



REQUEST FOR PROPOSALS:  
VILLAGE ATTORNEY SERVICES  
VILLAGE PROSECUTOR SERVICES  
VILLAGE OF WATERFORD, WI

The Village of Waterford is soliciting proposals from attorneys and law firms interested in providing contract legal services as the Village Attorney, Village Prosecutor, or both. The successful firm must be able to provide a designated individual to serve as the Village Attorney and/or Village Prosecutor.

The Village of Waterford is a growing community with a population of about 5,400. Waterford is located in Western Racine County and is governed by a Village President and six Trustees, all elected at large. The Village Administrator reports to the President and the Board. Village services include general government, a fire department, municipal court, public works, library, and water and sewer utilities. The Village contracts with the Town of Waterford for police services. The Village also contracts for building inspection, zoning administration, assessment services, engineering services, and audit services.

The current Village Attorney is retiring at the end of August. The Village wishes to engage an attorney experienced in redevelopment, annexation and new development to take on work related to Village development, without supervision, immediately, eventually taking over the balance of the current attorney's duties.

PROPOSAL DEADLINE: May 30, 2018

Questions and submittals should be to the attention of:

Zeke Jackson, Administrator  
123 N. River Street  
Waterford, WI 53185  
920-421-4457  
[zjackson@waterfordwi.org](mailto:zjackson@waterfordwi.org)

I. BASICS OF PROCESS:

Statements and proposals should be submitted based on the following Scope of Services, Additional Services and any supporting documentation.

The Village selection will be based on its evaluation of the written proposal, the Applicant's qualifications and experience, client references, the areas of legal services that the Applicant is willing to provide, an oral presentation (if requested), and the overall fee structure. All proposals shall provide a straightforward, concise delineation of the Applicant's capabilities to satisfy the requirements of the request. Emphasis should be on completeness and clarity of content. The Village reserves the right to waive any irregularities in proposals, to accept or reject any or all proposals for any reason, to negotiate with any attorney, law firm, or business, and to select one or more law firms deemed to have submitted a proposal which in the judgment of the Village is in the best interest of the Village. Proposals may be held by the Village for a period not to exceed 60 days from the date of the opening of proposals for the purpose of reviewing proposals and investigating the qualifications of the Applicant prior to the award of a contract. To

ensure fairness and uniformity, firms submitting responses are requested to not contact the Village Staff or the Village Board of Trustees, other than the Village Administrator as stated below.

## II. SCOPE OF SERVICES:

A. The Village Attorney must be licensed to practice law, in good standing, in the State of Wisconsin. The Attorney provides all legal services needed by the Village in order to support the needs of the organization through the Village Board and Staff, except for occasional services that require unusual expertise such as serving as bond counsel, as follows:

1. Provide clear and concise legal advice (oral and written) as requested or required to the Village Board, Village Administrator, and Staff on a variety of matters pertaining to all aspects of village law. Contacts are typically made by email, telephone or text message and a response time of less than 24 hours is expected.
2. Research and interpret laws, court decisions and other authorities for preparing legal opinions and to advise the Village accordingly.
3. Draft, review, and/or revise documents when directed, including but not limited to contracts, ordinances, resolutions, legal memoranda, licenses, easement agreements, Village policies, notices, open records advice and responses, leases, deeds, permits, and staff reports. Clear, concise, well-organized writing is a prerequisite.
4. Make recommendations for updating Village codes, resolutions, and policies and practices.
5. Provide Village Staff with assistance, legal research and counseling on matters such as annexation, development and redevelopment, the acquisition or sale of property, preparation of leases, deeds and easements, contracts and agreements, operations governed by law, liability situations, government ethics and grant guidelines.
6. Represent the Village in intergovernmental projects and other matters, as needed.
7. Coordinate the work of outside legal counsel, as needed and directed by Village Administrator.
8. Prepare correspondence and other legal documents on behalf of the Village as directed.
9. Provide information regarding legislation or judicial opinions to the Village Board, Administrator, and Staff that have potential impact to the Village.
10. Represent and advise the Village Board, Village Officers, Boards and Commissions in all matters of law pertaining to their offices.
11. Attend regular and special Village Board meetings (open and closed sessions) as requested and advise the Board on matters on the agenda as well as procedural matters that may arise during and following the meeting. The Village Board meets at 6:30 pm on the second Monday of the month, and as needed on the fourth Monday. Special meetings are called as needed.
12. Represent the Village before governmental bodies and agencies to promote the interest of the Village as requested by the Village Administrator.
13. Provide guidance and legal advice on Wisconsin Open Meetings Law and parliamentary procedure.
14. Perform other duties as directed by the Village Administrator.
15. Non-routine Legal Services: The Village Attorney may represent the Village in litigation and mediation (civil, tort, liability, construction law/public works, general writ, etc.).

B. Village Prosecutor Services. The Prosecutor represents the Village in all courts. Municipal Court is generally held on the third Tuesday and Wednesday afternoons of the month. The Village Prosecutor provides the following services:

1. Prosecution of all municipal traffic violations.
2. Prosecution of all non-traffic ordinance violations.
3. Jury and non-jury trials, plea negotiations and agreements.
4. Work with Village Staff and Police Personnel in evaluating circumstances and determining whether to initiate/continue prosecutions in specific cases.

III. PROPOSAL TYPES. The Village will accept the following proposal formats:

A. Proposals that provide for all of the services outlined under the Work of the Village Attorney.

B. Proposals that provide for all of the services outlined with exception to those listed under Prosecutor Services.

C. Proposals that provide only for the services listed under Section III for Prosecutor Services.

The Village reserves the right to select an individual or firm for Village Attorney excluding Prosecutor services, and a separate individual or firm for Prosecutor services based on evaluations of the proposals.

IV. PROPOSAL FORM AND CONTENT.

Proposals should provide a straightforward, concise description of the respondent's capabilities to satisfy the requirements of this Request for Proposal, and should be easily reproducible. Not all the requested information may be applicable if you or your firm is submitting a proposal that excludes Prosecutor services or is for Prosecutor services only.

All pages of the proposal must be numbered consecutively. The proposal should not exceed 15 pages in length. Resumes, licenses and work examples will not count against this page limit. The proposal should be organized in accordance with the list of proposal contents. Respondents may contact Zeke Jackson, Village Administrator, by email at [zjackson@waterfordwi.org](mailto:zjackson@waterfordwi.org) in order to setup a meeting prior to the submittal of the proposal as a means to gather information and conduct research about the Village.

V. SELECTION PROCESS.

The proposals will be reviewed by the Village Administrator and the Village Personnel Committee. Selected attorney(s) and/or firms will be invited for initial interviews with members of the Personnel Committee, and if a second interview is warranted, by all members of the Village Board of Trustees in open session. The formal contract outlining duties and compensation will be entered into with the successful attorney(s) or firm. The Village Board of Trustees will formally appoint a Village Attorney, who shall serve at the Board's pleasure. The Village Attorney is an independent contractor and not a Village employee. The term of the Village Attorney will be determined by the Village Board.

VI. BASIC APPLICATION INSTRUCTIONS.

Please read all pages in the Request for Proposal. Applicants are responsible for submitting their proposals to the appropriate location and prior to the time indicated in the specifications. No proposal will be accepted after the designated time or date indicated in the proposed specifications. No exceptions. Should an applicant have questions on the specifications, or find discrepancies or omissions in the specifications, the applicant shall notify the Village Administrator, and he will send written instructions to all law firms. The Village will not assume responsibility for any oral instructions, or interpretations of meaning of the specifications or other contract documents to any law firm by any person or persons. Whether a proposal is sent by mail or by personal delivery, the Applicant assumes all responsibility for having its proposal deposited to the office of the Village Administrator by the designated date and time. All proposals must provide specific and succinct answers to all questions and requests for information. Indirect, imprecise, or incomplete responses can serve only to the disadvantage of the applicant. Please answer the questions in the format and order presented. (Submissions of individual resumes alone will not be considered a response to any specific question.)

## VII. PROPOSAL.

The proposal shall specifically address the following: Legal name of attorney(s) or the firm and name of the individual proposed as Village Attorney; Address, telephone number, fax number, and e-mail address(s); Qualifications statement addressing:

- A. Knowledge of and experience with Wisconsin Municipal Law, including whether the applicant is qualified to practice employment law;
- B. Municipal or other local public sector experience, including experience with annexations, tax incremental districts, and development and redevelopment agreements and incentives;
- C. Information that will enable the Village Board to more fully understand the attorney(s) or firm's qualifications and experience and/or specific information relevant to the Scope of Services of the designated Village Attorney, as set forth in Section II;
- D. A minimum of five professional references;
- E. A listing of all ongoing public sector and other major clients;
- F. If possible, specify name or names of attorney(s) proposed to act as substitute or backup legal representation for the Village in the event of the absence or unavailability of the designated Village Attorney;
- G. Current availability of designated Village Attorney;
- H. A cost proposal to provide the services identified in this request; and
- I. The proposed Engagement Agreement.

## VIII. FEE SCHEDULE.

It is anticipated the attorney(s) or firm will propose a system wherein services are provided at a specified hourly rate. The proposal should include the hourly rate for

services. Such hourly fees shall include all office support services, operational, and travel costs. The Village reserves the right to accept or negotiate an acceptable fee structure.

IX. GENERAL SUPPORT INFORMATION. The attorney(s) or firm selected by the Village must be accessible by phone and e-mail as well as have a facsimile machine available. The Village does not provide any office or clerical support for the position. Meeting rooms can be reserved for use, however, there is no dedicated Village office space provided.

X. SUBMISSION OF PROPOSAL: Proposals in whole or in part, must be received by the Village Administrator by 5:00, May 30, 2018 Applicants must submit an original proposal and six copies. The Village will not be responsible for any expenses incurred by an Applicant in preparing, submitting or presenting a proposal. Six copies of each complete proposal shall be submitted in a sealed envelope bearing the caption: "Village of Waterford- Village Legal Counsel Proposal" and addressed to: Village of Waterford Attention: Zeke Jackson, Village Administrator, 123 North River Street, Waterford, WI 53185. All inquiries regarding this Request for Proposal and current legal services of the Village should be directed to Zeke Jackson, Village Administrator at [zjackson@waterfordwi.org](mailto:zjackson@waterfordwi.org) .