easements, right-of-way vacations, eminent domain, annexations, etc.
- Performing legal work pertaining to legal documents as required by the City’s zoning code.
- Representing the City in enforcement of City codes and zoning regulations through administrative and judicial actions.
- Attending meetings with the development community and staff and drafting agreements related to development.
- Defending the City in litigation that is not covered by liability insurance, as necessary.
- Initiating litigation on behalf of the City, as requested by City Council.
- Attending meetings and discussions with city, county, state, and federal officials and other governmental officials.
- Providing guidance and advice on City labor and employment-related personnel matters.
- Performing all legal services incident to public improvements and issuance of notes and bonds in payment thereof or makes arrangements for the hiring of special counsel.
- Advising on matters relating to economic development.

SUBMITTALS

All submissions must include the following:

- A. General overview of the attorneys and/or Firm.
- B. Name of the partner/principal who will be designated Director of Law and the person likely to be the principal deputy (substituting when the Director of Law is not available).
- C. Names of attorneys to serve as assistant directors of law, corresponding to subject areas of: planning and zoning; labor and employment; economic development and development; finance and taxation; public records and open meetings; police legal advisory; eminent domain; real estate; environmental; and construction.
- D. With respect to individual attorneys identified in (B) and (C), biographical information including but not limited to:
 - 1. Name of individual(s), with resumes
 - 2. Length of employment with firm
 - 3. Specialization
 - 4. Legal training
 - 5. Scholastic honors and professional affiliations
 - 6. Date of admittance to the Ohio Bar
 - 7. Years of practice
 - 8. Municipal or other local public sector experience
 - 9. Years of experience as a director of law or similar position, with cities represented and references for each
 - 10. Knowledge of, and experience with Ohio Revised Code; Ohio Constitution; federal laws applicable to municipalities (e.g., ADA; FHAA; 42 U.S.C. §1983)
 - 11. Litigation experience and track record
 - 12. Whether the partner/principal or likely associates have ever been successfully sued.
- E. Description of preferred working relationship between the director of law and the City Council, City Manager, department heads, and other members of the City staff.
- F. References, preferably from past local government or local public sector clients/employers. Please include name, address, email address, and work telephone number for each reference.

TIME SCHEDULE

The City will use the following timetable to select a successful attorney and/or law firm:

Deadline for questions by 2 P.M.	December 6, 2024
Deadline for submittal by 2 P.M.	December 13, 2024
Applicants notified of City’s intent to move forward with the interview process	December 17, 2024
Anticipated contract commencement	January 7, 2025

EVALUATION CRITERIA

Submissions will be evaluated based on the following criteria:

- 1) Demonstrated experience and expertise with municipal clients. – 40%.
- 2) Qualifications and experience of key personnel. – 30%.
- 3) Ability to commence services as requested in the RFQ. – 15%.
- 4) Quality of references and past performance. – 10%.
- 5) Compliance with submission requirements. – 5%.

The City of Powell reserves the right to request clarification of information submitted, and to request additional information from any responder.

The City of Powell reserves the right to award any agreement to the next most qualified Responder, if the successful Responder does not execute an agreement within thirty (30) days after the award of the Proposals.

The contract resulting from the acceptance of a Proposal by the City of Powell shall be in a form supplied and approved by the City of Powell and shall generally reflect the specifications in this RFQ.

The City of Powell reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFQ, or which is not approved by the City's law director.

The City of Powell shall not be responsible for any costs incurred by the firm or individual in preparing, submitting or presenting its response to the RFQ.

The City of Powell will evaluate the performance of the contract services after completion of the first six (6) months and reserves the right to terminate the contract at that time if performance by the Law Director is not acceptable for any reason, with or without cause, as determined in the City's sole discretion.

The City is committed to full compliance with Ohio Public Records Act and as such retains the right to disclose both the name and applications submitted by all respondents in response to a public records request. It is the responsibility of all respondents to exclude any and all information, which if disclosed pursuant to a public records request could have a negative impact on the respondent.

QUESTIONS AND COMMUNICATIONS:

All inquiries regarding this RFQ must be submitted by email by 2:00 P.M. on December 6, 2024, and be addressed to the City Manager at the address or email set forth on page 1.