

REQUEST FOR PROPOSAL FOR LEGAL SERVICES

City of Whitewater
312 W. Whitewater Street
Whitewater, WI 53190
(262) 473-0500 (O)
(262) 473-0509 (F)

www.whitewater-wi.gov

Submittal deadline:
3:00 PM Thursday, November
23, 2023

**CITY OF WHITEWATER
OFFICIAL NOTICE
RFP - LEGAL SERVICES**

Proposals will be received by the City of Whitewater for Legal Services in accordance with the attached specifications.

Interested firms shall submit the following information to the City of Whitewater, Finance Director, 312 W. Whitewater Street, P.O. Box 0178, Whitewater, WI 53190 prior to 3:00 PM, November 23, 2023. Firms are encouraged to provide as much detail as possible in their proposal pertaining to the firm's capability and experience.

Proposals will be public information after contract award.

The City of Whitewater reserves the right to reject any or all proposals, to waive informalities in the proposal process, or to accept any proposal considered most advantageous to the City of Whitewater.

Proposal forms are available on the City of Whitewater website at www.whitewater-wi.gov. Proposals must be submitted on the form furnished, but can be submitted electronically to rblitch@whitewater-wi.gov.

Rachelle Blitch, Finance Director
Posted (October 26, 2023)

CITY OF WHITEWATER

INSTRUCTIONS TO PROPOSERS

RFP - LEGAL SERVICES

I. PURPOSE OF SOLICITATION

The Common Council of the city of Whitewater, herein referred to as the "Council," invites qualified law firms to submit proposals for providing legal services relating to discipline and personnel matters for employees and appointed/elected officials overseen by the Common Council, not to exceed \$10,000.

II. BACKGROUND

The City of Whitewater's estimated population is 15,000. The City extends beyond the border of north west Walworth County into south west Jefferson County. Highways US-12, STH-59 and STH-89 all pass through the City. The City operates under the Council-Manager form of government. The City Manager serves as the chief executive and is appointed by the Common Council to oversee the day to day operations for the City. The seven aldermen serve staggered two year terms.

III. EXAMINATION OF THE REQUEST FOR PROPOSALS

It is the responsibility of all interested firms (Proposers) to carefully read the entire RFP document which contains provisions applicable to successful completion and submission of a proposal and consists of all documents shown in the Table of Contents.

If a proposer discovers any ambiguity, inconsistency, error or omission in the RFP, the proposer should notify the Finance Director. If the answer materially affects the RFP, the information will be incorporated into an addendum and sent to all potential proposers via e-mail.

IV. PREPARATION AND SUBMISSION OF PROPOSALS

A. Deadline:

Proposals must be received by the Finance Director **no later than 3:00 PM, November 23, 2023**. Only proposals received by mail or electronic mail will be accepted.

B. Who Should Submit:

Only law firms with experience should submit proposals to the City.

Submission of Proposal:

One (1) digital copy either in the form of email should be sent to the Finance Director.

One (1) original plus seven (7) copies of the required qualifications and technical information shall be submitted in a sealed envelope containing the completed proposal form. Envelopes are to bear the following information:

- 1) Addressee: City of Whitewater
- 2) Attention: Rachelle Blitch, Finance Director

312 W. Whitewater Street
P.O. Box 0178
Whitewater, WI 53190

- 3) The following notation must appear in the lower left-hand corner of each sealed envelope: RFP - Legal Services

C. Pricing:

The price proposal (pages 10-11) (original only) must be submitted in a separate sealed envelope marked "Price Proposal" that will be opened after the RFP evaluations are completed. Pricing information cannot be submitted in the same envelope with the qualifications and technical information submission.

D. Proposal Authorization and Contacts:

Each proposal shall be signed by an official authorized to bind the firm and shall contain a statement that the proposal is firm for the one hundred twenty (120) days immediately following the date of submission of the sealed proposals. At the end of the 120-day period, the proposal may be withdrawn at the written request of the firm. If the proposal is not withdrawn, it will remain in effect until an award is made or the solicitation is cancelled. Each proposal shall also provide the following information:

- 1) The name of every company bearing an interest in the services to be provided;
- 2) The name, title, address and telephone number of individuals with authority to contractually bind the offer; and
- 3) A designated person(s) who can be contacted for information during the period evaluation and for prompt contract administration upon award of the contract.

E. City Contact

Rachelle Blitch, Finance Director, shall be the primary source of contact for your firm during the RFP and selection process.

V. EVALUATION OF PROPOSALS

A. Evaluation Procedure

The Common Council for the City of Whitewater will evaluate all proposals. No information related to submissions will be available until after a recommendation for award has been finalized.

B. Basis of Award Recommendation

The award will be made to the firm that the City determines to be in the best interest of the City. Price is only one factor; other factors to be given weight include but are not limited to those items set forth in the following section.

C. Evaluation Criteria

The committee shall evaluate the proposals based on the following criteria:

- 1) Quality of the proposal and completeness of response to the Request for Proposal.
- 2) Relevance of experience cited for each of the major tasks outlined in the Scope of

Services.

- 3) Experience of staff assigned to serve the City.
- 4) References.

The City may interview firms during the week of 2023. The firm must be available during this time for consideration.

D. Time Schedule

The City intends to use the following timetable for evaluation and selection of legal services:

- 1) October 26, 2023 Send out request for proposal
- 2) November 23, 2023 Deadline for receipt of proposals by the City – 3:00 PM
- 3) December 5, 2023 Common Council to evaluate all proposals
- 4) December, 2023 Schedule interviews with firms (if needed) for DATE
- 5) December, 2023 Common Council award of contract

VI. NON-DISCRIMINATION STATEMENT

The City of Whitewater does not discriminate on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability, or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

VII. AMERICANS WITH DISABILITIES ACT NOTICE

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

VIII. PROPOSAL COSTS

The City shall not be liable for any costs you incur to prepare or submit a proposal for this project.

IX. AWARD

The Contract between the selected firm and the City of Whitewater for legal services will be for the period of one (1) year beginning on the date of award by the Common Council.

The City of Whitewater reserves the exclusive option to extend the agreement resulting from this solicitation for additional periods if it should so desire. Any adjustments in rates in subsequent years will be based on mutual agreement.

Firms are to include in their proposal an advance copy of their standard form or agreement that they would expect the City of Whitewater to sign if they are awarded the contract.

X. CONFLICT OF INTEREST

No elected official or employee of the City who exercises any responsibilities in the review, approval or carrying out of this contract shall participate in any decision relating to this contract which affects his or her direct or indirect personal or financial interest.

XI. ASSIGNABILITY

The Proposer shall not assign any interest in this contract and shall not transfer any interest in the same without the prior written consent of the City, which may be withheld for any, or no, reason.

XII. OWNERSHIP

The products of this contract shall be the sole and exclusive property of the City upon completion or other termination of this contract. The Proposer shall deliver to the City all copies of any and all materials pertaining to the contract if so requested.

XIII. GENERAL

- A. Payment will be made within 45 days of receipt of an itemized invoice upon completion of services.
- B. No part of the contract shall be subcontracted without prior written consent of the City.
- C. Contractor agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees from any and all liability arising out of or in connection with this agreement where such liability is found upon or grows out of the errors, omissions, or negligent acts of any of the contractor, its agents or employees.
- D. Contractor shall maintain, and a Certificate of Insurance shall be furnished for Worker's Compensation, Comprehensive General Liability, including Contractual Liability, and Automobile Liability insurance for any claims that may arise from operations under this contract in the following amounts:

Bodily Injury	\$1,000,000	each occurrence
	\$1,000,000	aggregate
Property Damage	\$500,000	each occurrence
	\$500,000	aggregate
Automobile Liability	\$1,000,000	each accident
Worker's compensation	per State Statute	
Errors and omissions	\$1,000,000	

- E. Certificates of insurance listing the City as an additional insured, shall be filed with the City and shall provide 30 days' notice of cancellation.
- F. Termination for cause or by mutual agreement of the parties will be permitted.

- G. Contract shall be construed according to the laws of the State of Wisconsin. Any action or procedure involving the contract shall be commenced and maintained in the State of Wisconsin.

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CITY OF WHITEWATER SPECIFICATIONS RFP - LEGAL SERVICES

I. INTRODUCTION

The Common Council of the city of Whitewater, herein referred to as the "Council," invites qualified law firms to submit proposals for providing legal services relating to discipline and personnel matters for employees and appointed/elected officials overseen by the Common Council. The chosen firm will deliver expert advice, initiate ethics investigations, and represent the City in hearings and appeals regarding the conduct of elected and appointed officials, ensuring comprehensive legal support and compliance with applicable laws.

II. SCOPE OF SERVICES

The selected firm will:

- A. Advise on discipline matters involving employees and officials overseen by the Common Council, including initiating ethics investigations, hearings, and appeals concerning the conduct of elected and appointed officials.
- B. Provide counsel on personnel matters related to employment policies, contracts, ethics violations, complaints against personnel under the supervision of the Common Council, including both elected and appointed officials, and disputes from employees and officials.
- C. Represent the City in legal proceedings related to discipline and personnel matters of employees and officials.
- D. Ensure adherence to federal, state, and local employment and official conduct laws.

III. QUALIFICATIONS

Firms should provide:

- A. Proof of expertise in employment, labor, and official conduct law, especially within public sector contexts.
- B. Experience with local government entities and managing official discipline matters.
- C. A list of at least three (3) references from similar projects or clients.

**CITY OF WHITEWATER
QUESTIONNAIRE
RFP - LEGAL SERVICES**

Contact Name _____ Title _____ Date _____

Firm Name _____

Address _____

Telephone Number _____ Fax Number _____

E-mail address _____

Date Firm Established _____

Indicate if firm is a partnership _____ Corporation _____ Other (specify) _____

Identify the principals and associates who will be assigned to this project and their responsibilities as relates to this project.

Name	Responsibility

1. Provide information concerning the following:

- a. Provide proof of expertise in employment, labor, and official conduct law, especially within public sector contexts.
- b. Experience with local government entities and managing official discipline matters.
- c. List three (3) references, including names, addresses and phone number of contact persons of similar projects or clients.

**CITY OF WHITEWATER
PROPOSAL
RFP - LEGAL SERVICES**

We hereby propose to furnish Legal Services in accordance with City of Whitewater specifications for the period through December 31, 2024, as follows (alternate pricing structures will be considered):

FEE SCHEDULE

State retainer amount and/or hourly rate:

A breakdown of costs associated with various services provided:

Payment terms and conditions:

Assurance that total costs will not exceed \$10,000:

Date: _____

Credit Card Payment Accepted? Yes ____ No ____

COMPANY NAME _____

AUTHORIZED SIGNATURE _____

TYPED / PRINTED NAME _____

TITLE _____

ADDRESS _____

TELEPHONE _____

FAX _____

E-MAIL _____