



City of Edgewood

Request for Statement of Qualifications for Attorney Services

I. PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit and select a qualified individual or firm to provide a full range of municipal legal services serving as the City's legal counsel on a contractual basis. The City of Edgewood is a code city as described under Title 35A in the Revised Code of Washington.

We operate as a small and nimble organization seeking to maximize the strengths of each of our employees. In Edgewood, we are different. Featured in INC magazine, we are a small and mighty staff wearing many hats. A work family with focus, humor and attitude. To continue crafting Edgewood into a learning culture of exceptional performance our organization needs a sharp legal mind or better, a sharp legal team. We have a City to build and we're looking for someone special to help us get it done!

II. COMMUNITY PROFILE

The City: Edgewood, Washington, is located in northern Pierce County, just north of the City of Puyallup. It borders the City of Sumner to the east, the City of Puyallup to the south, the cities of Milton and Fife to the west, and King County to the north. Eighty-percent of the City is located on North Hill, and twenty-percent in the Puyallup valley. In addition, parts of Edgewood are within the boundaries of the Puyallup Indian Reservation.

Edgewood's current policy is to contract with Pierce County and other public and private organizations to provide the majority of Edgewood's services, such as Police, Public Works, and Animal Control. Fire and emergency medical services are provided by East Pierce Fire & Rescue, a special purpose-taxing jurisdiction serving within the boundaries of the City.

Edgewood is a mix of rural and suburban surrounded by older, more densely developed City and County neighbors. In the last couple of years it has ranked between 4th and 8th fastest growing City in the State. We are actively focused on building our city in the vision of our City Council and Community Working purposefully to maintain more of our rural feel as we embrace the rising tide of population. We still have small farms, pastures with cattle and multi-generational homesteads. We have a population of about 11,600, according to the Washington State Office of Financial Management 2019 estimate. Over eighty-percent of our households are single-family homes. Commercial development is concentrated along Meridian Avenue in the central North-South corridor of the City. The majority of existing businesses in Edgewood are small, and many are home-based.

The City of Edgewood has developed a community vision and Comprehensive Plan as required by the Washington State Growth Management Act. The Comprehensive Plan, adopted in 2001 and most recently updated in June of 2015, emphasizes protection of residential areas with provision for in-fill and redevelopment in commercial and mixed-use zones. The Comprehensive Plan includes a Town Center and Meridian Avenue Corridor Master Plan. These plans encourage the City and private sector to work together to develop the central business district and create an environment that promotes pedestrian and bicycle traffic integrated with vehicle use. The plans incorporate a City Hall campus that was constructed in 2009 to serve as the central focal point in development along the corridor.



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Since incorporation in 1996, the City of Edgewood has relied heavily on borrowed code, regulations, and policies from Pierce County. As the City continues to evolve and grow, Staff have begun the process of a wholesale rewrite of these documents to better reflect the goals and ambitions of the Mayor, Council and residents. A recent addition of a sanitary sewer, pent up demand for housing and the services housing can bring leave us with significant work ahead for the Staff, City's Elected Officials and our community. Our City Attorney will be busy.

Financial Framework & Goals: The City of Edgewood, a result of imposing a community supported Utility Tax in 2018, now has three strong revenue streams ensuring long term viability and the ability to maintain current levels of services. We have worked hard to ensure development pays for itself with the last four years achieving between 76% and 100% of fees for services paying the cost of those services. As the City increases GMA mandated growth, annual review of the fee structure helps ensure the City recoups more accurately the actual cost of delivering development services to those generating the activity and lessening the burden on the established tax base who otherwise must subsidize the process. The City of Edgewood maintains a healthy financial reserve with Council restricted Strategic reserves of about 1.8 million and over \$15 million in our operation funds. We qualify for triple A bonding status, have passed every audit for the last ten years without issue and manage cutting edge technology solutions while maintaining risk adverse conservative fiscal policies. Financially, we rock! For the city to continue to rock, we need to build the city with an eye to strengthening the three legs of our sustained revenue stool. To continue finding ways to have development fees support the cost of providing development services. To utilize one time capital revenue for capital improvement that extend road life, improves efficiencies from technology and enhances the experience of our residents

III. SCOPE OF SERVICES

The City will need a full array of Municipal City Attorney services, including General legal counsel for the Mayor, City Council, and staff, including but not limited to:

- Attending meetings with Mayor, Administrator, and staff when requested.
- Being available for phone consultations with the Mayor, Councilmembers, Administrator, and staff.
- Bringing to the attention of the Mayor, City Council, Administrator, or staff matters of relevance as a result of new legislations or recent court decisions.
- Maintaining a liaison with other associated special counsel.
- Attendance at all regular City Council meetings. The City Council regularly meets every second and fourth Tuesday evening of each month.
- Availability for special sessions of the City Council.
- Review and original preparation of ordinances, resolutions, and contracts when requested.
- Litigation services – Representing the City as either a plaintiff or defendant. Representing the City before Administrative proceedings before other governmental units.
- Local Improvement Districts and the collection of assessments.
- Contract law including such subjects as personal services, equipment, and real estate leases and



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purchases.

- Code development including the integration of new legislation requirements, as well as crafting language to accurately reflect the intent and desires of Elected Officials and City Constituents.
- Eminent Domain
- Right of Way Acquisition
- Utilities
- Labor Law

Areas of particular need are land use law, including but not limited to public records act, zoning and development regulations, platting, Growth Management Act compliance, Right of Way and legal requirements of both municipal and non-municipal utility service providers.

The official duties of the City Attorney are outlined within City Code and are included here for reference:

2.20.020 Duties.

The city attorney, or a designated representative, shall advise the city authorities and officers in all legal matters pertaining to the business of the city, and in all actions brought by or against the city or against city officials in their official capacity. He or she shall perform such other duties as the city council by ordinance may direct. In addition to the duties prescribed by the laws of the state of Washington as hereinabove set forth, the city attorney shall:

- A. Attend all regular and special meetings of the council, committee of the whole meetings, or be represented by an attorney of his or her designation, unless otherwise excused by the council.
- B. Prepare, draft, or supervise the preparation of all ordinances, resolutions, leases, instruments or conveyances, contracts and agreements, and such other and similar instruments as may be required by the business of the city.
- C. Advise the council and its committees, boards, commissions, department heads and other city officials and officers, including the rendering of formal opinions when so requested, or when it appears to the attorney advisable to do so.
- D. Consult with and participate with other city officials or representatives of the city concerning settlement of claims against the city or its officials, officers and employees while acting in their official governmental capacities.
- E. Attend official meetings of any board or commission in connection with the proposed drafting on any ordinances, resolutions, or contracts.
- F. Assist the Mayor, Council and City Staff with ongoing risk assessment. Providing the City the benefit of seasoned legal experience in determining options to mitigate the risk of cost to cover vs. exposure to liability.

V. SELECTION PROCESS



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Step I – Submittal Criteria: The Selection Committee, as determined by the Mayor, will review all proposals and may invite the most qualified firms to an interview. In reviewing and evaluating the submitted proposals and interviews, the Selection Committee will use the following criteria:

- Advanced knowledge of all municipal government legal issues.
- Availability, references, and billing rates of person or persons serving as the City’s contracted attorney.
- Advanced understanding of Washington State land use law including, but not limited to GMA, Property Rights and SEPA.
- Proposed fee structure. Propose a compensation package, inclusive of all service costs. The City is open to a variety of approaches, including hourly rates or a flat, monthly with add-ons. The City will select the finalists by considering the proposed compensation as a “best and final offer”, although the City reserves the right to negotiate terms as needed to improve elements of the proposal to best meet the needs of the City, including costs.
- Qualifications of the key staff that will be assigned to the City. (Indicate their assigned role, amount of time available, past relevant experience and resume, etc.)
- Include a rate schedule for all assigned staff. (Please address experience with municipal government legal services.)
- Names and references, including contact person and telephone numbers of organizations for which the firm has provided similar services.
- Submittal of five (5) copies

Step II – Consultant Selection: Submittals will be narrowed to a short list that may be asked to participate in interviews. The selection committee will review and evaluate each statement of qualifications on the basis of:

- Demonstrated understanding of municipal government issues and law
- Proposed fee structure
- Qualifications of assigned counsel and other staffing resources
- Availability of legal counsel to attend meetings and otherwise serve City of Edgewood
- Results of references
- The City reserves the right to modify the selection criteria

Step III – Consultant Fee and Contract: Upon selection of the firm, the fee and contract will be negotiated with the Mayor. The City Council then considers approval of the contract.

VI. TERMS AND CONDITIONS

Not all proposers may be interviewed. The proposers shall be responsible for the accuracy of the information supplied. The City of Edgewood reserves the right to reject any and all proposals, to issue one or more agreement(s) for the intended scope of services, to waive minor irregularities, to issue additional RFQs, to retain existing counsel, and to either substantially modify or abandon the selection process prior to any award of a contract.



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Nothing contained herein shall require the City of Edgewood to award a contract and the City of Edgewood reserves the right to determine its own selection criteria in the award of the final agreement. The contract resulting from acceptance of a proposal by the City shall be in a form supplied or approved by the City, and shall at a minimum reflect the specifications in the RFQ. The City reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFQ, and which is not approved by the City Council. The City shall not be responsible for any costs incurred by the firm in preparing, submitting, or presenting its response to the RFQ.

VII. SCHEDULE OF PROPOSAL PROCESSES

The City will make every effort to follow this timetable; however, we reserve the right to modify the proposal process and dates as necessary.

Distribution of RFQ	April 2, 2020
Deadline for Submittal of Qualifications	April 16, 2020
Selection Committee determines finalists	April 20, 2020
Possible Finalist interviews (via ZOOM)	April 23, 2020
Firm selected	April 28, 2020

VIII. SUBMISSION DEADLINE

Five (5) duplicate originals of the response materials shall be submitted on or before 4:30 PM on – **April 16, 2020** to:

Rachel Pitzel, City Clerk
City of Edgewood
2221 Meridian Avenue East
Edgewood, WA 98371-1010
(253) 952-3299
rachel@cityofedgewood.org

Questions concerning this request by the City of Edgewood may also be addressed to Daryl Eiding, Mayor or Dave Gray, Asst. City Administrator.

Late submissions, faxes, postmarks, or telephone proposals will not be accepted. Digital proposals may be submitted via email (preferred at this time), but the City assumes no responsibility for formatting or transmission errors.

Proposals should be prepared simply, providing a straightforward, concise description of provider capabilities to satisfy the requirements of the request. Emphasis should be on completeness and clarity of content. Items such as special bindings, color displays, glossy finishes, and promotional materials are not desired. Submittals should be limited to 10 pages (total).