City of Johnston – City Attorney

Requests for Letters of Interest and Qualifications

The City of Johnston is accepting letters of interest and qualifications for a City Attorney and/or Firm to represent the City regarding legal matters. Our desire is to hire an attorney to be the primary contact, but also have the ability to draw upon the expertise of other attorneys within a firm. We intend to enter a three-year contract with an option to consider two (2), two-year extensions.

The successful attorney and/or firm is an independent contractor and is responsible for the cost, benefits and insurance expense for their employees engaged in the contract.

The city has retained the services of the same law firm since 2006. Based on monthly billing information provided by the firm, Laden and Pearson, Inc. spends an average of 20 hours per month on basic legal services for Johnston. In a sub-contract arrangement, an additional 50 hours per month are spent on traffic citations and simple misdemeanors. The City also uses the services of other attorneys on a case by case basis, which would likely transition to the City Attorney, and thus these hours are expected to increase.

Scope of Services

➢ Interpret and provide opinions on questions on a variety of legal issues.

➢ Review and provide written legal opinions and recommendations on proposed ordinances, resolutions and policies.

➢ Interpret and provide staff and the city council written opinions on questions interpreting City and State Code.

➢ Act as legal advisor to all City officials, boards, and commissions.

➢ Attend all regular and special meetings of the City Council unless otherwise directed by staff.

➢ Attend all regular and special meetings of the Board of Adjustment unless otherwise directed by staff.

➢ At the request of staff, attend board or commission meetings to provide legal guidance.

➢ Review materials prepared for the Johnston City Council and confer with the City Administrator and/or staff on issues that may need to be discussed prior to a meeting.

➢ Prosecute traffic citations, simple misdemeanor offenses, and other municipal police actions; coordinate with the Polk County Clerk of Courts Office and the Polk County Attorney’s Office as appropriate.

Please direct questions to James Sanders, City Administrator, at (515) 727-7760 or jsanders@cityofjohnston.com
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➢ Assist staff in preparing civil citations for code enforcement violations of the City Code and prosecute such cases as necessary.
➢ Assist staff in acquisition and disposal of City property, right of way and easements, including condemnation proceedings as necessary.
➢ Prepare and/or review and provide written comment on all agreements and contracts.
➢ Advise staff on planning and zoning issues.
➢ Advise staff and elected officials on open records laws, open and closed meeting laws, and determining appropriate responses to Freedom of Information Act (FOIA) inquiries.

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Submittal Deadline and Selection Process

Proposals may be submitted in person, by courier, or emailed to the City Administrator. It is the submitters responsibility to confirm receipt of the proposal prior to the deadline. Letters of interest and qualifications must be submitted to the City Administrator by 2:00 p.m. on Friday, January 7, 2022 to:

City of Johnston
Attn: City Administrator
PO Box 410
6221 Merle Hay Road
Johnston, IA 50131

Email address: jsanders@cityofjohnston.com

The City reserves the right to reject any and all proposals, in whole or in part. Late proposals will not be considered.

➢ Information required in the submittal:

- The submittal should be limited to 10 pages. Employee resumes and firm references are not counted in the 10 page limitation.

- Provide a brief background of the firm, areas of practice, and number of attorneys employed. Identify the specific experience of the firm in the areas listed in the Scope of Services.

- Letter highlighting municipal government legal experience of the primary attorney as well as the experience of that attorney’s firm.

- Resume of all attorneys who will provide legal services to the City.

- Provide addresses, phone numbers, and e-mail addresses of at least three (3) recent municipal clients. The City may contact any other known clients, whether offered as references or otherwise, to obtain information that will aid the City in evaluating the proposal. Include the fee arrangements for the clients provided.

- Description of any lawsuits or legal actions, for the past five years, against the City of Johnston involving attorneys employed by the firm.

Identify any current or potential conflicts of interest and indicate what procedures your firm would utilize to identify and resolve future conflicts of interest. It is of the utmost importance that no real or apparent conflict of interest exists between Proposer and the
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City, including its officials and employees. Therefore, Proposer shall disclose in writing in its proposal any real or possible conflicts of interest which exists or may exist.

- Provide proposed fee structure. All fees should be clearly stated in the proposal and must remain in effect for a period of three (3) years. Fees for any extensions will be negotiated. List fees per hour for principal attorneys, other firm attorneys, and support personnel. Identify the minimum increment of time billed. Provide a schedule of reimbursable costs such as mileage and travel time. Provide information regarding the firm’s willingness to accept alternative billing arrangements such as retainer, hourly rates, volume discount, blended hourly rate. Once the desired firm has been identified, the City reserves the right to negotiate additional terms and conditions, including hourly rates, or other method of compensation, with such firm.
- Provide any other information that may be helpful in assessing the firm’s ability to perform the work and in applying the evaluation criteria set out in the Request for Qualifications.

➢ Attorneys should have at least five (5) years’ experience in municipal law.

The search committee consists of the Mayor, a City Council member, one or two Department Directors, the City Administrator and a representative of the Johnston Police Department. The search committee may select the candidates to be interviewed, conduct the interviews and make a recommendation to the City Council. Criteria for selection will include:

➢ Once an attorney and/or firm is chosen, the scope of services will be further defined, and a contract will be prepared to be acted upon by the Johnston City Council.

Tentative Timeline Task

- December 6, 2021       RFQ distributed to interested parties
- January 7, 2022        RFQ responses due by 2:00 p.m.
- By January 28, 2022    Proposal review, possible interviews with City Council
- February 7, 2022       Contract award

Basis of Selection

The City may select all, some, or none of the Proposers for interviews. The City may also request more information which may be used in the evaluation from all or some of the Proposers at any time prior to final approval of a selected Proposer. Final approval of a selected Proposer(s) is subject to the action of the City Council.

➢ Qualifications and experience of the individual or firm in the areas listed in the RFQ/Scope of Services as well as experience in municipal law.

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➢ Qualifications, experience, knowledge and proven competence of the assigned attorneys and the prior experience of the individual attorneys with respect to the Scope of Work.

➢ Understanding of the Scope, and level of staffing necessary for satisfactory performance of the required service.

➢ Responses from references and other contacts.

➢ Cost. Hourly rates for each class of personnel, expected out-of-pocket costs, discounts for multi-year commitments, hourly rates/fees for additional services and alternative billing measures offered.