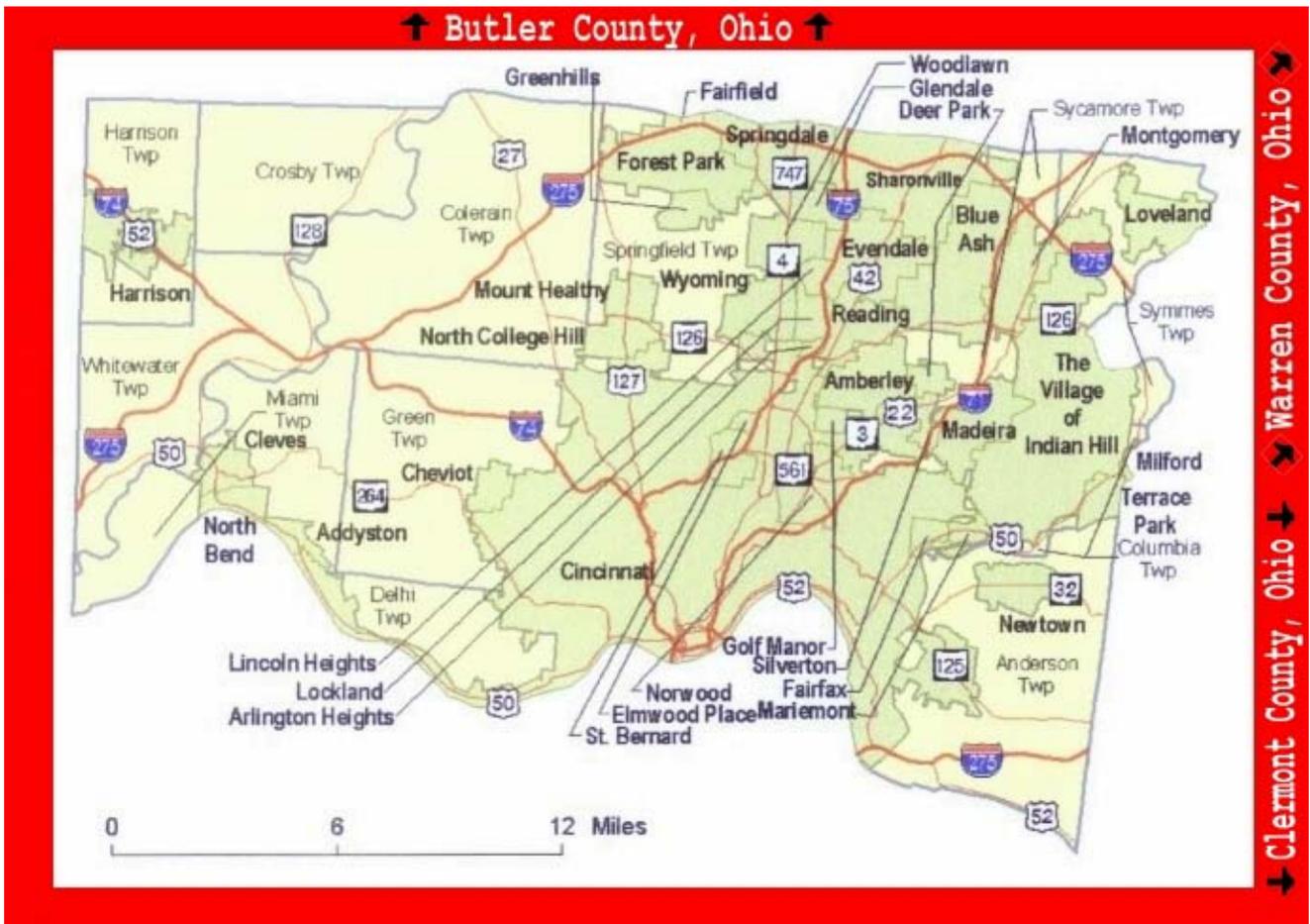


VILLAGE OF NEWTOWN
3537 Church Street Newtown, Ohio 45244
(513)561-7097 ~ Fax (513)561-7555
Established 1792

REQUEST FOR PROPOSAL/QUALIFICATIONS MUNICIPAL SOLICITOR



REQUEST FOR PROPOSAL/QUALIFICATIONS

Contract for Municipal Solicitor

The Village of Newtown is requesting proposals/qualifications from a State of Ohio licensed attorney to perform the duties of Village Solicitor. Individuals responding to this Request for Proposal/Qualifications should have extensive experience, a knowledgeable background and qualifications in the provision of the services described herein.

Background:

Newtown is a village in southeastern Hamilton County, Ohio. The population was 2,672 at the 2010 census. Newtown is surrounded by Anderson Township, from which it was split in the 1960s. The village has a total area of 2.3 square miles.

The Village of Newtown is comprised of a Mayor/Council form of government with a Fiscal Officer. The Mayor serves as President of Council and six (6) Council Members, each elected for staggered four-year terms have the voting power to create, pass or disapprove local laws, ordinances, and resolutions that govern the Village. Council is also responsible for control of all finances and property of the municipality. The Mayor, along with the administrative staff and the various boards and commissions, carry out policies and laws as set forth in the Ohio Revised Code and the Village of Newtown Ordinances.

The funding for the Village is mostly generated by a 1% income tax on residents, employees and businesses in the community. The Village contracts for the services of the Village Solicitor, Village Engineer, Building/Zoning Commissioner and Property Maintenance Inspector. The Village provides Street Department services as well as 24-hour Police and Fire services to its residents.

The Village of Newtown Municipal Building is located at 3537 Church Street Newtown, Ohio 45244. The Municipal Building houses the Offices of the Mayor, the Village Fiscal Officer, the Village Secretary, the Building/Zoning Commissioner, Property Maintenance Inspector, and Council Chambers. The Village Office hours are 8:00am–4:30pm, Monday–Friday.

Scope of Services:

Ohio Revised Code Title (7) VII Municipal Governments

705.11 Village solicitor or city director of law - duties.

The village solicitor or city director of law shall act as the legal advisor to and attorney for the municipal corporation, and for all officers of the municipal corporation in matters relating to their official duties. The solicitor shall prepare all contracts, bonds, and other instruments in writing in which the municipal corporation is concerned, and shall indorse on each his approval of the form and the correctness thereof. No contract with the municipal corporation shall take effect until the approval of the village solicitor or city director of law is indorsed thereon. He or

his assistants shall be the prosecutor in any police or municipal court, and shall perform such other duties and have such assistants and clerks as are required or provided.

In addition to the general duties outlined in R.C. 705.11, the Solicitor will provide the following tasks among others:

1. Attend all council meetings, currently twice a month on the second and fourth Tuesday, work-sessions and special council meetings.
2. Prosecute cases in the Newtown Mayor's Court – sessions are currently held twice a month on the second and fourth Monday.
3. Provide guidance and legal advice to the Village of Newtown Mayor, Council, Boards, Commissions and Committees.
4. The Solicitor shall represent the Village of Newtown in all judicial and administrative proceedings in which it or any of its officers or agencies may be a party or have an interest.
5. Draft or approve as to form and sufficiency all legal documents, contracts, deeds, ordinances and resolutions made, executed or adopted by or on behalf of the Village of Newtown.
6. With approval from Village Council, represent in any and all litigation, conduct appeals from orders, decisions or judgments affecting any interest of the Village of Newtown as the Solicitor may, in his/her discretion, determine to be necessary or desirable or as directed by Village Council.
7. Subject to the approval of Village Council, have power to enter into any agreement, compromise or settlement of any litigation in which the Village of Newtown is involved.
8. Subject to the approval of Village Council, have power to enter into contract negotiations on behalf of the Village of Newtown.
9. Render opinions orally and/or in writing, as the need requires, upon any question of law submitted to the Solicitor by Village Council or any member thereof with respect to their official powers and duties and perform such duties as may be necessary to provide legal counsel to Village Council in the administration of municipal affairs.
10. Supervise and direct the work of such additional attorneys and technical and professional assistants as Village Council may authorize for special or regular employment in or for the Village of Newtown.

Minimum Requirements:

1. Licensed to practice law in the State of Ohio for a period of not less than ten (10) years, and eligible to appear before all state and federal courts in Ohio, as well as Ohio administrative agencies and the Office of Administrative Law.
2. Minimum of five (5) years experience in the general representation of municipal governments or municipal authorities. Provide past municipal experience including municipality, position held and length of service.
3. High degree of demonstrated knowledge, experience and ability with the following:
 - a) The operations of local governmental units in Ohio
 - b) The operation of Mayor's Court and service as a prosecutor
 - c) General litigation and representation of the Village in litigation
 - d) Acquisition of real-estate
 - e) Assisting with acquiring and administering grants
 - f) Municipal Land Use Law
 - g) Extensive knowledge of Local Public Contracts Law
 - h) Selling of Village real estate and/or property
 - i) Putting together Employment Practices Liability policies to protect the village

- j) Experience in a village form of government
4. Sufficient support staff available to provide all general legal services required by the Village of Newtown including, but not limited to, legal research, preparation of resolutions, preparation of ordinances, preparation of contracts and other legal documents.
5. Maintain a bona fide principal office in the State of Ohio.

Submittal Deadline:

Sealed Proposal/Qualifications must be received by close of business, 4:30pm on November 20, 2015. They may be mailed or hand delivered to Fiscal Officer, Keri L. Everett at the following address. Proposal/Qualifications received after this time shall not be considered. All Proposal/Qualifications will become the property of The Village of Newtown and will not be returned.

Village of Newtown
ATTN: Keri L. Everett
3537 Church Street
Newtown, Ohio 45244
(513) 561-7097

Please direct all inquiries to Keri Everett at (513) 561-7097 or email keverett@villageofnewtown.com.

All proposal/qualifications shall contain the following information:

In addition to demonstrating an ability to meet all minimum qualifications above, the firm must also include and address the following:

1. Provide the name and address of the firm; the name, telephone number, fax number, and email address of the individual responsible for the preparation of the proposal.
2. Provide resumes of the designated person that will be responsible for all services required in this proposal and of any associates in the firm that will be expected to deliver legal services to the Village.
3. Include an executive summary of not more than two (2) pages, identifying and substantiating why the individual or firm qualifies to provide the requested services. Describe any other factors the proposing party believes is relevant to its ability to provide the Village with superior service.
4. List current municipal or government authorities represented. Include a contact name, position and phone number.
5. If you or any principal therein has been subject to any professional disciplinary action over the last three (3) years, you must provide a description of the litigation and/or disciplinary action.
6. Identify any existing or potential conflicts of interest, and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this agreement with the village.

7. Provide a proposal for compensation or a schedule of fees to be charged for professional services. If the respondent proposes to provide services for a flat fee or a fixed retainer, the proposal shall specify which services are not included. The proposal shall also specify the fee that will be charged for such additional services and the basis for the compensation.
 - The Village of Newtown Solicitor is currently compensated a flat fee for attendance at council meetings (usually two per month) and attendance at Mayor's Court sessions (two per month) and preparation of all necessary legal documents for those meetings. In addition, as part of this annual fee, the Solicitor advises on conflict of interest matters as requested. Legal services beyond those are charged at an hourly rate.
 - The Village is seeking to obtain the provision of first rate legal services at competitive rates and is open to alternative fee arrangements, such as a straight hourly rate for all legal work performed, to reduce its legal costs.

Award & Contract:

Proposals may be opened by the Village at any time after the submission deadline. All proposals satisfying the requirements of this Request for Proposals will be evaluated to establish proposal best fulfills the needs of the Village. The Village anticipates entering into a contract to fulfill the Professional Services needed. This Request for Proposals, however, does not commit the Village to award a contract, to pay any costs incurred in the preparation of a proposal or to contract for the goods and/or services offered. The Village reserves the right to accept or reject any and all proposals received as a result of this request, to negotiate with all qualified attorneys or to cancel this Request for Proposals, if it is in the best interest of the Village of Newtown to do so.

After the selection of an attorney, the schedule should include a period of collaboration between the Village of Newtown and the attorney to better define, elaborate upon and finalize the attorney's exact and Final Scope of Work. While the attorney should assume work begins immediately upon notification that they have been selected, the Final Scope will be defined by editing, redlining or adding superseding documents or drawings to the Proposed Scope of Work.

Individuals/Firms selected to provide a Professional Service will be required to supply, at the time of contract execution,

- a) A Certificate of Insurance issued by an insurance carrier authorized to do business in the State of Ohio, reflecting the amount of professional liability insurance in effect during the contract period.
- b) A Certificate of Insurance evidencing Worker's Compensation coverage in the State of Ohio.