
City of Richmond, California



**CITY ATTORNEY'S OFFICE
FY 2021-2024
REQUEST FOR QUALIFICATION (RFQ)**

RFQ Issued: **Monday, July 19, 2021**

Qualifications Due: **Friday, August 20, 2021 at 5:00 P.M.**

Electronic Proposals: **Proposals must be submitted online at: www.ci.richmond.ca.us/cao_rfq**

Submit Questions to: cao_rfq@ci.richmond.ca.us

Pre-Proposal Meeting: **Tuesday August 3, 2021, 2:00 P.M. – 3:00 P.M.** (Pre-registration preferred)

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Introduction

Richmond City Attorney's Office provides all legal services for the City of Richmond, Richmond Housing Authority, and all City boards and commissions. The City Attorney requests detailed information regarding the qualifications of attorneys or law firms interested in providing legal services to the City of Richmond to establish a list of qualified attorneys or law firms from which outside counsel may be selected. This list will be valid from fiscal year 2021 to fiscal year 2024.

We are interested in hiring a diverse group of qualified law firms and attorneys that will provide high-quality legal services and are dedicated to containing legal costs. We seek to build ongoing relationships with firms that share our commitment to quality and to cost containment, as well as to expand and strengthen our relationships with Richmond-based firms, small firms and firms that are committed to equity and inclusion.

Selection of outside counsel for all matters -- large and small-- is based on the quality of work, commitment to controlling costs, adherence to budgets and a demonstrated commitment to providing equal employment opportunities, equity and inclusion in its workforce.

All firms that we retain must enter into the Richmond's Legal Services Agreement, and complete and provide the following schedules and documentation.

1. Complete a Contract Application Form that serves as a checklist.
2. Provide proof of insurance in the form of an Insurance Coverage Verification document (Exhibit G) and/or Certificate of Insurance issued by the firm's insurance agent, which include the following insurance policies:
 - A. Commercial general liability policy (bodily injury and property damage);
 - B. Worker's compensation/employer's liability policy;
 - C. Business automobile liability insurance policy; and,
 - D. Professional liability policy.
3. The City of Richmond requires that contractors doing business with the City obtain and submit the following:
 - City of Richmond Business License
 - W-9 Form
 - Vendor Supplemental Questionnaire Form

Scope of Services

Placement on a list of qualified firms does not guarantee that the firm or attorney will be retained to provide services. Outside legal services will be used on an as-needed, case-by-case, or matter-by-matter basis. Specific assignments may include investigating, advising, negotiating, reviewing and/or drafting documents (transactional and litigation), and representation in court, administrative hearings and alternative dispute resolution proceedings involving one or more of the following areas:

- Administrative Law
- Affordable Housing
- Banking law
- Bankruptcy
- Code Enforcement, including Public Nuisance Actions and Property/Building/Housing/Fire Code Enforcement
- Conflict Counsel
- Constitutional Law
- Criminal and Civil Subpoenas in state and federal courts including Pitchess motions, traffic enforcement and vehicle tows
- Election Law
- Eminent Domain and Inverse Condemnation
- Employment Advice and Litigation - Labor and Employment, Pension and Benefits Programs
- Engineering, Design Professional and Construction Contracting Advice and Litigation
- Environmental Advice and Litigation, Federal and State Regulatory Issues, Endangered Species, Clear Air and Clean Water Acts
- Finance Services - Bond and Debt Management, Bond Counsel, Bond Disclosure Counsel, Infrastructure Financing
- Gang Injunctions
- General Civil Litigation
- Insurance Coverage Advice and Litigation
- Intellectual Property (Contracts for Purchase of Computerized Systems, Software and Equipment)
- Land Use Advice and Litigation, including California Environmental Quality Act and litigation and wireless communications land use regulatory issues
- Municipal Fire Litigation
- Municipal Police Litigation
- Municipal Procurement and Contracting
- Personnel Investigations
- Planning related enforcement/revocation proceedings; Representing/Advising City Staff or Decision-Makers in Administrative, Planning Commission and City Council Hearings

- Real Property
- Redevelopment Agency Law
- Taxation
- Tort and Personal Injury Defense
- Training (Employment, Brown Act, AB 1234)
- Writs and Appeals

Requested Qualifying Information (Firm Data and Information)

Respondents should provide general background information about the law firm and attorneys, with special focus on the area(s) of activity in which representation is sought, and as to the size and experience of the firm in these specific areas. In addition, the Respondents should include the following information:

1. Brief description of the type of legal services that the firm proposes to perform, including which specified practice areas the firm desires to be considered for in the RFQ process.
2. Number of attorneys in the firm with relevant experience, including any information regarding the diversity of the firm's attorneys and/or a description of the firm's demonstrated commitment and efforts to provide equal employment opportunity, including but not limited to efforts to provide equity and inclusion for women, minorities, persons with disabilities, sexual orientation (LGBT), etc.;
3. Name of each attorney along with the number of years of relevant experience in the specified areas of practice, education, and any other relevant information, including whether licensed to practice law in California.
4. For litigation, a description of relevant trial and appellate experience, including number of trials to verdict, particularly those representing public entities, in the various specified practice areas.
5. Location of firm's physical offices, including whether the firm has an office in Richmond or within Contra Costa County.
6. Names of other government clients for whom each qualified attorney has been retained to provide legal services in the relevant substantive practice area(s) within the last five years, and two to three references per practice area, preferably from public agencies.
7. An agreement to inform the City Attorney in writing of any known potential or actual conflicts of interest and to not engage in litigation on behalf of another client against the City without first obtaining written permission from the City Attorney to do so.
8. Proposed fee structure.
9. A list of any costs and expenses the Respondent proposes to bill in addition to legal fees.
10. Any requested exceptions to the City's standard Legal Services Agreement.

Fee Structure

Respondents should provide the following information:

Hourly rates:

Partner, Of Counsel

Senior Associate

Junior Associate

Paralegal

Other

The hourly rate quoted should include all compensation for services rendered, including all overhead expenses, profits and employee costs, including but not limited to clerical and word processing expenses. Respondents should list all expenses they propose to bill in addition to legal fees and the basis for such expenses. Please note if the fee structure for the firm has periodic increases.

Review of Submission

The City Attorney's Office will develop a list of firms based upon the responses to this Request for Qualifications. Responses will be evaluated by the City Attorney's Office. Price will not be the controlling factor in selecting firms for the list, but price will be a factor in assigning work. A firm is not entitled to be placed on the list or entitled to work solely on the basis of submission of a low-price quotation. The City Attorney will evaluate the responses in the areas of Scope of Service, Firm Data and Information, and Fee Structure.

Once the list is established, the City Attorney shall seek approval from the Richmond City Council of approved laws firms.

Execution of a legal services agreement and related documents with the City will not guarantee that any case or matter will be assigned to outside counsel. The decision to retain outside counsel will be that of the City Attorney on a case-by-case or matter-by-matter basis. Contracts will remain in effect for a period of not less than one year from the date of execution thereof unless they are terminated before expiration by providing written notice, or unless they are renewed or extended. Fee structures should take this period into account.

Respondent's Personnel

The City Attorney intends to reserve the right to designate a specific attorney(s) in a contracting law firm to work on a specific case or matter as lead counsel or as associate lead counsel for the services rendered pursuant to any contract, and further intends to reserve the right to terminate the contract if the lead counsel leaves employment of the firm.

Respondents are further advised that all the terms and conditions, including fees and fee structures, forming part of any agreement entered into shall, upon such agreement being executed, become a public record of the City and subject to full disclosure, and each Respondent waives any right to object to any such disclosure.

Statement of Interest and Qualifications

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Contact Information: The following city staff are available to answer questions regarding this RFQ: Patrick Seals, Supervising Office Assistant, and Shannon Moore, Senior Assistant City Attorney, at 510-620-6509 or cao_rfq@ci.richmond.ca.us