

**REQUEST FOR QUALIFICATIONS
LABOR AND EMPLOYMENT LEGAL SERVICES
CITY OF MOUNT PLEASANT, MICHIGAN**

Overview

The City of Mount Pleasant is requesting proposals from law firms to be designated as a specialist attorney to provide labor and employment legal services. The Labor Attorney serves as an advisor to City administration regarding labor and employment matters. See Appendix A for a listing of expected services.

The City has worked with a firm for the last 30 years to provide labor and employment legal services. Although the City has been pleased with current services, it is prudent to review options and pricing.

The City Commission will enter into a contract with a firm and one member of the firm shall be designated as the primary attorney. The individual designated as the primary attorney shall not be replaced without prior approval of the City Manager.

The City will not be responsible for any costs incurred by any firm to respond to this request. Firms who wish to submit proposals must provide the information outlined in the enclosed Legal Services Qualifications and Pricing format (Appendix B) by February 28, 2011. Five copies of the response must be provided in a sealed envelope clearly marked "Labor and Employment Counsel Qualifications" by 1:30 p.m. on February 28, 2011, at which time the submittals will be publicly opened. Late proposals will not be accepted. Proposals should be submitted to:

Nancy Ridley
Finance Director/Assistant City Manager
320 West Broadway Street
Mt. Pleasant, MI 48858-2447

The tentative timeline is:

| <u>Task</u> | <u>Target Date</u> |
|--|-----------------------------|
| RFQ's mailed | February 14, 2011 |
| RFQ's due | February 28, 2011 |
| Review by City Manager and staff | February 28 – March 3, 2011 |
| Interviews, if necessary | Week of March 7, 2011 |
| Negotiations/clarification on contract terms | Week of March 14, 2011 |
| Recommendations to City Commission | March 28, 2011 |
| Contract begins | April 18, 2011 |

The City may conduct inquiries and request additional information from firms as the City deems necessary to assist in the evaluation of any proposal. The City Manager will make a recommendation to the City Commission for a contract with the selected firm. The City expects an initial contract term for a term ending December 31, 2012, with options for automatic renewal by both parties.

The City reserves the right to accept or reject any proposal submitted and/or negotiate terms with firms who submit proposals. The City reserves the right to select the firm that best meets the needs of the City in the sole judgment of the City and the selection will be based on experience, qualifications and/or economic benefit to the City.

All questions must be in writing and directed to:

Nancy Ridley
Finance Director/Assistant City Manager
320 West Broadway Street
Mt. Pleasant, MI 48858-2447
nridley@mt-pleasant.org
989-779-5366
989-773-4691 (fax)

Minimum Qualifications

All attorneys assigned to work on City legal matters shall, at a minimum, possess the following:

- A juris doctorate degree from an American Bar Association accredited college or university.
- A valid license to practice law within the state of Michigan.
- A minimum of five (5) years experience in municipal labor and employment matters.

Information About The City of Mount Pleasant

- The City operates under a Council-Manager form of government.
- Has a 2000 census population of 25,946.
- Is home to Central Michigan University.
- Is 7.9 square miles.
- Provides a full range of municipal services including airport, water and sewer.
- Has a general fund budget of \$10.8 million and the budget across all funds is \$26.7 million.

The City has:

- 120 full-time employees (both union and non-union).
- 16 paid on call firefighters.
- Numerous part-time/seasonal/ temporary employees.
- Four unionized employee groups
 - COAM (Police Command Officers)
 - FAOM (Firefighters)
 - POAM (Police Officers), and
 - TPOAM (DPW and Office Professionals)
- A Paid On Call Firefighter Association
- An Act 345 retirement program for police and fire employees.

The employees covered by collective bargaining and association agreements comprise 74% of the workforce.

APPENDIX A: SCOPE OF SERVICES

The firm shall provide all labor and support necessary to manage the workload in order to complete all assignments in a timely manner. This includes office facilities, support staff, legal research options, supplies and equipment. The City anticipates the proposals will identify a primary attorney who completes the labor and employment counsel matters and maintains the centralized responsibility for assisting attorneys and support staff.

Labor and Employment Counsel

The successful firm must have significant experience in representing Michigan municipalities and/or other public entities in general labor and employment matters. The successful firm will provide the City with legal guidance relating to, but not necessarily limited to:

- Routine consultation with the Human Resources Director or City administration regarding employment matters.
- Preparing and/or reviewing employment-related contracts, agreements, policies, procedures and other documents of the City.
- Performing legal research and advisory opinions as needed.
- Rendering advice concerning potential employment-related claims against the City by employees, former employees, or regulatory agencies.
- Representing the City in labor and employment matters in court and other administrative forums.
- Participating in union negotiations when requested.
- Represent the City in mediation and arbitration matters.
- Notifying the City of changes in labor and employment law or state regulations, as well as court decisions that may impact the City.
- Attending meetings as requested by the City.
- Providing monthly billing statements to the Human Resources Director for work performed under the agreement.

Estimated Workload

The City does not guarantee a set workload and/or billable hours. However, to provide assistance in the development of a proposal, in calendar years 2009 and 2010, the City received 60-70 hours of service. Neither year included any major negotiation or other legal assistance.

APPENDIX B: LEGAL SERVICES QUALIFICATIONS AND PRICING

1. Firm Name
 - a. Years in business
2. Offices
 - a. Office location where the majority of the work will be performed
 - b. Name and address of parent firm, if applicable
3. Personnel
 - a. Principal contact (name, phone number, e-mail) of firm
 - b. Proposed personnel for legal services to be provided. Please provide the specific name of the attorney assigned to the City and attach a current resume including information regarding the amount of municipal experience the attorney has; amount of experience as a lead negotiator; and experience with binding arbitration
 - c. Names of other key personnel who will be used for City business
 - d. Total number of licensed attorneys at the office listed in 2a. above
 - e. Total number of all staff at the office listed in 2a. above
4. Does the firm have adequate staff to handle another municipal client or will staff need to be hired?
5. Experience: Provide a short narrative (no more than five pages) detailing experience in labor and employment law including area of expertise.
6. List specific reasons (no more than two pages) your firm should be considered by the City of Mount Pleasant for legal representation related to employment and labor matters.
7. Provide five or more municipal references from prior or current clients, including contact name and telephone number.
8. Disclosure of any clients or interests that may reasonably be foreseen to constitute a potential conflict of interest when representing the City, such as other local governments, unions, etc.
9. Describe how your firm will handle the day-to-day activities of this contract.
10. Provide evidence of a comprehensive liability and worker's compensation insurance policy for all staff assigned to work for the City.
11. Note any exceptions or deviations to the required scope of services outlined in Appendix A.
12. During the past five years, has the firm had any Bar Association complaints filed against it? If so, please explain.
13. Has the firm been in bankruptcy, reorganization or receivership in the last five years?

14. Has the firm been terminated by any municipal client in the last five years? If so, explain why.
15. Define the standard time frames for response by the attorney to inquiries.
16. Describe how your firm would familiarize yourself with the current labor issues facing the City of Mount Pleasant.
17. Pricing – The City prefers a per hour charge to the tenth of an hour, but will consider all pricing structures submitted.