



Town of Plymouth

124 EAST WATER - PLYMOUTH, NORTH CAROLINA 27962

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REQUEST FOR QUALIFICATIONS FOR TOWN ATTORNEY/LEGAL SERVICES

TOWN OF PLYMOUTH, NORTH CAROLINA

On or before 5:00 p.m. on Wednesday, March 3, 2021, the Town of Plymouth will receive qualification statements from interested attorneys for services related to providing legal assistance to the Town.

Interested firms should submit their statement of qualifications to:

Town of Plymouth
Christopher Layton
Interim Town Manager
124 East Water Street
Plymouth, NC 27962
252-793-9101

Email: chris.layton@visitplymouthnc.com

Electronic submissions will be accepted. Questions related to this RFQ should be directed to Christopher Layton.

I. Purpose

The Town of Plymouth is a municipality with a population of approximately 3,500. It provides a wide variety of services to citizens and visitors, to include police, fire, planning, code enforcement, parks and recreation, utilities (water and sewer), trash collection, street maintenance, and others. An important part of this governance relies on quality legal services. This scope of services will include the appointment of an individual, or an individual representing a law firm, to serve in the position of Town Attorney, who will be appointed by and serve at the will and pleasure of the Town Council.

II. Professional Credentialing and Legal Services Required

The individual selected is to have a Juris Doctorate from an accredited law school, a license to practice law in the State of North Carolina, and be a member in good standing of the North Carolina Bar. Experience with North Carolina municipalities and knowledge of municipal law, municipal finance, personnel law, land use and regulation is preferred.

A. The legal services under consideration in this Request for Qualifications involve (but are not limited to):

1. Providing a variety of proactive, high-quality and timely legal opinions to the Town Council and Town Staff.
2. Attending regular meetings of the Town Council (one per month – 2nd Monday) and occasional special called meetings.
3. Being familiar with the Town's Code of Ordinances, applicable State and Federal laws, and other applicable documents (such as the Town's Personnel Policies and Procedures, code enforcement process, etc.).
4. Providing advice to the Town on a variety of legal matters.
5. Representing the Town as Town Attorney in legal matters.
6. Serving as the Town Attorney by prosecuting violations of municipal ordinance.
7. Reviewing and/or drafting ordinances, resolutions, and other documents as requested by the Town Council, Town Manager or assigned staff.
8. Negotiating and administering contracts, as well as assisting with contract disputes, as requested.
9. Reviewing and making recommendations on a variety of projects and proposals which have legal ramifications.
10. Staying abreast and informing the Town of new or proposed State and Federal legislation affecting the Town.
11. Providing proactive legal counsel on issues pertaining to personnel policies and procedures and providing counsel in all compliance employment matters such as, but not limited to, state and federal employment law, Workers Compensation, EEOC, FLSA, FMLA, and OSHA requirements, as requested.
12. Knowledge, or ability to acquire such, of land use laws and the ability of the Town to implement and administer such laws in conformance with State requirements.
13. Knowledge, or ability to acquire such, of laws and methods to facilitate effective code enforcement to improve deteriorating areas of the Town, including demolition procedures and property maintenance code provisions.

14. Knowledge, or ability to acquire such, of laws and methods to facilitate economic development strategies.
15. Knowledge of North Carolina Freedom of Information Act and Open Meeting Laws.
16. Attending Planning Board and Board of Adjustment meetings, as needed.

III. Proposal Requirements

The Statement of Qualifications must address the following criteria:

- A. Name of firm, owner, address and telephone number.
- B. Personnel Qualifications. Provide resume and summarize experience, and if a law firm, identify the key attorney who will serve in the position of Town Attorney. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.
- C. Specialized Legal Services Competence. Provide information about the attorney's experience in providing legal services to municipal organizations. Provide at least three references from these organizations including names, contact persons and phone numbers.
- D. Capability. Provide information about capability to perform on short notice and in a timely manner. If the appointed Town Attorney is not available, are there other means of responding to requests?
- E. Client List. Provide a list of current municipal clients, if any, and a contact person with telephone number.
- F. Understanding of Services to be Provided. Describe understanding of the scope of work.
- H. Work Schedule and Approach to Project Management. Provide a plan for service delivery, and an explanation of how tasks and projects are managed to insure timely response and completion.
- I. Conflict of Interest. List any clients you currently represent that could cause a conflict of interest with your responsibilities as Town Attorney for Plymouth and describe how you would be willing to resolve these or any future conflicts of interest.
- J. Fees. Please provide rates for providing the services as described above. Note that the Town of Plymouth is requesting fees to be submitted with two components:

Component A: Monthly retainer (Indicate specific items to be covered by the retainer)

Component B: Hourly fees for all work outside the retainer

For hourly fees, please identify hourly rate of attorney and support personnel, and indicate minimum increment of time billed for services. Also state rates for other cost items proposed to be itemized and billed.

IV. Evaluation Criteria:

The Town reserves the right to accept or reject any and all submissions in the best interest of the Town. The following information will be included for consideration during the evaluation process:

- Meets qualifications identified in the Request for Qualifications.
- Proposal has complete and clear responses to items.
- Familiarity with laws and regulations governing North Carolina local government and operating procedures relative to conduct of Town business.
- Available support staff and range of services offered.

- Demonstration of workload and a level of experience commensurate with the level of service required by the Town.
- The professional reputation for providing high-quality services, ability to work cooperatively with Town Council, Town Manager, Town staff and demonstrates sound judgment, integrity, and reliability as determined by the references provided.
- Costs of providing basic and hourly services as per the submitted retainer and hourly rate.

V. Evaluation Process, Contract, Appointment

The Town Manager will review the submitted proposals and make a recommendation to the Town Council at its March 8, 2021, Meeting. All proposals will be provided to the Town Council. The Town Council, at its discretion, may accept the recommendation of the Town Manager or select another individual or firm. In addition, the Town Council may wish to interview the selected firm prior to engaging in final contract negotiations and appointment.