



REQUEST FOR QUALIFICATIONS

Legal Services – General Counsel

INQUIRIES AND PROPOSALS SHOULD BE DIRECTED TO:

**Sarah Moyer-Cale, Village Manager
Village of Paw Paw, MI
111 E. Michigan Ave
P.O. Box 179
Paw Paw, MI 49079**

**269-657-3148 Phone
269-657-7544 Fax**

s.moyer-cale@pawpaw.net

I. GENERAL INFORMATION

This request for qualifications (RFQ) is to contract for legal services to be provided to the Village of Paw Paw. Only law firms or attorneys who are currently licensed to practice law in Michigan and maintain an office in Michigan may respond to this RFQ.

Instructions on Submission

Proposals may be mailed or hand delivered to the Village of Paw Paw, Village Manager. Qualifications must be submitted no later than **4:00PM** on **December 6, 2017** to:

**Sarah Moyer-Cale, Village Manager
Village of Paw Paw, MI
111 E. Michigan Ave
P.O. Box 179
Paw Paw, MI 49079**

It is important that three (3) copies of the Offeror's proposal be submitted in a sealed envelope clearly marked with the following information: **Qualifications for Legal Services**

Failure to do so may result in premature disclosure of your qualifications. It is the responsibility of the Offeror to ensure that the response is received by the Village of Paw Paw by the date and time specified above. Late proposals may not be considered.

The Village of Paw Paw reserves the right to reject any and all proposals received in response to this RFQ and/or negotiate terms with firms who submit proposals.

All costs incurred in the preparation of a proposal responding to this RFQ will be the responsibility of the Offeror and will not be reimbursed by the Village of Paw Paw.

II. DESCRIPTION OF THE VILLAGE

The Village of Paw Paw was founded in 1859 and has a population of 3,448 residents. The Village is located off I-94 and is the seat of Van Buren County. The Village has a council-manager form of government; the council consists of seven members including the Village President. The Village has its own police department as well as a public services department consisting of water, wastewater, electric, parks, and streets services.

III. SCOPE OF SERVICES

The Offeror shall be readily available to perform the following legal services, as requested by the Village Manager or her authorized designee including, but not limited to, the following:

- Draft and/or review ordinances, resolutions, agreements, and contracts
- Prepare deeds, easements, and other contracts for sale and purchase of property
- Prepare formal opinions on the legal ramifications and implications of matters before the Village Council
- Provide general advice on municipal financing including taxation and special assessments
- Provide advice on actions taken or contemplated

- Advise on matters related to the Downtown Development Authority
- Recommend legislation to the Village Council when appropriate or requested
- Attend Village Council meetings when requested by the Manager
- Prepare various legal documents required of the Village
- Advise appropriate officials on policy affecting the enforcement of all Village ordinances.
- Consult with Village Manager and/or authorized department heads when necessary
- Represent the Village in all civil litigation by or against the Village except for cases handled by the Village's insurance carrier.
- Coordinate with other special counsel, as needed, to assure proper management of legal issues, and proper coordination and transition of legal issues among special counsel
- Perform other legal services and tasks, as assigned by the Manager

The selected attorney or firm will be prohibited from assigning, conveying, subcontracting, or otherwise transferring this agreement or its rights, title, or interest therein, or its power to execute such agreement to any other person, company, or corporation, without the consent of the Village Manager.

The selected attorney or firm shall be required to provide a detailed monthly statement, in a manner acceptable to the Village Manager, documenting all hours (and portions thereof) employed providing legal services on behalf of the Village.

The selected attorney or firm shall agree not to represent any client, or continue to represent any existing client, that may have a legal position, purpose, or interest that is adverse to the legal position, purpose, or interests of the Village of Paw Paw.

IV. CONTENTS. *Proposals that fail to provide all information requested may be rejected at the sole discretion of the Village of Paw Paw.*

The Offeror, in its qualifications, shall, as a minimum, include the following;

A. Legal Experience

The Offeror should describe its legal experience, including the names, addresses, contact persons, and telephone numbers of at least four clients, preferably municipal clients. The resumes of key personnel to be assigned should also be included.

The successful bidder shall have a primary office or home office located within the State of Michigan and must have at least Eight (8) years' experience in the general practice of law, including at least four (4) years' active experience representing a Michigan public sector employer.

B. Organization, Size, Structure, and Areas of Practice

If the Offeror is a firm, it should describe its organization, size, structure, areas of practice, and office location(s).

C. Attorney Qualifications

The Offeror should describe the qualifications of attorneys to be assigned to the representation. Experience in issues including land use, zoning, public works, municipal finance, etc preferred. Descriptions should include:

1. Professional and educational background of each attorney.
2. Overall supervision to be exercised.
3. Prior experience of the individual attorneys with respect to the required experience listed above. Only include resumes of attorneys likely to be assigned to the representation. Education, position in firm, years and types of experience, and continuing professional education will be considered.

D. Price

The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff who is expected to work on this representation and charges for expenses, if any, such as legal research, copies, and faxes. The Village reserves the right to negotiate with the Offeror on the structure of the billing and/or retainer fee.

The Village will prefer a fixed hourly service rate payable in monthly installments. The Village will select the finalist by considering the proposed compensation as a "best and final offer," although the Village reserves the right to negotiate terms as needed to improve elements of the proposal to best meet the needs of the Village, including cost.

E. Evidence of malpractice coverage

The firm shall acquire and continuously maintain during the period in which the consultant is performing any services on behalf of the Village, insurance coverage of types and amounts acceptable to the Village. The consultant must provide the Village with acceptable proof of the types and amounts of insurance coverage.

V. EVALUATION

The Village Manager will review qualifications and make a recommendation to the Village Council for final approval. The Village may request an in person or telephone meeting with some qualified Offerors prior to final selection. Qualifications will be reviewed in accordance with the following criteria:

1. Proposed approach to scope of work
2. Qualifications and level of experience of the individual(s) identified
3. The Offeror's experience with similar clients and legal matters
4. Response from references
5. Cost

It is expected that a decision selecting the successful firm will be made within three (3) weeks of the closing date for the receipt of qualifications. Upon conclusion of final negotiations with the successful Firm, all Offerors submitting proposals in response to this Request for Qualifications will be informed of the resulting decision in writing.

Distribution List:

Bauckham Sparks
458 West South Street
Kalamazoo, MI 49007

Clark Hill
200 Ottawa NW
Suite 500
Grand Rapids, MI 49503

Dickinson Wright
200 Ottawa Ave., N.W.
Suite 1000
Grand Rapids, MI 49503

Foster Swift
1700 E Beltline Ave NE #200
Grand Rapids, MI 49525

Foster Swift
728 Pleasant Street
Suite 204
St. Joseph, MI 49085

Foster Swift
Central Avenue Financial Center
151 Central Avenue, Suite 260
Holland, MI 49423

Kreis Enderle
8225 Moorsbridge
Portage, MI 49024

Mika Meyers
900 Monroe Avenue NW
Grand Rapids, Michigan 49503

Michael Bogren
Plunkett Cooney
950 Trade Centre Way
Suite 310
Kalamazoo, MI 49002

Timothy Sheridan
Plunkett Cooney
Bridgewater Place
333 Bridge N.W., Suite 530
Grand Rapids, MI 49504

Miller Canfield
277 S. Rose St
Suite 5000
Kalamazoo, MI 49007

Miller Johnson
100 W Michigan Ave #200
Kalamazoo, MI 49007

Miller Johnson
45 Ottawa Ave SW
Grand Rapids, MI 49503