



REQUEST FOR QUALIFICATIONS

CITY ATTORNEY SERVICES

**City of Devils Lake
423 6th St NE
Devils Lake, ND 58301**

**Date Released: April 1, 2024
Submission Deadline: May 03, 2024**

BACKGROUND

The City of Devils Lake invites interested law firms and individuals to submit written proposals to provide City Attorney services. As City Attorney, the selected law firm or individual will be expected to provide a wide range of legal services for the City. The City Attorney will be selected by the City Commission and will work closely with the Commission, City Administrator, and Department Heads.

The City Attorney is an appointive officer for the City of Devils Lake and will serve for a two (2) year term.

SERVICES REQUESTED

Basic services shall include those legal services generally understood as "general counsel" work and shall include, but not be limited to the following:

- Routine legal advice, consultations with City Commissioners, City Administrator, Department Heads, and other City staff.
- Assistance in the preparation and review of Ordinances, Resolutions, Agreements, Contracts, Forms, Notices, Certificates, Deeds, Land Acquisition, Leases, Conveyances, Bonds, and other documents required to conduct City business.
- Serve as the City Prosecutor in Devils Lake Municipal Court and serve in the same capacity when criminal cases are removed to the Ramsey County District Court.
- Provide legal conclusions and analysis regarding potential criminal offenses and infractions to officers of the Devils Lake Police Department upon their request. Communicate and coordinate with officers of the Devils Lake Police Department regarding prosecution of cases.
- Legal advice and formal opinions concerning legal matters affecting the City.
- Enforcement of City Codes, zoning regulations, and building standards through administrative and judicial actions.
- Monitoring of pending and current state and federal legislation and court decisions, as appropriate.
- Coordination of outside legal counsel, as needed and as directed by the City Commission.
- Attend City Commission, Planning Commission, and other meetings as requested by City leadership

REQUIRED PROPOSAL ELEMENTS

Describe the nature of your practice or your law firm's qualifications for providing City Attorney services. Include a professional chronology for the individual who will be designated to serve as City Attorney, as well as for others whom you anticipate being involved with providing legal services to the City.

Provide the overall capabilities, qualifications, training, and areas of expertise for each of the principals, partners, and associates of the law firm, including the length of employment for each person and his/her area of specialization.

Provide the following for the person whom you propose to designate as City Attorney and for each person you propose to designate as an associate or backup.

- Legal training and number of years of practice, including date of admission to the North Dakota Bar Association, number of years of municipal or other local public sector law practice as a full-time local government attorney and/or in a private law office specializing in local government.
- Professional affiliations.
- Knowledge of, and experience with North Dakota municipal law or other public sector experience.
- Litigation experience and demonstration of a good court track record (cite examples).
- Knowledge and practice of law relating to land use and planning, environmental law, risk management, development, general plans, real estate, and other related law.
- Experience in the area of contracts, franchises, and Joint Powers Agreements.
- Experience in the preparation and review of ordinances and resolutions.
- Types of clientele represented and years representing each.
- Office location(s) and availability to be physically present when appropriate and reasonable.

In the proposal, include three professional references for the individual designated as City Attorney.

If the firm or individual has ever been sued by cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information about the nature of the incident, the dates of when the matter began and was concluded, and the results of the situation.

Describe how you would structure the working relationship between the City Attorney and the City Commission, City Administrator, Department Heads, and other staff members.

Define the standard time frames for response by the City Attorney to direction and or inquiry from City personnel.

Indicate whether you or your law firm represent or have represented any client which representation may conflict with your ability to serve as City Attorney.

Indicate whether you or your law firm represent any real estate developers which could result in a conflict of interest with the City Attorney position.

COMPENSATION

If selected as a finalist to be interviewed, a proposal from the firm or individual for compensation arrangements will be requested prior to the interview with the City Commission.

The current City Attorney provides services on a retainer basis with an hourly fee for special projects, trials, and appeals to District Court. It would be expected for the selected applicant to provide services under a similar system, however, the City Commission would be open to consider alternative payment arrangements.

SELECTION SCHEDULE

The City of Devils Lake intends to proceed with the following tentative schedule for the selected firm or individual:

Request for Qualifications Advertised	April 1, 2024
Proposal Due Date	May 03, 2024
Review of Proposals	May 06 – May 10, 2024
Interviews, Selection, and Negotiation	May 13 - 17, 2024
City Commission Awarding of Contract	May 20, 2024

SUBMITTAL REQUIREMENTS

Law firms or individuals interested in submitting proposals for City Attorney shall submit 12 complete copies of the proposal to:

Spencer Halvorson, City Administrator
City of Devils Lake
423 6th St NE
Devils Lake, ND 58301

Proposals must be received by 5:00pm CST on Friday, May 3, 2024. Late proposals will not be considered.

The City Commission reserves the right to reject all proposals, to request additional information concerning any proposal for purposes of clarification, to accept or negotiate any modification to any proposal following the deadline for receipt of all proposals, and to waive any irregularities as such would serve the best interests of the City as determined by the City Commission.

QUALITIES OF SUCCESSFUL APPLICANT

In reviewing proposals, the City will carefully weigh:

- Depth of experience and breadth of expertise in the practice of law, specifically those pertinent to the operation of municipal government.
- Capability to perform legal services promptly and in a manner that permits the City Commission and staff to meet established deadlines and to operate in an effective and efficient manner.
- Demonstrated workload capacity and commitment to being a responsive and inviting team player.
- Demonstrated commitment to working collaboratively with City team members.
- Degree of availability for quick responses to inquiries that arise out of day-to-day operations.
- Ability to physically attend City Commission meetings scheduled for the first and third Monday of the month at 5:30pm as well as other special meetings as requested.
- Ability to physically attend meetings with City Commissioners and City staff upon request.
- Demonstrated sound judgement, integrity, and reliability as determined by references provided in proposal.

EQUAL EMPLOYMENT OPPORTUNITY

The City of Devils Lake is an equal opportunity employer. It is the policy of the City of Devils Lake to recruit, hire, train, and promote employees without discrimination because of race, color, religion, sex, age, creed, status of marriage or public assistance, national

origin or physical or mental handicap except where specific age, sex, or physical requirements are a bona fide occupational qualification.

Qualified veterans shall have preference for employment with the City of Devils Lake as set forth in Chapters 37-19.1 and other sections of the North Dakota Century Code.

CONTACT INFORMATION

Direct all inquiries regarding the Request for Qualifications to Spencer Halvorson, City Administrator, at (701) 662-7600 ext: 222 or by email at spencerh@dvind.com.