



## CITY OF MADISONVILLE, TEXAS

### REQUEST FOR PROPOSALS

### CITY ATTORNEY SERVICES

#### RFP #2024-01

The City of Madisonville, Texas (the “City”), is soliciting sealed proposals (RFPs) for provision of City Attorney Services to the City. In order to be considered, proposals must address each of the requests for information included herewith. In addition, information regarding rates and fees must be submitted on the sheet provided.

Any questions regarding this RFP should be addressed to Fabrice Kabona, City Manager, 936-348-2748. Sealed proposals will be accepted by Fabrice Kabona, until 4:00 p.m., Friday, March 15, 2024.

Issue Date: February 14, 2024

Response Due Date: March 15, 2024

#### Submission of Response

##### By mail:

City of Madisonville

Fabrice Kabona, City Manager

210 Cottonwood St.

Madisonville, TX 77864

##### By email:

[Fabrice.kabona@ci.madisonville.tx.us](mailto:Fabrice.kabona@ci.madisonville.tx.us)

Proposals received after this time will be returned unopened. The City reserves the right to reject any and all proposals, to request additional information concerning any proposal for purposes of clarification, and to waive any irregularities and informalities in the submittal and evaluation process. This RFP does not obligate the City to pay any cost incurred by respondents in the preparation of a proposal. Furthermore, this RFP does not obligate the City to accept or contract for any expressed or implied services.

**Background:** Madisonville was founded in 1853 as the county seat of Madison County. The City of Madisonville has a total area of 4.33 square miles with a population of approximately 4,420 (2020 U.S. Census estimate). The City Council consists of a Mayor and five (5) council members. The city’s location at the intersection of S.H. 75, U.S. Highway 190, and Interstate 45 provides direct links to Bryan/College Station, Huntsville and, further afield Houston and Dallas.

**Contract Term:** It is the intention of the City of Madisonville to award a contract for legal services, for the term approved by the governing body. The RFP initial contract period is for one year with option to renew the contract for two additional one-year periods. Renewal options shall be reviewed 90 days prior to each expiration period.



### **Minimum submission requirements:**

The following minimum requirements must be met in order for the submission to be considered responsive. Any response received which is determined to not meet these requirements shall be disqualified.

1. Five (5) years' experience of legal services for a local government entity.
2. Availability and dedication to city of Madisonville legal cases, with a firm commitment to integrity and excellence.
3. The proposing firm must have all professional licenses required by the State of Texas to provide the services which are required. Proof of these licenses must be included as part of the submittal.

### **Scope of Services:**

The City of Madisonville ("City") is a General Law municipality that operates under a Council-Manager form of government. It provides a variety of public services to citizens and visitors in the Madisonville area. The City Council appoints the City Manager, City Secretary, City Attorney, and Municipal Judge. Individual departments may frequently initiate work, although the City Manager under the direction of the City Council retains the core responsibility for legal functions, coordination of these services and the legal budget. City departments include Administration, Police, Fire, Public Works, Parks, Code Enforcement, Municipal Court, Airport, and Marketing and Tourism.

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 and serve at the will and pleasure of the Madisonville City Council. The firm/individual selected shall have a Juris Doctorate from a school accredited by the American Bar Association, a license to practice law in the State of Texas and be a member in good standing with the State Bar of Texas. Five years' experience with a Texas municipality and knowledge of municipal law, municipal finance, personnel law, employment law, and land use and regulation.

### **General Representation**

The legal services under consideration include, but are not limited to:

1. Attend and provide legal advice at all City Council meetings, generally one (1) per month – 2<sup>nd</sup> Mondays.
2. Attend and provide legal advice at all Planning & Zoning Commission meetings, generally on an "as needed" basis.
3. Attend other meetings as required.
4. Telephone and email consultations with City staff and Council during normal business hours.
5. Preparation and/or review of ordinances, resolutions, contracts, agendas, open records requests, and other documents, as required.
6. Preparation of legal opinions at the request of the City Council or City Manager.
7. Provision of annual training on Texas Open Meeting Act to elected officials.
8. Provision of legal advice for personnel-related matters.
9. Advise City personnel on purchasing procedures and public contracting.
10. Advise City personnel on matters related to code enforcement and/or property condemnation.



11. Staying abreast and informing the City of new or proposed State and Federal legislation affecting the City.
12. Assisting the City Secretary in staying current on State and Federal Election Laws and administration of elections for the City.
13. Knowledge of land use laws and abilities of City to implement and administer such laws in conformance with State requirements.
14. Knowledge of laws and experience regarding economic development projects, financial tools and laws.
15. Knowledge of laws regarding extraterritorial jurisdiction (ETJ) and annexations.
16. Provision of court procedures and legal advice to Municipal Court staff.

## **Municipal Court**

This category includes the prosecution and trial of all Class C misdemeanors in the Municipal Court and appeals.

## **Statement of Qualifications**

Please attach responses to the following requests for information:

1. Name of firm and year organized (include physical and mailing addresses and telephone number).
2. Attach a list of Principals in the firm; include a biographical sketch of each. Include education, years of legal experience, years of municipal legal experience, and any areas of specialty within the field of municipal law.
3. Provide the name of the principal in the firm who will have responsibility for the City's dealings.
4. Attach a list of attorneys who will provide service to the City. Include a description of these attorneys' education, years of legal experience, years of municipal legal experience, and information on any areas of specialty within the field of municipal law. Identify if firm is approved defense counsel for TMLIRP.
5. Provide information about the attorney(s) and firm's capability to perform on short notice and in a timely manner. If the appointed City Attorney is not available, describe how requests for services will be handled.
6. Provide a list of current municipal clients, a contact person for each, and a telephone number for the contact person.
7. If your firm has represented a city during the last five (5) years that it no longer serves, please provide the following information:
  1. Name of city,
  2. Name of contact person, and
  3. Reason that you no longer represent such city
8. Please list any clients that you currently represent that could cause a conflict of interest with your responsibilities with the City. Describe how you would be willing to resolve these or any future conflicts of interest.
9. If your firm has filed any litigation in the past five (5) years in which either the City or one of its employees was named as a defendant, please describe the case(s).
10. If you have filed any litigation in the past five (5) years in which a municipality was a defendant, please describe the case(s).
11. Describe the standard timeframes for responses to direction and/or inquiry from the City.



**Evaluation of Requests for Proposals:** The evaluation committee will review RFP responses and compile a shortlist of qualified individuals or firms for further evaluation. Only those placed on the shortlist on the basis of the evaluation criteria will be considered by City Council. Written notification will be provided to shortlisted individuals or firms and to those not selected for the shortlist.

The evaluation committee will use the following criteria to evaluate RFP responses:

- A. Qualification and Experience of the Firm (20 points)
- B. Key Personnel Qualifications (25 points)
- C. Fee Structure (30 points)
- D. References (15 points)
- E. Approach & Availability (10 points)



## CITY OF MADISONVILLE

### Proposed Fees City Attorney Services

The following rates are proposed by the firm of

\_\_\_\_\_

for City Attorney Services to the City of Madisonville.

The firm will be required to provide a detailed, itemized invoice on a monthly basis.

	<b>General Counsel</b> Hourly Rate	<b>Litigation</b> Hourly Rate	<b>Special Counsel</b> Hourly Rate
Partners			
Associate Attorney			
Law Clerk			
Paralegal Support			

#### Municipal Court

Hourly Rate \$ \_\_\_\_\_

I, \_\_\_\_\_ acting on behalf of the firm of \_\_\_\_\_ certify that I have reviewed and fully understand the City of Madisonville's Request for Proposals for City Attorney Services. I further certify and swear that the information submitted in response to the Request for Proposal is true, correct and fully shows all information required to be reported.

By: \_\_\_\_\_



The State of Texas §

§

County of Madison §

This instrument was acknowledged before me on \_\_\_\_\_(date)

by \_\_\_\_\_(Name of signer).

\_\_\_\_\_(Signature of Notary)

(Seal of Notary)