

REQUEST FOR PROPOSALS
LEGAL SERVICES – GENERAL BUSINESS & MUNICIPAL LAW
August 17, 2018

INTRODUCTION

Clallam Transit System (CTS), a municipal corporation, is requesting proposals from qualified professional law firms or sole practitioners for general business and municipal legal services on a contractual basis to the CTS Board and management staff.

AGENCY BACKGROUND

The Clallam County Public Transportation Benefit Area (PTBA) was formed on July 24, 1979 and began operations as Clallam Transit System (CTS) in October of 1980. CTS provides fixed-route, paratransit, Dial-a-Ride, and vanpool services throughout Clallam County. CTS is organized into three departmental areas: Operations, Maintenance, and Administration; with over 100 employees and an operating budget of over nine million dollars. The General Manager is the chief operating official supported by the Operations and Planning Manager, Maintenance Manager, Finance Manager, and Administrative Services Manager. Legal counsel is contracted externally and is responsive to the General Manager and the Board. The CTS Board composition consists of two elected representatives from the three incorporated municipalities of Port Angeles, Sequim, and Forks, two County Commissioners, and one non-voting Amalgamated Transit Union (ATU), Local 587, representative.

PROPOSAL DEADLINE

This document outlines the requirements, selection process, and the documentation necessary to submit a responsive proposal for this service. Proposals (one original and two copies) must be **hand-delivered or postmarked by Friday, August 31, 2018**, and addressed to:

Gina Monger, Administrative Services Manager
Clallam Transit System
830 West Lauridsen Boulevard
Port Angeles, Washington 98363

The proposal must be submitted in a sealed envelope and clearly marked in the lower left-hand corner, "*RFP for Legal Services.*"

CONTRACT AWARD

A two-year contract will be awarded to the successful Proposer, with the option to extend the contract by mutual agreement of the parties. If both parties cannot agree on the terms of a contract extension, the existing contract will be allowed to expire and the contract work will be rebid.

WHO MAY RESPOND

The Proposer must be currently licensed to practice law in the state of Washington and may be a sole practitioner or a member of a law firm.

SCOPE OF SERVICES

The successful Proposer will act as general legal counsel to CTS and its Board members. Legal counsel will provide representation, advice, and interpretation of municipal corporation law as it applies to CTS.

Typical duties include, but are not limited to:

1. Provide legal advice, counsel, services, consultation, and opinions to the General Manager, CTS Board, and CTS Management staff, on the full scope of municipal legal assignments such as: local, state, and federal regulatory requirements; intergovernmental agreements; Open Public Meetings Act requirements, and public disclosure issues.
2. Maintain knowledge of issues facing CTS and be prepared to research and offer timely legal opinions and memoranda at the request of the CTS Board or management staff;

3. Prepare and/or review resolutions, contracts, and other documents as necessary to represent and protect CTS's interest, and advise CTS with regards thereto.
4. Manage legal actions or administrative proceedings that may be initiated by CTS. Appearance and/or initiation or other involvement, on behalf of CTS, in other dispute resolution proceedings, including but not necessarily limited to judicial, arbitration, or mediation, or appeals thereof.
5. Review and/or draft contracts, in whole or in part, and activities incidental or related thereto, including, but not necessarily limited to, real-estate transactions, Interlocal agreements, labor agreements, professional services, purchasing, service or product contracts, as requested. May assist in negotiation of such contracts and/or agreements as requested.
6. Attend and furnish legal representation at CTS Board meetings and at other meetings when requested. CTS Board meetings are usually once a month, every third Monday, from 1:00 p.m. to (approximately) 3:00 p.m. at the CTS Administrative Building. Occasional special meetings may be held, based upon need.
7. Provide guidance as to Robert's Rules of Orders and related procedural matters related to CTS Board meetings.
8. 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.
9. Performs other legal services and tasks, as assigned by CTS Board, General Manager, or the General Manager's designee.

CTS, at its discretion, may refer specialty cases to qualified experts and/or other legal counsel.

REQUIRED PROFESSIONAL QUALIFICATIONS

Qualifications for providing general legal services, for each attorney likely to provide services to CTS, include:

- A. Possession of a Juris Doctorate degree and have graduated from a law school accredited by the American Bar Association;
- B. Be a member in good standing of the Washington State Bar Association;
- C. Possession of comprehensive knowledge and experience of general municipal law as it pertains to municipal corporations. Areas of expertise may include contracts, personnel matters and labor negotiations, open public meetings, public records and disclosure, governmental ethics, planning, construction, and permitting of facilities.

ADMINISTRATIVE REQUIREMENTS

Accessibility

The selected Proposer must be reasonably available by phone and/or other electronic communication. The selected Proposer must maintain a law office with sufficient facilities to provide adequate legal representation and client conferences as needed. CTS prefers that the law office be located within Clallam County, or an immediately adjacent county, for the purpose of timely in-person interactions between CTS and legal counsel. If not within relative proximity to Clallam County, provide explanation of how services could effectively be delivered.

Assumption of Work In Progress

The selected Proposer must be prepared to assume any work in progress from CTS's previous counsel.

Open Cases

Unless otherwise agreed to by the parties, the selected Proposer will be responsible for all cases assigned during the term of the contract and will be responsible for completing any cases that are assigned under the contract. Compensation for cases carried beyond the contract period will be at the contract rate, unless otherwise agreed to by the parties in writing.

Relationship of the Parties

The selected Proposer must be an independent contractor and not be deemed a CTS employee.

Potential Conflicts

Represent CTS to the exclusion of all other clients having potential conflicts with the interests of CTS. If any real or perceived conflict exists, the Proposer must address how the conflict may be resolved and/or mitigated to CTS's satisfaction.

PROPOSAL REQUIREMENTS

Please provide the following:

1. Firm/practice name, address, phone, and fax number.
2. A description of the practice or law firm, including the number of staff and job titles for all personnel who potentially might be involved in providing services.
3. A detailed statement of the qualifications and experience related to the *Required Professional Qualifications* described above of the Proposer and any firm members who might provide services described herein.
4. A description of how the Proposer will provide general legal services to CTS. At a minimum, this should address items in the *Administrative Requirements* section.
5. A reference list of three recent (within five years) municipal clients. If municipal clients are not available, other major clients may be submitted. Provide contact information for each reference.
6. Disclosure of any pending litigation or judgments rendered against the law firm/sole practitioner in any matter relating to professional activities of the firm, including any pending complaints to the Washington State Bar Association.
7. Compensation structure for proposed services; a fixed, hourly rate that includes all labor, material, fees, costs, and equipment necessary for the provision of the services requested and the minimum increment of time billed for services.

EVALUATION OF PROPOSALS

CTS intends to use a Best Value method to determine which Proposer's abilities are most advantageous to meeting CTS goals for this proposal as determined by CTS. CTS reserves the right to reject any and all proposals, request additional information concerning any proposal, waive informalities and irregularities, to negotiate further with all proposers within the competitive range, and to accept or negotiate modifications to any proposal, if such action is believed to be in the best interest of CTS.

CTS will evaluate and rank all proposals submitted by the due date in accordance with the evaluation criteria stated below. CTS may establish a "short list" of two or more Proposers and conduct interviews (at the option and discretion of CTS); in order to identify the best qualified Proposer.

Proposal evaluation criteria will include the following, for a possible total of 300 points:

0 to 25 points for each:

- Experience representing Washington municipal corporations;
- Public transit experience;
- Trial work, arbitration, mediation, and administrative proceedings;
- General governmental law;
- Contract law;
- Labor negotiations;
- Personnel matters; and
- Working with a Board, General Manager/Executive Officer, and senior staff.

0 to 100 points:

- Response to stated requirements.

NOTIFICATION OF AWARD

Announcement of the successful Proposer is expected within fifteen working days following the closing date of the receipt of proposals. Once negotiations are concluded, all unsuccessful Proposers will be notified in writing of the name of the successful Proposer.

INQUIRIES

Questions and comments must be submitted on or before August 31, 2018, and should be directed by email to Administrative Services Manager Gina Monger, at ginam@clallamtransit.com.