
REQUEST FOR PROPOSAL



***CITY OF COMMERCE
HUMAN RESOURCES DEPARTMENT
2535 COMMERCE WAY
COMMERCE, CA 90040***

PROPOSAL DUE: SEPTEMBER 14, 2007

CITY OF COMMERCE REQUEST FOR PROPOSAL CITY ATTORNEY SERVICES

SECTION 1: BACKGROUND

The City of Commerce is requesting proposals from qualified attorneys/firms licensed in California to provide City Attorney services. The City of Commerce became Los Angeles County's 67th municipality when it was incorporated on January 28, 1960. Commerce is a community of over 13,000 residents located six miles east of Downtown Los Angeles. The City provides a convenient, safe, and attractive central location for industrial, commercial, retail, recreational, and residential uses. The City is a General Law City, and operates under a City Council/City Administrator form of government with the City Administrator serving as the Chief Executive Officer and Director of the Redevelopment Agency. The City offers a wide range of municipal services administered by the following departments:

City Administration	Finance
City Attorney	Human Resources
City Clerk	Library
Community Development	Parks and Recreation
Community Services	Transportation

The City has approximately 153 regular full-time and 383 part-time employees. Currently there are 10 executive management classifications, 45 management, supervisory and professional classifications, 29 general employee classifications and 65 part-time classifications. Police and Fire Services are provided through contracts with the County.

The City Council is comprised of five members who are elected at-large to four-year terms. The City Council members' terms of office are staggered, with municipal elections taking place every two years. The Mayor and Mayor Pro Tem are selected from among the ranks of the City Council and normally serve for a one-year term.

The City Administrator is the appointing authority for all employees except for the City Attorney, City Treasurer and the City Clerk; however, the hiring/dismissal of department directors and assistant department directors is done by the City Council after receiving and considering the recommendation of the City Administrator.

SECTION 2: SITUATION

The City of Commerce, a contract city is accepting proposals for the provision of legal services. The City of Commerce has a very active Community Development Commission. Services will include acting as City Attorney, Community Development Commission Attorney. The City Attorney serves under the direction and supervision of the City Council as its legal advisor. The City Council may retain or employ other attorneys or special counsel as may be needed, in its sole judgment, to take charge of any litigation or legal matters to assist the City Attorney.

SECTION 3: SCOPE OF SERVICES REQUIRED

The scope of services is to provide the full range of City Attorney and redevelopment counsel services necessary. The City operates as a “contract city” primarily utilizing agreements with other governmental entities and private firms to provide traditional municipal services to the community. The scope of services shall include, but not be limited to, the following:

1. Represent and advise the City Council and all City officers in all matters of law pertaining to their office. Give advice or opinion on the legality of all matters under consideration by the City Council or by any of the Boards and commissions or officers of the City.
2. Participate in the development and implementation of goals, objectives, policies and priorities.
3. Plan, prepare and approve ordinances, resolutions, contracts, deeds, leases and other legal documents.
4. Prepare cases for trial and the investigation of claims or complaints by or against the City.
5. Attend all regular meetings of the City Council.
6. Approve the form of all contracts made by and between the City of Commerce and all bonds given to the City, endorsing same.
7. Prepare legal opinions for City departments, the City Council, boards and commissions.
8. Oversee services provided by outside legal specialists engaged by the City for special legal problems.
9. Represent the City before other governmental bodies and agencies to promote the interests of the City.
10. Represent the City in the community and at professional meetings.
11. Prepare and administer the department budget.
12. Coordinate legal activities with other City departments, divisions and outside agencies.
13. Perform such other legal duties as may be required by the City Council or as may be necessary to complete the performance of the functions mentioned above.

The attorney/firm or the City may propose additional tasks as deemed necessary to complete the assignment. Any additional work shall be compensated as agreed upon in the consultant’s contract with the City.

SECTION 4: CONTENT OF PROPOSAL

Proposals should include a brief history and introduction of the attorney or firm, and understanding of the services to be performed. The content and sequence of the information contained in each copy of the proposal shall be as follows:

- a. **Letter of Transmittal:** Include your understanding of the work to be performed. In addition, state why you believe your firm is the best qualified to perform the services requested.
- b. **Table of Contents:** Include a clear identification of the material by section and by page number.
- c. **Summary Sheet:** Resumes summarizing the qualifications and experience of the individual who will be providing city attorney services. Provide the name, title, experience and qualifications of each attorney consistently supporting the city attorney in various specialty areas including, but not limited to, personnel related services. This process is important as the city desires to identify the “team” regularly providing legal services. Provide the resume of the managing partner(s) of the firm.
- d. **Conceptual Plan:** Provide a conceptual plan for services to the City that you believe are appropriate for the City. Indicate features, skills and/or services which distinguish your firm and make it the better choice for the City.
- e. **Scope of Services:** Proposals must address all items set forth in Section 4, Scope of Services. Additional information which, in your opinion, should be included and clearly identified. The items must be addressed in the order in which they appear in the Scope of Services Section.
- f. **References:** All proposals should include names of references from other public jurisdictions for which comparable services have been rendered. Indicate names of organizations, and names and telephone numbers of persons who can be contacted with regard to the services you have provided. In addition, list five similar public agencies for which contracts were lost by the firm in the last three years. Show names of the organizations and names and telephone numbers of persons who can be contacted.
- g. **Conflicts of Interest:** List any conflicts of interest with regard to any other work performed by the firm. This list is to be as inclusive and broad as possible. The City desires to be made aware of any clients the firm represents that perform work within the boundaries of the City of Commerce, and any clients that may potentially present conflicts even though one may not currently exist at the time of submission.
- h. **Certification of Proposal:** Return a copy of the entire completed certification properly executed as provided for in Appendix A.

- i. **Cost:** Proposed hourly/dollar cost must be identified and shall be submitted with the proposal.

SECTION 5: PROPOSED DEADLINE

The deadline for receiving proposals is 6:00 p.m. on September 14, 2007. Proposals should be signed by an authorized individual to bind the firm, and must be valid for at least 120 days.

Please submit 6 copies of the proposal to:

Teresa McAllister, Director of Human Resources
City of Commerce
2535 Commerce Way
Commerce, CA 90040

SECTION 6: CORRESPONDENCE REGARDING THE RFP

All questions or requests for information should be directed to:

City of Commerce Human Resources
2535 Commerce Way
Commerce, CA 90040
(323) 722-4805 ext. 2227

The City reserves the right to reject any or all proposals. The City will not be liable for, nor pay any cost incurred by responding firms relating to the preparation of proposals or the making of presentations.

An explicit provision of the RFP is that any oral communication is not binding on the City's proposal process or award of the contract.

SECTION 7: PROPOSAL EVALUATION

The proposals will be evaluated using four (4) sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated and scored for both technical qualifications and cost. The following represents the principal selection criteria which will be considered during the evaluation process:

1. Mandatory Elements:
 - a. The firm is independent and properly licensed to practice law in the State of California.
 - b. The firm has no conflict of interest with regard to any other work performed by the firm for the City, and all potential conflicts have been identified.
 - c. The firm adheres to the instructions in this RFP on preparing and submitting the proposal.

2. Firm Qualifications:
 - a. Expertise and Experience
 - b. The firm's past experience and performance on comparable government engagements
 - c. The quality of the firm's professional skills and credentials of the staff to be assigned as the City Attorney and the quality of the firm's management support personnel to be available for technical consultation.
 - d. References
 - e. Quality of proposal in response to the RFP
 - f. Understanding of Scope of Services
 - g. Firm's statement on why it believes itself to be best qualified
3. Conceptual Plan:
 - a. Appropriateness of services to the requirements of the City
 - b. Distinguishing features, skills and/or services
4. Cost of Service: The City Council will review the overall costs and fees to be charged.

SECTION 8: ORAL PRESENTATIONS

During the evaluation process, the City Council may, at its discretion, select firms for final consideration and they will be requested to attend a review meeting at City Hall at no cost to the City. Such review meeting will provide firms with an opportunity to answer any questions the City Council may have on a firm's proposal. Not all firms may be asked to make such oral presentation.

SECTION 9: SELECTION

Proposals must be submitted to Teresa McAllister, Director of Human Resources, City of Commerce, 2535 Commerce Way, Commerce, CA 90040 by 6:00 p.m. on September 14, 2007. Although proposals may be opened and reviewed prior to the closing date, proposals will not be disclosed to competing firms or to the public until after the award of the contract. The award of the contract will not necessarily be based on the lowest maximum fee proposed. The City Council will make the final selection within a reasonable timeline after the evaluation and interview process is completed. The City reserves the right to negotiate the price, terms and Scope of Services with the successful proposer prior to making a final selection.

SECTION 10: GENERAL REQUIREMENTS

1. **License to Practice in California:** An affirmative statement should be included in the proposal indicating that all assigned professional staff are properly licensed to practice law in the State of California.
2. **Personnel:** The designation of staff to City Attorney may not be changed without the prior written consent of the City Council. The City retains the right to approve or reject replacements and to require replacements to familiarize themselves with the city, city staff and assigned projects at no cost to the city.

Firm specialists identified in response to the proposal can only be changed with the express prior written permission of the City, which retains the right to approve or reject replacements.

3. **Right to Request Additional Information:** During the evaluation process, the City Council and City Administrator reserves the right, where it may serve the City's best interest, to request additional information or clarifications from proposers, or to allow corrections or errors or omissions.
4. **Right to Reject Proposals:** The City reserves the right without prejudice to reject any or all proposals.
5. **Proposal Interpretations and Addendum:** Any change to or interpretation of the RFP by the City will be sent to each firm or individual to whom an RFP has been sent and any such changes or interpretations shall become a part of the RFP for incorporation into any agreement awarded pursuant to the RFP.
6. **Public Record:** All proposals submitted in response to this RFP may become the property of the City of Commerce upon submittal and a matter of public record pursuant to applicable law.
7. **Additional Services:** the general service requirements outlined above describe the minimum work to be accomplished. Upon final selection of the firm, the scope of services may be modified and refined during negotiations with the City.
8. **Undue Influence:** The proposer declares and warrants that no undue influence or pressure is or has been used against or in concert with any officer or employee of the City of Commerce in connection with the award or terms of the Agreement that will be executed as a result of award of this RFP, including any method of coercion, confidential financial arrangement, or financial inducement. No officer, employee or agent from the City of Commerce or from the firm, will receive compensation, directly or indirectly, in connection with the award of the Agreement or any work to be conducted as a result of the Agreement.

APPENDIX A

CERTIFICATION OF PROPOSAL TO THE CITY OF COMMERCE

1. The undersigned hereby submits its proposal and, by doing so, agrees to furnish services to the City in accordance with the Request for Proposal (RFP), dated August 1, 2007 and to be bound by the terms and conditions of the RFP.
2. This firm has carefully reviewed its proposal and understands and agrees that the City is not responsible for any errors or omissions on the part of the proposer and that the proposer is responsible for them.
3. It is understood and agreed that the City reserves the right to accept or reject any or all proposals and to waive any informal or irregularity in any proposal received by the City.
4. The proposal includes all of the components, figures and data required by the Request for Proposal, dated August 1, 2007.
5. This firm has carefully read and fully understands *all* of the items contained in Section 10, General Requirements. This firm agrees to all of the general requirements except for those listed on an attachment.
6. The proposal by this firm is an irrevocable offer and shall be valid for 120 days from _____

Name of Firm: _____

By: _____
(Authorized Signature)

Type Name: _____

Title: _____

Address: _____

City _____ State _____ Zip _____

Telephone Number: _____ Fax Number: _____

Date: _____