



Supplemental City Council Agenda Agenda
January 09, 2024
6:30 PM

NEW BUSINESS

4.5 THE MATTER OF REVIEWING THE TWO APPLICATION PACKETS FOR CITY ATTORNEY/MUNICIPAL PROSECUTION SERVICES

STAFF REPORT:

Exhibit A: Evaluation Form(s)

Exhibit B: Attorney RFP Packets (Provided at meeting)

ACTION: FILL OUT THE EVALUATION FORM FOR EACH ATTORNEY RFP PACKET AND RETURN TO THE CITY BY JANUARY 17, 2024

Agenda Bill
Harrisburg City Council
Harrisburg, Oregon

THE MATTER OF REVIEWING THE TWO APPLICATION PACKETS FOR CITY ATTORNEY/MUNICIPAL PROSECUTION SERVICES

STAFF REPORT:

- Exhibit A: Evaluation Form(s)
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THIS AGENDA BILL IS DESTINED FOR: Agenda – January 9, 2024

BUDGET IMPACT		
COST	BUDGETED?	SOURCE OF FUNDS
N/A	Yes/No	N/A

STAFF RECOMMENDATION:

Staff recommends the City Council please fill out the evaluations and return them to Staff by the deadline of January 17, 2024.

BACKGROUND INFORMATION:

The City recently posted an RFP for City Attorney services. Following what other cities nearby have done, we put out proposals for an attorney firm to provide both City Attorney and Municipal Court Prosecuting Service, as well as for Municipal Court Attorney Services by itself. The Evaluation form for the written packet can be found in **Exhibit A**, while the Attorney RFP Packets are located in **Exhibit B**. We had originally scheduled a tentative meeting on January 16 to review packets, but with this limited number of packets, Staff is instead sending these home with City Council members, and asks that you return evaluations by January 17, 2024, by 5:00pm. Department Heads are also asked to provide evaluations with the same deadline.

The City only received two RFP proposals. While normally would have been a concern in the past, for City Attorney Services in today’s climate, it’s normal to have a very limited response. Staff is very pleased with the quality of the two candidate firms.

- For City Attorney Services, including Prosecution Attorney services: Delapoer Kidd, Attorney’s at Law. Sean Kidd is well known in our region, working for the City’s of Albany, and Adair Village; also for Linn-Benton Community College. In addition, the firm has provided prosecution services for the City of Lebanon since 2022 and was recently hired by the City of Corvallis for the same services.

- For Municipal Court Prosecution Services: Ivers, Miller & Mazhary-Clark. Catherine Pratt, who the City Council knows as our deputy attorney in the past, would be maintaining prosecution services. She is currently providing temporary services for Harrisburg Municipal Court from January through March.

The scoring sheet is easy to use, and completely objective within each category. Please make sure that you include the firm's name, and your own name as well. You can return this to City Hall, by dropping in the overnight drop box, stopping by during open hours, or scanning and emailing it to either Lori or Michele. Staff will email the results to the City Council, but we will still plan on interviewing both candidate firms unless Council objects to this process.

As noted previously, it will be an adjustment for the City to work with a new attorney firm. We have budgeted \$30,000 for legal services in 2023/2024, but both firms prefer retainer services, at \$1,500 a month, and an hourly fee on top of the retainer fee. The retainer fees are generally in relation to Municipal Court. We are not discussing fees at this meeting but will do so on the 23rd following the interviews.

REVIEW AND APPROVAL:



01.09.24

Michele Eldridge Date
City Administrator

Proposal Evaluation Form (100 Total Points Possible)	
Firm Name: _____	Reviewer: _____
Date: _____	
PROPOSAL EVALUATION CRITERIA	Scoring (Circle one)
<p>P1: Management & Organization – 25% of total</p> <p>The evaluator should consider the following types of information when scoring this category: The overall experience, background & qualifications of people; the approach to the proposal; is it thorough, original, comprehensive & tailored to the needs of the City? Also, do they have a demonstrated skill in establishing and maintaining effective working relationships with elected officials, staff, and the public? Have they provided proof of insurance in an amount of \$2M, or \$1M at a minimum for City Attorney, and for only prosecution services, have they provided \$300,000 in in professional liability insurance coverage?</p>	1 2 3 4 5 6 7 8 9 10
<p>P2: Key Personnel – 25% of total</p> <p>The evaluator should consider the following types of information when scoring this category: Are they licensed, and in good standing with the Oregon State Bar? Have they provided the firm and assigned member qualifications? Does the most senior individual have at least 5 years of experience in the field of municipal government, or a similar field. What kind of experience does the prosecuting attorney have in municipal court?</p>	1 2 3 4 5 6 7 8 9 10
<p>P3: Public Sector Experience – 25% of total</p> <p>The evaluator should consider the following types of information when scoring this category: Can the firm understand the legal requirements of the City of Harrisburg, state agencies, and other entities whose laws and requirements affect City business? What is the nature and extent of their prior experience in performing legal services for general purpose local governments.</p>	1 2 3 4 5 6 7 8 9 10
<p>P4: Fee Structure – 15% of total</p> <p>The evaluator should consider the following types of information when scoring this category: Have they provided a fee structure for the City to review?</p>	1 2 3 4 5 6 7 8 9 10
<p>P5: Other Relevant Experience – 10% of total</p> <p>The evaluator should consider the following types of information when scoring this category: What is the firms relevant experience outside traditional municipal legal functions?</p>	1 2 3 4 5 6 7 8 9 10