



TOWN OF EMMITSBURG

300A South Seton Avenue Emmitsburg, Maryland 21727; Phone: 301-600-6300; info@emmitsburgmd.gov

**REQUEST FOR PROPOSAL (WITH ADDENDUM)
EMMITSBURG LEGAL SERVICES
(changes highlighted in yellow)**

The Mayor and Commissioners of Emmitsburg, Maryland are requesting sealed bids from qualified lawyers interested in providing legal services as the contracted Town Attorney. Applicants must be admitted to the Maryland Court of Appeals and licensed to practice law in the State of Maryland and should be admitted to the federal District Court of Maryland or willing to apply for admission

All sealed bids must be received by **4:00 pm on Friday, September 27, 2019**. Proposals will *not* be accepted via email. Please boldly note on sealed bids **“Legal Services Bid, Do Not Open.”**

Please direct questions to Cathy Willets, Town Manager, at (301) 600-6316 or cwillets@emmitsburgmd.gov.

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I. INTRODUCTION & BACKGROUND

The Town of Emmitsburg (“Town”) is in need of a qualified lawyer to provide legal services as the Town Attorney. Applicants must be admitted to the Maryland Court of Appeals and licensed to practice law in the State of Maryland and should be admitted to the federal District Court of Maryland or willing to apply for admission. The Town Attorney is appointed by the Mayor with the consent and approval of the Emmitsburg Board of Commissioners and provides primary legal services to the Mayor, the Board of Commissioners, and Town Staff. The Town would like to have an established flat hourly rate for legal work, which would be billed in 6 minute increments. *Please note the Town Attorney is used on an as needed basis and is **not** guaranteed minimum hours per month.* On average, the Town uses between 3 hours and 10 hours of legal services per month. Hours could fluctuate based on Town projects or litigation. Below please find a chart indicating the approximate hours of legal services used per month since January 2017.

Year & Month	Hours:	Year & Month	Hours:	Year & Month:	Hours:
April 2019	6.6	July 2018	5.7	September 2017	2.7
May 2019	3.3	June 2018	4.3	August 2017	6.4
February 2019	3.1	May 2018	5.1	July 2017	12.1
March 2019	5.7	April 2018	8.4	June 2017	3.9
January 2019	6.9	March 2018	1.6	May 2017	6.1
December 2018	6.3	February 2018	7.8	April 2017	2.8
November 2018	9.7	January 2018	6.8	March 2017	1.8
October 2018	18.3	December 2017	3.8	February 2017	6.2
September 2018	8	November 2017	2.2	January 2017	1.9
August 2018	7.1	October 2017	7.1		

While the Town Attorney is expected to perform the primary legal service functions for the Town, the Town may hire specialized legal counsel to represent the Town in various matters considered outside

the normal scope of work. In the event the Town hires outside legal help, the Town Attorney is expected to represent the Town's interest and act to coordinate the use of outside counsel.

II. SCOPE OF WORK

All bids must meet and/or exceed the requirements contained herein. In addition to providing legal representation for the Mayor, Board of Commissioners, Town Staff, and Committees, the Town Attorney shall perform the following functions:

1. Performs legal research, field work, and other work and communicate the results to the appropriate person.
2. Negotiates, reviews, and prepares contracts, agreements, and conveyances, such as service agreements, lease agreements, easements, purchase contracts, and other legal documents on behalf of the Town.
3. Reviews, analyzes, drafts, and revises ordinances, policies, manuals, and other memoranda for the Town and its various departments to ensure they are coherent, enforceable, and consistent with Local, State and Federal law; advises the Mayor, Town Commissioners, Town Manager, and Town 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, Board of Commissioners and the Town Manager.
5. Drafts or supervises drafting of ordinances and resolutions for the Mayor, Town Commissioners and Town Staff and explains the foregoing to Commissioners, and answers questions thereto.
6. Analyzes legislation including proposed state and federal legislation affecting the Town.
7. Engages in litigation-related matters including drafting, discovery, court attendance, mediation, investigation, hearings and trials, and similar activities.
8. Occasionally and on request, prepares for and attends Board of Commissioners meetings, which typically occur on the first Monday of each month at 7:30 p.m. Attends and prepares for Planning Commission, Board of Appeals and other committee meetings as needed.
9. Acquires real property interests for Town capital projects by many processes including title review, interdepartmental communications, negotiations, and litigation.
10. Performs other such duties as may be required by virtue of this position as Town Attorney.

III. SUBMITTAL REQUIREMENTS

Please submit at least three (3) copies of your bid to Town of Emmitsburg, Attn: Town Manager, 300A South Seton Avenue Emmitsburg MD 21727. Email submittals will *not* be accepted. Please note on bid envelopes, "**Legal Services Bid, Do Not Open.**" At the minimum, all bids must include the following. Failure to not include the requested information may result in disqualification.

A.) Letter of Transmittal: The letter of transmittal must contain the following information:

1. Please state in the letter the name, title, address, e-mail address, and telephone number of the person(s) whom correspondence regarding the bid should be directed to.
2. Federal and state taxpayer identification numbers of your firm/business.
3. Please summarize your qualifications, including years of governmental experience or expertise areas that may benefit the Town.
4. Please identify any attorney disciplinary measures that the applicant was the subject of in the preceding 10 years and the outcome of that disciplinary measure.
5. Location of office that would service the Town.
6. Statement which indicates "proposal and cost schedule shall be valid and binding for ninety (90) days following proposal due date and will become part of the contract that is negotiated with the Town of Emmitsburg".

B.) Resumes: Please include the resumes of any attorneys with your organization that would be providing legal services to the Town.

C.) Detailed Cost Estimates

The cost should be listed as the following:

Proposed Hourly Rate for Legal Services: \$ _____

D.) References

Provide *at least* three customer references. Government or municipal references are preferred. The reference should contain the name, organization name, address, telephone number, services provided, and length of tenure for the client.

E.) Proof of Insurance

The successful proposer must have and maintain Professional Malpractice or Errors and Omissions Insurance in the minimum amount of one million (\$1,000,000) dollars. Please submit proof of coverage. Policy number, insurance company, and expiration date must be provided at a minimum for bids.

IV. EVALUATION CRITERIA AND PROCESS

- A.)** The Town Manager will designate a selection committee composed of Town Staff to conduct an evaluation of qualifications and will rate each submittal based upon the following criteria:
- a. Cost.
 - b. Experience.
 - c. Understanding of services to be provided.
 - d. Satisfaction of clients/references.

V. PROPOSED TIMELINE

Thursday, August 15, 2019	RFP available on the Town of Emmitsburg’s website.
August 15 & August 19, 2019	RFP advertised in Frederick News Post.
Friday, September 27, 2019	DEADLINE: Bids due by 4:00 p.m.
Monday, October 7, 2019	Bid review/approval by the Board of Commissioners.
Wednesday, October 9, 2019	Bid award/rejection announcements made.
Wednesday, October 9, 2019	Winning bidder can begin (pending contract approval).

VI. MISCELLANEOUS INFORMATION

- The Town of Emmitsburg reserves the right to accept or reject any and/or all bids and to waive any informalities or irregularities in the bidding process.
- The RFP creates no obligation on the part of the Town to award a contract or to compensate the proposer for any costs incurred during the proposal presentation, response, submission, presentation, or oral interviews (if requested/held). The Town reserves the right to award a contract based upon proposals received without further discussion or negotiation. Proposers should not rely upon the opportunity to alter their qualifications during discussions.
- The Town further reserves the right to make investigations as it deems necessary to determine the ability of proposers to furnish the required services, and proposers shall furnish all such information for this proposal as the Town may request.
- Proposers must specifically identify any portion of their submittals deemed to contain confidential or proprietary information.
- The Town of Emmitsburg does not discriminate based on race, color, national origin, sex, religion, age and disability in employment or the provision of services.