

MARQUETTE COUNTY REQUEST FOR QUALIFICATIONS

For

COUNTY CIVIL COUNSEL

Request for Qualifications (RFQ)

The County of Marquette is seeking a law firm or individual attorney to provide Civil Counsel services to the County of Marquette for a period of not less than three (3) years. Law firms and attorneys are invited to submit qualifications for the provisions of this service. In order to be considered, proposals must address each of the concerns requested in this document, including an annual rate (to be paid in 12 equal monthly payments).

You must also disclose any other applicable billable rates and expenses that you would bill for.

Deadline submission: All proposals must be received no later than 5:00 p.m. EST on Thursday, November 5th, 2020. Please mark the sealed envelope as "Marquette County Civil Counsel Services". For questions please contact:

Scott Erbisch
Marquette County Administrator
906-225-8151
E-mail: serbisch@mqtco.org

Scope of Services / Description of Responsibilities:

Under the direction of the Marquette County Administrator, provides civil counsel services to the Board of Commissioners, elected officials, County committees, County Departments and agencies, and advises on procedural issues and substantive law.

The selected law firm or attorney will be provided an on-site office and expected to maintain regular hours. Workload can vary from 20-40 hours per week.

The following items must be addressed as part of the submitted qualifications:

- 1) Describe you and/or your firms experience with municipal law and more specifically, County Government, airport law, taxation and foreclosure law, public health law, risk management, county forest, labor and employment law.
- 2) Civil Counsel will also serve as the lead negotiator with the eight (8) bargaining units. Please identify which attorney will perform this function and list their experience in Labor Negotiations and employment law.
- 3) Provide a list of municipalities with whom you have worked with, as the attorney within the last five (5) years and provide a minimum of three references with at least two coming from a municipal client.
- 4) Provide a list of any other attorneys in your firm who may provide services under this request, a list of services they may provide, and list any disciplinary proceedings against them.
- 5) Describe any knowledge or experience that makes you, or any attorney(s), in your firm particularly qualified to fulfill the County Civil Counsel role.
- 6) Please disclose any potential conflicts of interest that may arise in the performance of the County's Civil Counsel duties by you or any member of your law firm.
- 7) The County is soliciting talent and expertise first and foremost. While cost to the County is important, the selection will not be based solely on the cost. Please detail and explain your required fees to perform the requested services.
- 8) Describe any additional support services or expertise that you and or the firm can provide if selected.

Details of the position are as follows:

CIVIL COUNSEL

General Summary

Under the direction of the Marquette County Board of Commissioners, provides civil counsel to the County Board and other County agencies. Provides a wide range of civil counsel services to designated agencies including representation in court and administrative hearings, conducting legal research, drafting ordinances and regulations, preparing and reviewing contracts and other legal documents, and serving as general civil counsel.

Essential Functions

1. Provides civil counsel to the Board of Commissioners, elected officials, County committees, and County departments and agencies, and advises on procedural issues and substantive law. Oversees and participates in the researching and rendering of opinions on a wide range of legal issues.
2. Attends all official Board meetings and other Special Meetings as requested by the County Board Chairman.
3. Represents County agencies in administrative hearings and appeals, including labor arbitration and hearings before administrative bodies. Researches the issues of fact and law, interviews parties and witnesses, researches and prepares briefs, and presents the case.
4. Drafts ordinances and regulations for designated agencies and departments.
5. Prosecutes violation of the County Building Code, under the direction of the Marquette County Prosecutor.
6. As legal advisor to County agencies, provides counsel on labor and employment law, real estate, regulatory law, and contract law. Prepares and reviews contracts in a variety of areas, including construction, professional services, personal property purchases, easements, licenses, and related matters. Serves as legal advisor to the County Administrator.
7. Monitors ongoing litigation being handled by County insurance companies and their attorneys, advises County Board of status, and ensures representation of the County's best interests. Represents the County in uninsured litigation, including court appearances, preparation of motions and briefs, preparation of witnesses, and presentation in court.
8. Researches major programmatic policy questions to identify alternative methods of obtaining objectives, identify potential problems, and recommend appropriate course of action.
9. Serves as the County's coordinator on Freedom of Information Act issues, including reviewing requests for copies of records and documents and determines the appropriate, legally supportable responses.
10. Prepares contracts, leases, and other legal documents.
11. Remains current on relevant statutory law, case law, pending legislation, administrative rules, and governmental policy which may have an impact on the County.

12. Serves as lead spokesperson for collective bargaining for designated agencies and advises agency management on development of the bargaining strategy and parameters and related employee relations issues.
13. Performs legal work on major programs and projects of the County including the County's role at K.I. Sawyer which includes: [a] researching the federal legislation, rules, and regulations; [b] working with the federal government; [c] reviewing and assisting, as requested, with the negotiations with private party developers and tenants the terms and conditions under which the County will lease various structures and equipment and drafting the documents necessary to implement these transfers; [d] advising the County as to the effects of the known environmental pollution left behind by the Air Force and the legal responsibilities of the County; [e] advising the County Airport and reviewing related engineering and construction contracts as well as applicable FAA rules and regulations, and various grant applications and contracts; [f] advising in matters related to zoning and taxation by the townships of various properties, and attempting to provide consistency in those matters; [g] advising on issues of financing for the various projects undertaken by the County in this capacity as well as matters of administration, law enforcement, property protection and other concerns.

This list may not be inclusive of the total scope of job functions to be performed. Duties and responsibilities may be added, deleted or modified at any time.

Employment Qualifications

Education: Law degree from an accredited law school.

Experience: Six years of progressively more responsible legal experience, including civil litigation experience, providing knowledge of municipal law and procedures and the interrelationships of various municipal bodies, labor and employment law, contract law, administrative procedures, legal research, and related areas.

Experience with municipal utilities, aviation experience, environmental law, property negotiations, codes and health department preferred.

Other Requirements: Licensed to practice law in the State of Michigan.

The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards, but as general guidelines that should be considered along with other job-related selection or promotional criteria.