

Town of Gardnerville, Nevada
Request for Qualifications (RFQ)
Town Attorney/Legal Services

The Town of Gardnerville, Nevada (“Town”) is soliciting Statements of Qualifications (SOQ) from an experienced legal firm or an individual attorney for the purpose of providing legal services to the Town of Gardnerville on a contractual basis. The firm/individual will be tasked with providing general municipal counsel, legal services, guidance on special projects, and advising the Town. The Town requires that one attorney be designated as the point of contact or as lead attorney.

All qualified firms or individuals that are interested in providing these services to the Town are invited to submit their proposals. All proposals must comply with the requirements specified in this RFQ.

Background

The Town of Gardnerville is an unincorporated Town in Douglas County, Nevada. The Town is managed by a full time Town Manager who reports directly to a five member Town Board. The Town Board is advisory to Douglas County. The Town Manager is responsible for the day-to-day affairs of the Town. The Town’s population as of July 1, 2019 was estimated to be 6,036 by the Nevada State Demographer. The Town operates four departments including; Administration, Parks, Public Works and Health and Sanitation.

The Town budgets approximately \$40,000 per year for legal expenses. The weekly workload for the Town Attorney is variable; however the time generally averages 3-5 hours per week.

Chapter 18.06 of the Douglas County Code more specifically outlines the responsibilities of the Town (<https://dcnvda.org/CountyCodes.aspx>).

The selected firm or individual (“Respondent”) shall be licensed to practice law in the State of Nevada, and be in good standing with the Nevada Bar. Experience with Nevada Municipalities and knowledge of municipal law and opening meeting law is critical.

Scope of Services

The general scope of services requested of the Town Attorney functions are, but not limited to:

- Provide legal advice on a variety of legal matters to the Governing Body and designated staff of the Town;
- Provide advice regarding government operations, open meetings, public information, compliance with Nevada Labor Commission, Town Ordinances, Douglas County Code, and Nevada Revised Statutes;
- Prepare and/or review agreements, contracts, ordinances, resolutions, deeds and other legal instruments;

- Provide proactive legal advice while attending Town Board Meetings and occasional special meetings and workshops. Regular Town Board Meetings occur the first Tuesday of each month at 4:30;
- Staying abreast and informing the Town of new or proposed State and Federal Legislation affecting the Town.

The following items are generally handled by the Douglas County District Attorney's Office and the Board of County Commissioners. These items are not expected to require significant attention by the Town Attorney:

- Legal counsel on issues pertaining to personnel policies and procedures and providing counsel on all compliance employment matters such as but not limited to State and Federal Employment law, Workers Compensation, EEOC, FLSA, FMLA and OSHA requirements;
- Knowledge of land use laws;
- Knowledge of laws and methods regarding code enforcement;
- Knowledge of criminal prosecution, penal code, rules of evidence, and other items related to law enforcement.

Statement of Qualifications Evaluation Criteria

Each proposal will be evaluated according to the following criteria:

A. Respondent Qualifications (15 Points)

Summarize the Respondent's unique qualifications in providing legal services including:

- Brief history of the firm, size, structure, and areas of practice;
- Complete resume of the individual designated by the firm to be the point of contact or lead attorney (the resume will not count toward the total page limit and should be included in Appendix A of the Statement of Qualifications);
- Provide information on certifications or licenses, educational institution conferring law degree and year of degree, professional background, and professional associations;
- Provide information about the range of services offered and available support staff;
- Provide detail of any ethics violations or board actions against the firm, it's attorneys, and employees within the last 10 years.

B. Experience of the lead attorney assigned to the Town. (30 points)

- Provide statement of experience with Nevada Municipalities or similar entities such as General Improvement or Utility Districts;
- Provide familiarity with laws and regulations governing municipal governments;
- Demonstrate expertise in the civil aspects of municipal law.

C. Respondent's availability and capacity to provide timely legal services. (40 points)

It is critical that the Town of Gardnerville be a priority client to the selected Respondent. Provide information on the following to demonstrate the Respondent's availability and capacity to provide timely legal services:

- Provide a statement describing how the Respondent proposes to provide legal services to the Town. Address issues such as office location, accessibility to Town Board Members and Town Staff, Town Board Meeting attendance, and other meetings;
- Demonstration of workload capacity commensurate with the level of service required by the Town.
- Provide information about the Respondent's availability and capability to perform on short notice and to ensure timely response and completion of the Town's schedules and deadlines.
- Provide a schedule of time the Respondent is currently committed and unavailable to assist the Town such as weekly court obligations, routine client meetings or board meetings with other Towns, General Improvement Districts, or Utility Companies.

D. Understanding the required services and quality assurance. (15 Points)

- Provide a list of all local agencies or clients the Respondent now represents which may cause a potential conflict of interest with the Town of Gardnerville.
- Describe how the Respondent protects client confidentiality. This applies to all information and communications, including electronic communications, unless available to the public through a public records request and otherwise not subject to specific exemption.
- Describe the Respondent's approach to communicating with the Town in regards to progress reports, status reports, recommendations, status of opinions, etc.

Interaction With Town of Gardnerville Staff

No presubmittal meeting will be held. Questions must be submitted in writing to Erik Nilssen, P.E., Town Manager either by email ehnilssen@douglasnv.us or USPS 1407 US Highway 395 N Gardnerville, NV 89410. All questions must be submitted by 5:00 PM on Monday, August 17, 2020. The questions will be compiled by Town of Gardnerville Staff and written responses to all questions will be posed with the RFQ on the Town Website no later than 5:00 PM on Monday August 24, 2020. Duplicate or similar questions received may be combined in order to have one response. Questions posed to Town Staff on the phone or in person shall not receive a response.

Submittal Requirements

The proposal shall include a one-page cover letter, plus a maximum of **10 pages** to address the evaluation criteria (excluding resumes but including an organization chart with key personnel and their affiliation). Resumes for each team member shall be limited to a maximum length of four pages and should be attached as an appendix to the proposal. **Please provide 2 (Two) hard bound and one electronic (in a single .pdf document saved on an optical disc or USB flash drive) copies of the proposal by 12:00 PM Friday, August 31, 2020.**

Delivered or hand-carried submittals must be delivered to the Gardnerville Administrative Office. On the submittal package, please display: Firm name and Town of Gardnerville Legal Services.

All submittals should be sent or delivered to:

Town of Gardnerville
Erik Nilssen, P.E., Town Manager
1407 US 395 N
Gardnerville, NV 89410

If a company wishes to submit a company brochure, this can be done under separate cover. The brochure will not be used in the selection process and may be retained in the Town files.

Please be advised that failure to comply with the following criteria may be grounds for disqualification:

- Receipt of submittal after the specified cut-off date and time
- Receipt of the number of copies of the submittal specified
- Adherence to maximum page requirement
- Delivery of submittal in correct location
- Note that the Respondents' cost to provide legal services cannot be included with the proposal package. Proposals that include the Respondent's cost to complete the work will be disqualified.

Adherence to the maximum page criterion is critical; each page side (maximum 8 ½" x 11") with criteria information will be counted. Pages that have project photos, charts, and graphs will be counted towards the maximum number of page. Table of Contents pages and tabbed divider pages will not be counted if they do not contain submittal information.

Selection Process

The Town Manager will solely be responsible to review all submitted SOQ. The Town Manager will recommend a maximum of four of the highest rated submittals to make presentation to the Town Board in early October. If less than five SOQ are submitted all will be invited to make presentations. The chosen Respondents will be made aware of their selection no later than September 8th. Selected Respondents will make a not to exceed 20 minute presentation to the Town Board regarding the information requested in the SOQ followed by an interview with the Town Board. An electronic copy of the Respondents presentation must be provided to the Town Manager prior to September 30th at 12:00 p.m. It is anticipated the Town Board will make a recommendation to the Town Manager of a preferred Respondent and a backup Respondent at the meeting. The Town Manager and the selected Respondent will engage in contract negotiations. It is anticipated the contract will be approved no later than December 1, 2020 with the Town Attorney starting their duties at the January 7, 2021 Town Board Meeting.

Terms and Conditions

The Town of Gardnerville reserves the right to reject any and all Proposals and to waive irregularities and informalities in the submittal and evaluation process. The Town does not intend, and is under no obligation, to pay any costs incurred by any Respondent to prepare and submit a Proposal. This solicitation does not obligate the Town to accept or contract for any expressed or implied services. Furthermore, the Town reserves the right to award the contract to the next most qualified Respondent if the selected Respondent is unable to negotiate or execute a contract within fifteen (15) days after selection.

The Town of Gardnerville shall not be held responsible for any oral instructions. Any changes to this RFP will be in the form of an addendum, which shall be furnished to all registered RFP holders. To register as an RFP holder please email the Town Manager at the address below and request to be included on the list.

All firms interested in this project (including the firm's employees, representatives, agents, lobbyists, attorneys, and subconsultants) will refrain, under penalty of disqualification from direct or indirect contract for the purpose of influencing the selection or creating bias in the selection process with any person who may play a part in the selection process. This policy is intended to create a level playing field for all potential firms, assure that contract decisions are made in public and protect the integrity of the selection process. All contact on this selection process should be addressed to the authorized representative identified below.

A copy of the Town's Boilerplate Contract for Professional Services is provided on the Town's Website under the Bid Opportunities Tab. Any Respondent submitting a SOQ shall become familiar with the boilerplate contract. It is anticipated the selected Respondent will enter into the contract with the Town with only minor revisions to the boilerplate contract.

Questions pertaining to the selection process or contract issues should be directed to Erik Nilssen, P.E., Town Manager at 775-782-7134 or E-Mail ehnilssen@douglasnv.us