



CITY OF HICKORY

Request for Qualifications for Legal Services

Date of Issue: November 21, 2022

Inquiries and proposals should be directed to:

Western Piedmont Council of Governments

Anthony Starr, Executive Director

PO BOX 9026

Hickory, NC 28603

anthony.starr@wpcog.org

828-485-4272

BACKGROUND

In the 1850's, Henry Robinson built a tavern of logs beneath a huge hickory tree near a stagecoach junction. The inn was known as "Hickory Tavern." The community of Hickory Tavern had its first Charter drawn on December 12, 1863, with the "Corporate limits to be one square mile, having its center the depot of Western North Carolina Railroad." The Town of Hickory Tavern was established in January 1870 by Henry Robinson and "Dolph" Shuford. The name was changed to the Town of Hickory in 1873, and to the City of Hickory in 1889. Today, Hickory is home to over 43,000 residents and the regional hub of over 365,000 people for commerce and recreation. Hickory's beautiful location at the foot of the Blue Ridge Mountains along the shores of the Catawba River offers something for everyone. Ideally located along I-40 between Charlotte and Asheville, Hickory serves as the regional hub of the Hickory-Lenoir-Morganton metropolitan statistical area and offers everything residents and visitors need within a short drive. For those seeking extra adventure or a change of scenery, unique cities like Charlotte, Asheville, and Boone are just an hour away. Hickory strikes the perfect balance of small town charm and big city amenities. The City Council is comprised of 6 Council Members and 1 Mayor; all members are elected by the citizens at large for 4-year terms.

SCOPE OF SERVICES REQUESTED

The City of Hickory is currently accepting proposals from qualified firms or individuals experienced in local government law and interested in serving as a contracted City Attorney.

The Attorney serves at the pleasure of the Mayor and City Council and, as such, shall perform all legal services assigned by the Mayor and City Council. The Attorney will also work closely with the City Manager and other assigned staff.

Representation includes all necessary action to protect the legal rights and interests of the City of Hickory, the Mayor, the City Council, and the City Manager. The contract city attorney provides guidance during city council meetings and provides legal counsel on issues pertaining to the city's strategic plans for growth. The following is representative of services typically provided by the contract city attorney:

- Provide a variety of proactive, high-quality, and timely legal opinions to the Mayor, City Council and City staff.
- Shall attend regular and special-called meetings of the City Council.
- Occasionally attend Planning Board and Board of Adjustment meetings as projects and initiatives dictate the need for legal services.
- Consult with the Mayor, City Council, City Manager, City staff and other stakeholders.
- Draft and/or review contracts, ordinances, resolutions, special legislation, by-laws, forms, policies, easements, liens, and other formal procedures, as needed.
- Assist with foreclosures and condemnation proceedings as necessary.
- Advise on zoning, land use/development, code enforcement, and related issues.
- Advise as to compliance with NC General Statutes and local ordinances.
- Litigate or provide legal oversight of all city-related lawsuits.

ADDITIONAL INFORMATION

Interested attorneys/firms must meet the following minimum qualifications:

- Must be an attorney in good standing, licensed to practice law in the State of North Carolina as of the date of appointment;
- Must have five or more years of demonstrated experience advising local governments in the State of North Carolina;
- Must be actively involved in educational opportunities (conferences, courses, etc.) provided to municipal government attorneys through the School of Government and other educational bodies;
- Experience sufficient to thoroughly understand the complexity of legal issues common to local governments;
- Must be timely in responding to the city's requests and legal needs; and
- Should be able to demonstrate qualified back-up representation.

REQUIREMENTS TO SUBMIT

In response to this RFQ, each interested Attorney must provide a "Statement of Qualifications" with the following information:

- Full name(s) of Attorney or Firm;
- Address, telephone number, email address, and website address (if applicable);
- Resume demonstrating credentials and years in practice;
- Proof of licensure in North Carolina;
- Attorney's/Firm's legal specialties or emphases of practice (the name of each attorney and number of years of relevant experience in the specified areas of practice);
- Identify the key attorney who will serve in the position of City Attorney and any secondary attorneys that would be assigned to the City;
- Listing of all current and previous public sector entities for which the Attorney/Firm has provided legal representation, including dates of service and position(s) held, and updated contact information for each;
- Relevant legal experience that qualifies the Attorney/Firm for the position of City Attorney;
- Rates/fees for providing the services as described herein including hourly rates per attorney and support personnel and indicate minimum increment of time billed for services.

QUALIFICATIONS SUBMITTAL

In a sealed envelope, provide four (2) complete hard copies of your proposal for furnishing services outlined within this RFQ, as well as a **DIGITAL** copy submitted via flash drive or email to anthony.starr@wpcog.org. Proposals will be received until **5:00 PM (EST) Tuesday, January 3, 2023**, and are subject to the conditions within this document.

The submittal can take any written form, provided that the outlined requirements are met, and instructions are followed. If the submittal does not meet all requirements, it may be disqualified at the discretion of the Council. The City Council reserves the right to reject all responses.

1. Proposals must be submitted directly to the **Western Piedmont Council of Governments** with the sealed submission envelope or package addressed as follows:

If delivered by US Postal Service:

*Western Piedmont Council of
Governments
Anthony Starr
PO Box 9026
Hickory, NC 28603
Attn: RFQ for Legal Services*

If delivered by in Person:

*Western Piedmont Council of
Governments
Anthony Starr
1880 2nd Ave NW
Hickory, NC 28601
Attn: RFQ for Legal Services*

**The required digital copies of responses should be emailed to anthony.starr@wpcog.org and copied to Tasmin Mack, at tasmin.mack@wpcog.org.*

2. Direct all RFQ and submittal inquiries to Anthony Starr, at anthony.starr@wpcog.org, or via phone at 828-485-4272.
3. It is the prospective submitter's responsibility to assure that all reference and support materials have been reviewed. Addenda, if any, will be posted at www.wpcog.org homepage under "Bids & Requests for Proposals." It is the submitter's responsibility to monitor the website for addendums.

SELECTION PROCESS AND EVALUATION CRITERIA

City staff and the City Council will be responsible for qualifying and vetting any selected Attorney or Firm. The City Council will authorize a service contract at its discretion. If a contract cannot be successfully negotiated with a selected individual/firm, the City will proceed to remaining eligible firms, although the City reserves the right to initiate another RFQ or recruit with a different approach at its pleasure.

The criteria for evaluation of the qualifications may include, but is not limited to:

- demonstrated understanding of scope of legal services needed and RFQ requirements;
- staffing strength for needed services;
- direct experience with municipalities and similar work within North Carolina;
- references for similar legal representation;
- expected ability to deliver services within needed timeframes;
- sustainability and value-added benefits;
- overall performance with current and past clients; and,
- expected ability to work effectively with Mayor, Council and staff.

UNOFFICIAL PROJECT TIMELINE

- November 21, 2022 – RFQ released
- January 3, 2023 – Deadline for completed RFQ responses due to WPCOG
- January 17, 2023 – City Council meets to discuss persons to interview
- Early to Mid-February, 2023 – Interviews held at WPCOG
 - Firm(s) not selected will be contacted
- February/Early March – City Attorney selection and appointment made by City Council

**Timeline is subject to change based on the needs of the City Council and administrative staff.*

CITY OF HICKORY
Job Description



JOB TITLE: Contract City Attorney

JOB SUMMARY: Responsible for providing legal representation to the Mayor, City Council, and City Manager regarding any legal matters relating to the City of Hickory. Representation includes all necessary action to protect the legal rights and interests of the City of Hickory, the Mayor, the City Council, and the City Manager. Provides guidance during city council meetings and provides legal counsel on issues pertaining to the city's strategic plans for growth. As requested, may be asked to represent the city's interests with various acquisitions and handle all legal matters pertaining to property and closings. As requested, may be asked to work in partnership with the city's staff attorney in providing legal support in protecting the city's interest.

Sound knowledge of constitutional, federal, state & local laws; experience in specific legal principles & statutes affecting local governments., including knowledge of governing board procedures, open meetings/public records law, economic development incentives, financing, & contract requirements.

MAJOR DUTIES:

- Serve as legal counsel for the Mayor, City Council, and City Manager on all legal matters pertaining to the City of Hickory. Provides legal interpretations as necessary for decision-making.
- Attends City Council meetings and other meetings as requested and provides legal counsel during meetings as needed.
- Coordinates and secures specialized legal counsel as needed.

SUPERVISORY CONTROLS: Serves at the pleasure of the Mayor and City Council. The Mayor, City Council, or City Manager reviews and assigns work as needed. This position is a contract position that is renewed annually by the Mayor and City Council.

GUIDELINES: Guidelines include state and federal constitutions, statutes, rules, regulations, and procedures; court and bar rules; and local ordinances. These guidelines require judgment, selection, and interpretation in application.

COMPLEXITY: The work consists of varied legal duties. The variety of legal issues to be addressed contributes to the complexity of the work.

SCOPE AND EFFECT: The purpose of this position is to provide legal advice and services to the Mayor, City Council, and City Manager. Successful performance facilitates the effective performance of city government.

PERSONAL CONTACTS: Contacts typically are with the Mayor, City Council, City Manager and those within the City Manager's office, judges, state and local government officials, insurance representatives, various attorneys, various court personnel, and the general public.

PURPOSE OF CONTACTS: Contacts are generally for the purpose of exchanging information, negotiating or settling matters, and resolving problems.

PHYSICAL DEMANDS: The work is typically performed while sitting at a desk or table with intermittent standing, walking, bending, crouching, or stooping.

WORK ENVIRONMENT: The work is typically performed in an office or courtroom.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY: None

MINIMUM QUALIFICATIONS:

- Graduation from an accredited school of law.
- Experience sufficient to thoroughly understand the complexity of legal issues common to local governments.
- Current membership in the State Bar of North Carolina and a minimum of five years of legal experience advising local governments in the State of North Carolina.