City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MP-W

DATE: December 14, 2017

SUBJECT: RFP for Municipal Labor Attorney Services

Over the past few weeks the City of Carroll has received notice of the pending retirement of our labor counsel Jim Gilliam of Long & Gilliam and our bond counsel Bill Noth of Ahlers & Cooney. Mr. Gilliam plans to retire during the first quarter of 2018 and Mr. Noth at the end of 2017.

Recently Bill Noth has been transferring part of his work load to other individuals in his firm and staff has had a number of interactions with Kristin Billingsley Cooper and others at Ahlers & Cooney. We have been very satisfied their performance and would recommend we retain Ahlers & Cooney as the City's bond counsel.

When the City originally retained Jim Gilliam as our labor attorney he was with BrownWinick in Des Moines. A few years ago Mr. Gilliam left BrownWinick and open a new independent practice. Due to this, the City will need to find a new Labor Attorney. Attached is a RFP seeking those services.

Staff recommends that the Council approve the RFP and appoint a working committee that would review the proposals we receive and recommend a single firm that the Council would interview at their January 22, 2018 meeting. It is worth noting that we have delayed starting negotiations with the Teamsters representing the City's Police Officers until we retain the services of a new Labor Attorney. I would recommend appointing 2 councilmembers, Laura Schaefer, Brad Burke, and myself to the committee.

RECOMMENDATION: Mayor and City Council consider a motion approving the attached RFP for Municipal Labor Attorney Services and appointing members to a committee charged with reviewing submitted proposals and recommend firm(s) to the Council to be interview at their January 22, 2018 meeting.

City of Carroll

Request for Proposals
Municipal Labor Attorney Services

Submittal Deadline: 12:00 noon CDT on Friday, January 5, 2018

The City of Carroll, Iowa, population 10,103, requests letters of interest and qualifications from qualified law firms to provide labor relation legal services for the City.

City staff consists of approximately 64 full time employees and 90 part time employees such as seasonal employees and recreation center employees. The City has two bargaining units with the first representing police officers (public safety unit) and the second representing public works, parks and recreation, & library employees (non-public safety unit). Further information about the City can be found at http://www.cityofcarroll.com.

The firm must have substantial experience in the area of labor relations, including contract negotiation experience with cities in Iowa. Firms need to demonstrate specialization in the following areas:

1. Civil Rights/Discrimination Law
2. Public Sector Labor Law/Negotiating/Arbitration/Interpretation of Collective Bargaining Agreements
3. Workers Compensation
4. Family Medical Leave Act/ADA
5. First Amendment Rights
6. General Employment Law

Specific Response Requirements

All proposals should be submitted in accordance with the instructions detailed below. Responses should address the following requests for information or questions.

1. Letter of Transmittal

Each proposal should be accompanied by a letter of transmittal which summarizes the key points of the proposal and which is signed by an authorized officer.

2. Firm Experience and Qualifications

A. Provide an overview of the firm and its qualifications. Include the location of your firm's primary office, as well as any other offices in Iowa or other states.
B. Describe your firm's relevant municipal labor practice for the past five (5) years.
C. Submit evidence of errors and omissions insurance coverage.
D. Submit three (3) references for different municipalities of like size with names and direct line telephone numbers.

3. Legal Services Team

A. Provide summaries of experience for each individual who would be assigned to represent the City. Then describe the specific roles that each attorney would be expected to play with respect to the City and identify the lead or senior attorney.
B. Provide detailed resumes for each of the attorneys summarized above.

4. Conflicts of Interest

Describe any matter (clients, financial relationships, or family relationships) that your firm believes may create the appearance of a conflict of interest in representing the City and the manner in which such conflicts described in this paragraph will be resolved.

5. Fee Proposals

It is requested that you provide an hourly fee proposal for lead attorney, associates and staff as applicable. This fee proposal should clearly delineate reimbursable expenses. This proposal should also delineate any rate adjustment such as the difference between the typical rate versus municipal rate. Rate must also include what increment of time is billable. Indicate whether the firm will hold the fee proposal for one, two, or three years.

6. Evaluation Criteria and Selection Process

The Carroll City Council reserves the right to:

a) Select a proposal in its entirety or some portion(s) thereof;
b) Reject any and all proposals, in whole or in part;
c) Waive irregularities;
d) Request oral presentations and/or individual interviews from those individuals or firms determined to be in a competitive range;
e) Make the final selection using criteria judged to be the maximum benefit to the City as a whole.

7. Proposal Submission

- Proposals, including any/all attachments, cover letter and tabs should not exceed ten (10) pages in length on 8 ½" x 11" paper, single spaced using a minimum font size of 12 pt.
- Proposals shall be scanned as a PDF file and submitted in electronic format via email to the below email address. Faxed proposals will **not** be accepted.
- One (1) original hard copy of the proposal to be submitted.
- Electronic proposal must be received by 12:00 noon CDT on Friday, January 5, 2018.
- Proposals are to be submitted to:

Mike Pogge-Weaver, City Manager
Attn: Municipal Labor Attorney RFP
112 E 5th St
Carroll, IA 51401

mpoggeweaver@cityofcarroll.com
Subject line: Municipal Labor Attorney RFP

Selection Timetable
Selection of the successful firm will be based on proposals submitted and in-person interviews of a final group of firms as determined by Carroll City Council. A committee will review all submitted proposals, conduct interviews with one or more firms, and make a recommendation to the Carroll City Council. It is anticipated that the Carroll City Council will hold in-person interviews with one or more firms at their January 22, 2018 City Council meeting.

Questions
Questions should be directed to Mike Pogge-Weaver, City Manager at (712) 775-7505 or mpoggeweaver@cityofcarroll.com.