

City of Forsyth
Request for Proposals for Legal Services of City Attorney
September 12, 2024

Background

The City of Forsyth is seeking a qualified attorney or firm to serve as City Attorney for the City of Forsyth. The term of the contract is considered to begin no later than January 1, 2025 and may be renewed each year for a period of 5 years, if agreed by both parties. The agreement will be pursuant to GA Const. Art. IX, Section 2, Paragraph 3, O.C.G.A § 30-6-13, and any other legal requirements.

The City Attorney represents the City of Forsyth in any and all legal matters, with the general scope of work outlined in Exhibit A attached hereto and made a part hereof.

Schedule

Responses to this solicitation are due no later than 5:00 pm on November 1, 2024. All proposals should be sealed in an envelope or box and clearly marked **“Professional Services, Legal Representation of the City of Forsyth”** on the outside. A digital copy of the proposal should be included. However, faxed or emailed proposals will not be accepted.

Proposals should be submitted to Will Campbell, Project Manager, City of Forsyth; 23 E Main St, Forsyth, Georgia 31029.

Contents of Submission

Interested parties are required to provide the information listed below. Incomplete responses will not be considered.

1. A brief history of your firm and resumes for the attorney(s) who would be performing work for the City. Also, include such additional information as you deem appropriate regarding the firm, but specifically provide information regarding its size and the areas of practice of its attorneys.
2. List any experience in representing governmental entities, including the name of the government(s) represented, lengths of representation, and individuals within the government with whom your firm worked closely.
3. List any experience in handling the following matters and give brief examples or descriptions of what you have encountered in your experience where appropriate:
 - a. Open Meetings/Open Records requests, procedures, and compliance;
 - b. Drafting and/or interpretation of contracts and intergovernmental agreements;
 - c. Drafting and/or interpretation of ordinances, laws, resolutions, or similar legislation;
 - d. Land Use Regulations, Planning and Zoning procedures, substantive law, and appeals to Superior Court;
 - e. Conflicts of interest and the procedures to avoid or handle them;
 - f. Human resources issues, such as compliance with Title VII, Wage and Hour, benefit plans;

- g. ADA and Rehabilitation Act compliance issues for local governments;
 - h. SPLOST or LOST referendums, procedures, and requirements;
 - i. Governmental and/or traditional or "back-door" revenue bonds issued by governments;
 - j. Drafting, negotiation of, and/or implementation of franchise agreements with various utility providers, such as cable, telephone, water and sewer, and electricity providers/co-ops;
 - k. Condemnation procedures and litigation for road improvements and/or acquisition for expansion of local government facilities;
 - l. Local economic development projects in conjunction with private or other public partners;
 - m. Defending local governments in litigation positions, such as contract actions, §1983 civil rights, tort, nuisance, and similar litigation;
 - n. Investigations and cooperation with U.S. EPA and State EPD officials regarding governmental property and environmental concerns;
 - o. Issues regarding law enforcement procedures and issues, litigation (including §1983), conditions of confinement, etc.;
 - p. Compliance issues with State agencies such as the Office of Insurance and Safety Fire Commissioner, Department of Revenue; DCA, DHR, DOL, etc.;
 - q. Purchasing requirements for public building or improvement requirements with local governments; and
 - r. Any matters set forth in the Scope of Work not included above.
4. Identify the attorney in your firm that would take primary responsibility to advise and represent the City of Forsyth if your firm were selected, as well as other attorneys within your firm that will also perform tasks or assist in the representation.
 5. Description of whether your firm has ever been the subject of a bar complaint, legal action, or other complaints, including an explanation of the circumstances.
 6. Description of firm's insurance including general liability, workers' compensation, and malpractice.
 7. City issues are usually time sensitive. Please provide your proposed contact means and proposed response times that you believe would provide a timely response to the City's requests for legal services.
 8. The City of Forsyth proposes to enter into a contract with the person or firm chosen by the City Council as its City Attorney. This person or firm will be an independent contractor of the City and shall remain to the City a wholly independent contractor at all times with only such obligations and rights as are consistent with that role. No employment benefits, including health insurance or retirement benefits, will accrue. The city's past experience has indicated that it is best for the City of Forsyth to establish a set retainer that includes all normal and necessary services and costs thereof. This retainer will include the fee for services rendered under the Scope of Work and all miscellaneous expenses such as long-distance charges, postage and shipping, copies, travel, etc.

The following matters are not included in the retainer and shall be agreed upon by the attorney and the City in advance of those services being provided: Litigation services, real estate acquisitions, title examinations, bond issues, and normal and necessary expenses arising in the provision of those services.

If those additional services are requested and provided:

- a. Please provide your proposed fee structure; include the hourly rate(s) of the attorney(s) who will undertake these additional services; and
- b. Provide an explanation of how the firm will bill and how much will be charged for long-distance calls; facsimiles; postage or shipping; copies or reproductions; travel; and any other proposed costs or expenses

Evaluation Criteria

Through this solicitation, the City of Forsyth desires to understand the qualifications of responding parties. The City of Forsyth will not evaluate incomplete proposals and reserves the right to reject any and all proposals.

Questions

Any questions regarding this solicitation should be directed to Will Campbell, Project Manager, City of Forsyth; 23 E Main St, Forsyth, Georgia 31209; (478) 994-5649 or wcampbell@cityofforsyth.com.

EXHIBIT A
SCOPE OF WORK

- A. Attorney shall perform all necessary legal services as Contract City Attorney, and shall:
1. Attend all regularly scheduled and special City Council meetings and City Council Committee meetings as requested and be prepared to act as Parliamentarian at such meetings, as requested.
 2. Attend all regularly scheduled and special Planning and Zoning Commission, Housing Authority, and Downtown Development Authority meetings as requested and be prepared to act as Parliamentarian at such meetings, as requested.
 3. Provide legal services at City Hall as needed to facilitate informal, direct access to legal counsel by the Mayor, Councilmen, City Manager, Assistant City Manager, Staff, and Department Heads as necessary, specifically including consultation with, and advice to.
 4. Attend other meetings as required by the Council or the City Manager.
 5. Advise the Mayor, Council, Staff, and other City Officials on all legal matters pertaining to City business.
 6. Prepare, review, and approve contracts, agreements, resolutions, ordinances, proposed legislation, letters, legal ads, and all other standard City documents.
 7. Prepare such written and oral legal opinions as shall, from time to time, be requested by the City.
 8. Perform such other routine legal services as are required, from time to time, by the Mayor, City Council, or the City Manager.
 9. Provide in-house training, as requested, to City staff on issues pertaining to civil liability, personnel and labor, and other issues as, from time to time, are identified by and requested by the Mayor, Council, or the City Manager.
 10. Review and approve as to form and content all proposed adverse personnel actions as, from time to time, are requested by City staff and as directed by the City Manager.
 11. Perform all work related to advising staff on, and prosecuting, all violations of City codes.
 12. Represent the City and the City's officials, officers, and employees in litigation and administrative proceedings as directed by the Mayor, City Council, or the City Manager.
 13. Make recommendations concerning the selection of outside legal counsel on appropriate matters and supervise such outside legal counsel handling transactional or litigation matters on behalf of the City.

B. The City specifically reserves the right to retain, at its sole option, other legal counsel for litigation and other specialized legal matters. This reservation of rights does not preclude the City from assigning these matters to the City Attorney as part of the scope of duties.