



**CITY OF LA MARQUE
RFQ #2025-0001**

**REQUEST FOR QUALIFICATIONS/
ATTORNEY-LEGAL/PROSECUTORIAL SERVICES**

INTRODUCTION AND BACKGROUND

The City of La Marque, is in Galveston County, serves a 14 square mile area with a population of approximately 20,278 residents and operates under a council-manager form of government with a Mayor and four Council Members. The City Attorney is appointed by and serves at the pleasure of the City Council. The Municipal Prosecutor is also appointed and serves at the pleasure of City Council.

The City provides a full array of municipal services to its residents, including police, fire and EMS services, parks and recreation, streets and drainage, solid waste service, development services, public works, administrative, and fiscal services. The City has two enterprise funds: a water and sewer fund, as well as a solid waste fund, and owns and operates a water and wastewater system.

Purpose

The City of La Marque is soliciting responses to this Request for Qualifications (RFQ) from qualified municipal law firms to provide City Attorney and Municipal Prosecutorial Services. In order to be considered, responses must address each of the requests for information included in this RFQ.

All prospective consultants will be afforded full opportunity to submit statements of qualifications in response to this request and will not be discriminated against on the grounds of race, religion, color, national origin, age, sex, sexual orientation, gender identity, or disability in consideration for award of any contract entered into pursuant to this notice. A contract shall be entered into after all qualifications are evaluated.

Submissions will be reviewed by the City Council in executive session in accordance with the Texas Open Meetings Act. The City reserves the right to reject any and all submissions, to waive irregularities, and to accept the qualifications deemed the most advantageous to the City.

Any questions regarding this RFQ should be addressed to bids@cityoflamarque.org. Deliver sealed responses to the City Clerk's Office at 1111 Bayou Road, La Marque, Texas 77568 on or before February 12, 2025 before 10:00 a.m. Respondents may deliver their submissions by mail or in person at this address. Responses that are

received after this time will be returned unopened. The City of La Marque will not be responsible for submissions lost in the mail or not delivered to the indicated address.

IMPORTANT DATES

RFQ Issue Date	January 15, 2025
Last Date for Questions	January 29, 2025
Response Due Date	February 12, 2025

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Request for Qualifications “ATTORNEY-LEGAL/PROSECUTORIAL SERVICES”

Scope of Work

1. Reviewing and drafting agreements, contracts, ordinances, resolutions, deeds, and other legal instruments in which the City has an interest.
2. Attending regular City Council meetings and workshops. City Council meetings are generally held on the second and fourth Mondays of each month beginning at 6:00 p.m.
3. Attending special City Council meetings outside of the normal schedule.
4. Attending the following board and commission meetings:
 - a. Building & Standards Commission (2nd Tuesday of every month at 6:00 p.m.)
 - b. Planning & Zoning Commission (2nd Thursday of every month at 4:00 p.m.)
 - c. Board of Adjustment (2nd Tuesday of the month at 2:00 p.m. (AS NEEDED))
5. Providing legal advice, opinions, and guidance as needed at the abovementioned meetings and workshops.
6. Providing timely legal advice and/or legal opinions on a variety of matters as requested by the City Council, City Manager, and designated City staff.
7. Providing legal advice and/or opinions as needed on the City’s Code of Ordinances, applicable State and Federal laws, and other applicable documents, rules, and regulations.
8. Providing legal advice and/or legal opinions as needed on applicable property, land use, and zoning laws.
9. Providing legal advice and/or legal opinions as needed on the Texas Open Meetings and Public Information Laws.
10. Informing the City of new or proposed State and Federal legislation affecting the City.
11. Ensuring compliance of contracts with applicable rules and regulations.
12. Negotiating and assisting with contract disputes.

13. Representing the City in litigation and legal proceedings as directed by the City Council.
14. Representing the City in litigation and legal proceedings as directed by the City Council regarding all aspects of Employment Law (Human Resources related).
15. Provide direction during Collective Bargaining negotiations, and Civil Service (Police Department) - Rules and Regulations.
16. Provide direction in matters relating to Texas Employment Law and related issues.

The City may expand the scope of services as necessary to conduct the business of the City. The City Attorney will be responsible for managing all general legal counsel services provided to the City.

Submission Requirements

Each RFQ must contain the following information:

1. Title Page with the Respondent's Information:
 - a. Name of law firm
 - b. Address of the office where work will be performed
 - c. Telephone number
 - d. Email address
 - e. Website address, if applicable
2. Table of contents
3. Letter of Transmittal:
 - a. Legal name of law firm
 - b. Date of submission
 - c. A statement of interest, detailing the specialization of the law firm, the size of the firm, areas of practice, and years of practice in municipal law.
4. Qualifications and Background:
 - a. A complete resume/curriculum vitae of individual person designated by the firm to be City Attorney to provide legal services to the City. Resume/curriculum vitae should include years of legal experience, years of municipal legal experience, education, professional affiliations, State Bar card number, and areas of specialty within the field of municipal law.
 - b. A list of support/backup attorneys who would provide services to the City, as well as their educational and credentialing information, State Bar card number, years of legal experience, years of municipal legal experience, and any areas of specialty within the field of municipal law.

- c. Number of attorneys and paralegals in the firm and copies of their resumes.
- d. If respondent firm has filed any litigation in the past five years in which a municipality was a party, please describe the case(s) and outcome.

5. Firm's Availability and Capacity to Provide Legal Services:

- a. Provide a statement describing how the firm proposes to provide legal services to the City. This statement should address issues such as office location, accessibility to City Council members and City staff, and attendance of meetings.
- b. Provide information about the attorney and firm's availability and capability to provide legal services on short notice and to ensure timely response to and completion of the City's schedules and deadlines.
- c. Describe the attorney and firm's approach to communicating with the City in regard to progress reports, status reports, recommendations, status of opinions, etc.

6. References:

List a minimum of five (5) professional references to whom the attorney has provided services similar or relevant to those set forth in this request for proposals within the last five years. References must include:

- a. Contact person for each client
- b. Telephone number
- c. Email address
- d. The services provided by the individual
- e. The dates those services were performed

7. Disclosures:

- a. Disclosure of any actual or potential conflicts of interest with respondent's responsibilities with the City of La Marque.
- b. Provide detail of any ethics violations or board actions within the past five (5) years against the firm, its attorneys, or employees.

PART 2- PROSECUTORIAL SERVICES

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Request for Qualifications
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SPECIFICATIONS

1. **Format** - The following outline shall be followed for all Qualification Packages:
 - a. Name of firm and firm principals (including State Bar of Texas license number for each), business address, telephone, fax, and email addresses. The name and title of the principal authorized to negotiate on behalf of the firm shall be identified.
 - b. Name (including State Bar of Texas license number for each) and qualifications of staff proposed to be assigned to La Marque. Note: a principal, director, or equivalent is expected to be available to provide prosecutorial services to the City of La Marque Municipal Court.

2. **Experience and Qualifications** - Past experience and qualifications of the firm should be described. A description of your law firm practice and services the firm is capable of providing including an explanation of how these services will best meet the city's needs. At least 2 years' experience in prosecuting criminal matters is preferred. Included should be experience related but not limited to the ability of the firm to perform the following job functions:
 - Prosecution of misdemeanor offenses as defined in the city codes and ordinances.
 - Prepare and present criminal cases for bench and/or jury trial.
 - Attendance City of La Marque court dates, or other days as may be required. (City has no more than 4 court days each month)
 - Attendance at all formal hearings and pre-formal hearings involving City of La Marque Municipal Court cases.
 - Set a day and time for office hours at the La Marque Municipal Court as needed to review cases filed by La Marque Police Department and DPS and consultation with City of La Marque Municipal Court.
 - Communicate charging decisions to victims and police personnel.
 - Lead misdemeanor criminal cases through the court process.
 - Coordinate and handle the subpoena of victims, witnesses, and police personnel with the La Marque Municipal Court personnel, in a form and manner acceptable to the La Marque Municipal Court.

- Coordinate and handle the discovery process involving La Marque Police reports, statements, evidence, etc. with pro se defendants and/or attorneys representing defendants in criminal cases.
- Work with La Marque Court Clerk to improve the effectiveness and efficiency of cases presented for prosecution by the La Marque Municipal Court.
- Provide legal research as it relates to the city codes and ordinances.
- Inform La Marque Municipal Court personnel of statutory changes that could impact the city codes and ordinances.

3. Requirements and expectations of the City of La Marque - The selected firm and all of its attorneys who perform any work for the City of La Marque are expected to perform as follows:

- Perform all of the job functions, listed under “Experience and Qualifications”, in a manner acceptable to the La Marque Municipal Court.
- Review warrant requests presented by the La Marque Police Department.
- Be able to receive all warrant reviews, and transmit all charging decisions with all related documents, by documents, by electronic means, including email, secure cloud or remote storage, or other electronic means as determined by and in a manner acceptable to, the La Marque Municipal Court.
- Be able to receive from, and transmit to, the La Marque Municipal Court, all discovery and related information, including photographs, video, documents, audio files, and other information related to the case file, in electronic format, including email, secure cloud or remote storage, or other electronic means as determined by, and in a manner acceptable to the La Marque Municipal Court.
- Be able to receive from, and transmit to, the La Marque Municipal Court, any and all information and documents, in electronic format, including by email, secure cloud or remote storage, or other electronic means as determined by, and in a manner acceptable to, the La Marque Municipal Court.
- Determine all witnesses needed for each case, and prepare all related subpoenas, including delivery and service of the subpoenas, in a manner and form deemed acceptable to the La Marque Municipal Court.
- Determine what information, documents, photographs, videos, or other items are necessary for discovery to the opposing party/opposing counsel, and handle all aspects of discovery in the case, in a manner acceptable to the La Marque Municipal Court.
- Must be licensed by, and in good standing with, the State Bar of Texas, and maintain such good standing and current licensure at all times while performing work for the City of La Marque and also for the duration of this agreement.

4. Background Checks - All principals and directors, along with any staff (including all attorneys and non-attorneys), that perform any work for the La Marque Municipal Court, now or in the future, must agree to submit to a background investigation and cooperate fully with this background

investigation, in a manner and form as determined acceptable by the La Marque Municipal Court. Information related to any discipline by any licensing authority related to the practice of law, including but not limited to the State Bar of Texas, or similar (including other states or countries), must be fully disclosed in the initial proposal.

5. **References** - Provide the names, telephone and fax numbers, e-mails, and physical addresses of three recent client references.
6. **Other** - Provide any other information necessary to fully describe services and qualifications (not to exceed 10 pages). The total number of pages in the submittal shall not exceed forty (40). Economy of preparation and brevity are encouraged.
7. **Review Process** - The City of La Marque reserves the right to reject any or all submittals. The City may request one or more firms to provide a detailed proposal. This is not a bidding process.
8. **Evaluation Criteria** - The following will be considered in the selection of a consultant:
 - Relevant Experience
 - Qualifications
 - Understanding of city-related issues and familiarity with the City of La Marque
 - Team compatibility included ability of firm/attorney to work with city staff and officials based on references and other supporting information.
 - Unique resources the firm/attorneys may bring regarding innovative techniques
 - The professional reputation of the law firm and their attorneys.
 - The evaluation of proposals will be done by a committee of City personnel who will then forward a recommendation to City Manager and City Council for consideration. The evaluation process will be based on qualifications. **Fee proposals, which are to be submitted in a separate envelope**, will only be reviewed after the most qualified firms have been established.
9. **Termination** - The City reserves the right to terminate this agreement immediately with cause. Either party can terminate this agreement at any time without cause, on an at-will basis, with 30-days written notice to the other party.
10. **Gratuities Prohibited** - The prohibition against gratuities and kickbacks shall be conspicuously set forth in every contract and solicitation, therefore. It shall be a breach of ethics to offer, give, or agree to give any employee or former employee of the City of La Marque, or for any employee or former employee of the City of La Marque to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any

decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before the City of La Marque.

SUBMITTAL REQUIREMENTS / DEADLINE:

DEADLINE TO SUBMIT: January 15, 2025 10:00 a.m. (CST)

Final responses must be sent to submitbid.cityoflamarque.org.

All proposals must be clearly marked with **ATTORNEY-LEGAL/PROSECUTORIAL SERVICES**.

Respondent is responsible for delivery of response by the deadline period. Responses received after the date and time set for the closing will not be considered. The City of La Marque reserves the right to reject any and all submissions.

Any questions regarding this RFQ should be addressed by email to bids@cityoflamarque.org.

EVALUATION AND SELECTION PROCESS

The City of La Marque will evaluate the submittals based on the firm's experience and qualifications in public sector executive searches. Selected firms may be invited to be interviewed with the City Council in person and or ZOOM as well as via Town Hall forum.

The City Council will select a firm and will work with the firm to determine the terms of the contract. In the event the negotiations between the selected firm and the City cannot be reached, the City reserves the right to negotiate with another firm.

Once an agreement has been reached, the parties shall enter into a written contract. The final proposed contract will be approved by the City Council.

DISPOSITION AND DISCLOSURE OF QUALIFICATIONS

All qualifications submitted in response to this RFQ will become the property of the City of La Marque and a matter of public record.

TERMINATION CLAUSE

The City of La Marque shall have the right to terminate the contract at any time upon a 30-day written notice to the consultant, whenever the City determines that performance of the consultant is unsatisfactory.

DISPUTES

Should any disputes arise with respect to the contract the consultant and the City of La Marque both agree to act immediately to resolve said dispute. The consultant agrees that the existence of a dispute notwithstanding, it will continue to carry out all its responsibilities under the contract in accomplishment of all non-disputed work, and that any additional costs incurred by the consultant or the City as a result of such

failure to process shall be borne by the consultant and further, that the consultant shall not make a claim against the City for such costs.

RESERVATION OF RIGHTS

The City of La Marque reserves the right to:

- Accept or reject any and all proposals received in response to this RFQ, and to readvertise for new submittals.
- Accept partial proposals for any or all services included.
- Waive and modify any and all irregularities in proposals received after prior notification to the vendor.
- Request the submission of proposal modifications at any time before the award is made, if such, is in the best interest of the city.
- Consider proposals or modifications received at any time before the award is made, if such is in the best interest of the city.
- Request clarification and/or additional information from the RFQ's submittals during the evaluation process.
- In the event of contractual termination, enter into contract negotiations with other qualified firms that submitted qualifications, rather than reactivating the entire RFQ process for the recruitment.
- Negotiate with the selected consultant to include further services not identified in this RFQ.