



Office of Economic Development
312 W. Whitewater Street
P.O. Box 178
Whitewater, WI 53190

PHONE: (262) 473-0148
FAX: (262) 473-0549
EMAIL: tzeinert@whitewater-wi.gov
WEBSITE: www.whitewater-wi.gov

REQUEST FOR PROPOSALS (RFP)

LEGAL SERVICES

The Community Development Authority of the City of Whitewater (CDA) is seeking proposals for contract legal services. The City of Whitewater currently contracts for legal services for City-related matters. This request is exclusively for the CDA.

Per State Statute, the CDA is a separate body politic created by the City. Therefore, at times, it must obtain separate legal counsel to address CDA interests. General municipal questions will still be referred to the City Attorney.

If you or your firm is interested in providing this service to the CDA, please submit your proposal in a sealed envelope marked "CDA Legal Services" and your rates for your services in a separate envelope marked "CDA Legal Services Rates" both addressed to:

Taylor Zeinert, Interim Economic Development Director
Whitewater Community Development Authority
312 W. Whitewater St.
P.O. Box 178
Whitewater, WI 53190

Proposals may be submitted in person or by mail and will be accepted at the City Clerk's office until **3:00 PM on _____, 2024.**

The Community Development Authority reserves the right to reject any or all proposals. In addition, the CDA may request additional information concerning any proposal for the purpose of clarification, to accept or negotiate any modification to any proposal, and to waive any irregularities if such serve the best interests of the CDA as determined by the Board. All inquiries regarding the Request for Proposals should be directed to Taylor Zeinert, Interim Economic Development Director at 262-473-0148 or tzeinert@whitewater-wi.gov.

Whitewater Community Development Authority

The CDA is responsible for a variety of duties within the City of Whitewater. The main function of the CDA is to serve as the economic development coordinator for the City. The Board serves as the administrative arm for the various Tax Incremental Districts. This includes granting economic development incentives for new facilities within the various Tax Incremental Financing (TIF) districts.

In addition, the CDA administers the City's loan programs that relate to economic development and job creation. These programs are designed to assist a business in creating new employment opportunities. The programs are jointly funded through the Federal and State government.

The CDA is also responsible for the marketing and sale of City owned properties within the Business Park. Included in this area are the planning approvals associated with certain zoning districts.

Scope of Legal Services to be Provided

The CDA Attorney serves as the legal advisor for the CDA under its various roles. The work may include but are not limited to the following:

1. Serve as legal advisor to the Community Development Authority Board of Directors and to the CDA staff in legal matters as required. When requested by authorized personnel, the attorney shall give written legal opinions on a wide variety of issues.
2. Attendance at CDA meetings as requested specifically to render legal advice in closed session.
3. Advise and prepare bonds, contracts, development agreements and other instruments as required by the CDA.
4. Represent the CDA as needed concerning court actions, handling matters on behalf of the CDA before state administrative commissions, preparation of legal opinions and handling real estate transactions. Serve as legal Counsel regarding matters brought before the CDA when there is no third-party insurance coverage or when appointed to do so by the CDA's insurance provider.
5. Apprise the CDA as needed about changing laws and other legal matters that may be of interest to the CDA.
6. Provide the CDA with guidance as to Robert's Rules of Order and related procedural matters at CDA meetings.
7. Exclusions and Reservations
 - a. Bond counsel is not included as a part of the request for proposal.
 - b. The CDA reserves the right to employ any legal counsel when there is a conflict of interest or if an attorney with expertise in a given area is needed. A determination as to when this should occur shall be at the sole discretion of the CDA.

Proposal Requirements

Submittals must include responses to each of the following items, including other information as appropriate to address the services the CDA can expect from the attorney.

1. Profile and history of yourself and/or firm including attorneys in the firm and a list of principals. Indicate the attorney(s) who will be responsible for work with the CDA.
2. A list of all current municipal government or Community Development Authority clients including the name and telephone number of the current client.
3. Current fee schedule. Indicate whether the fee schedule varies for different types of legal work or by attorney. (Include with the "CDA Legal Services Rates" submittal.)
4. The fee proposal should clearly state if the fee schedule is based on a flat retainer fee or a combination retainer/hourly arrangement. Please describe the parameters and charges with specific attention given to the scope of services that would be included or excluded from the retainer.
5. The fee schedule should include charges for services not included in the retainer or hourly charges. Examples would include mileage, postage, telephone charges.
6. The CDA seeks a three-year agreement with the selected firm and proposals should reflect a three-year service contract quote with the ability to terminate upon 60 day written notice given by either party.

Evaluation Criteria

Submittals will be evaluated based upon the following criteria:

1. Qualifications and experience of the attorney and/or firm working with municipal governments and/or Community Development Authorities.
2. Experience and availability of staff assigned to serve the CDA.
3. Scope and cost of services.
4. Interviews.
5. References.

Terms and Conditions

1. The CDA reserves the right to accept or reject any or all proposals or to award a contract to the most qualified attorney/firm if the successful attorney/firm does not execute a contract within thirty (30) days after award of proposal.
2. The CDA reserves the right to request clarification of the information submitted and to request additional information of one or more applicants.
3. All costs associated with the preparation of a submission in response to this request shall be the responsibility of the attorney/firm submitting.
4. Ten (10) hard copies and one electronic copy (word or PDF format via e mail) of the attorney's/firm's proposal must be submitted.
5. Submittals must be signed by the proposing attorney or qualified representative of the proposing firm. All submittals shall become the property of the CDA. No public bid opening will be held.

Tentative Selection Process/ Schedule

The following tentative schedule will be followed for the selection of an attorney (however the CDA may make changes to the timetable and proposed process as its discretion):

1. _____, 2024 – Proposals distributed.
2. _____, 2024 – Proposals due to CDA office at Whitewater Municipal Building.
3. _____, 2024 -Firms notified if selected for interview. The initial review of RFP's and selection for interview will be completed by CDA Executive Committee and Staff.
4. _____, 2024 - CDA interviews selected firms as part of its regular meeting. Final selection may occur the evening or, if necessary, completed at a subsequent meeting.