

**REQUEST FOR PROPOSALS**

**For**

**CITY ATTORNEY**

**Proposals Due:**

**January 27, 2025, at 5:00 PM MDT**



**RETURN TO:**

CITY CLERK  
RKORINEK@ROCKYFORD-CO.GOV  
203 S. MAIN STREET

ROCKY FORD, COLORADO 81067  
(719) 254-7414

# Request for Proposal for City Attorney

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## **Introduction and Instructions**

The City of Rocky Ford is requesting proposals from qualified individuals or organizations (hereinafter referred to as “Firm”) for City Attorney legal services, as defined under the Scope of Services section contained herein.

Proposals must be received c/o City Clerk, no later than 5:00 p.m. MST on January 27, 2025.

- If proposal is to be delivered via **USPS** or private courier, such as **FedEx, UPS, etc.** it must be submitted in a sealed envelope marked “**Request for Proposal/City Attorney**” sent to: **203 S. Main Street, Rocky Ford, CO 81067.**
- If proposal is to be emailed, it is to be sent to: [rkorinek@rockyford-co.gov](mailto:rkorinek@rockyford-co.gov) with the subject line: “Request for Proposal/City Attorney”

Proposals received after the published date and time will not be considered. It is the sole responsibility of the Firm to ensure that their proposal is received on time. The City is not responsible for delays, which may occur by the United States Postal Service, or any other means of delivery used by the Firm.

If a Firm finds a discrepancy or omission from the Request for Proposal (“RFP”), or should require additional clarification of any part thereof, a written request for interpretation may be submitted. Any interpretation of, or change made to the RFP will be made by written addendum to each Firm, and shall become part of the request for any contract awarded.

Each Firm, by submission of its signed proposal, agrees to be bound by each and every term and condition contained in this RFP.

A copy of this Request for Proposal may be downloaded at [cityofrockyfordco.gov](http://cityofrockyfordco.gov). Questions regarding this proposal should be sent to the below by no later than 5:00 p.m. January 24, 2025:

Duane Gurule,  
Mayor City of Rocky  
Ford 203 S. Main Street  
Rocky Ford, CO 81067

[duane4rockyford@gmail.com](mailto:duane4rockyford@gmail.com)

## **Community Background**

The City of Rocky Ford, Otero County, Colorado, is a Title 31 statutory City, and was incorporated in 1887. The City has a population of approximately 3,871 residents (2020 Census) and consists of approximately 1,800 households. The City is situated south of the Arkansas River on Highway 50.

The City provides a full range of public services, including a Police Department, Municipal Utilities (water, wastewater, and trash), Infrastructure (drainage, streets, public buildings, and sidewalks), and Recreational programs (parks and recreation activities).

The community is zoned for and developed with different zones for commercial, residential, industrial, and developing resources.

Listed below are amenities located within City limits:

- Parks: Library Park, Railroad Park, Babcock Park, Play Park Hill, Crystal Lake Park, Arkansas Valley Fairgrounds, Rocky Ford Golf Course
- Rocky Ford Public Library
- Rocky Ford Museum
- City Hall, which includes City administration, police, public works, parks, and municipal court;
- Schools: Rocky Ford Public PK – 12

The City of Rocky Ford has a Council/Manager form of government with a contract City Manager. There are six (6) City Council representatives, and each representative is elected to the Council for staggered four (4) or two (2) year terms. The Mayor is elected for a two (2) year term. Every two (2) years, the Mayor (possibly) and three (3) Council representatives are up for election.

The City employs Department Directors and a staff of approximately 51 full-time employees, 6 part-time and 10 seasonal hourly employees.

The City has the following departments: Water, Sewer, Garbage, Fire, Police, Parks & Recreation, City Clerk, Court, Finance, Utility Billing, and Library & Museum. Several departments have administrative support personnel who perform varying degrees of responsibilities within the division.

## **Scope of Services**

CRS 31-4-208 provides for the appointment of a City Attorney. “The city council shall appoint a city attorney, who, upon taking office, shall be an attorney-at-law licensed to practice in the state of Colorado. The City Attorney shall serve at the pleasure of the city council”

City Attorney-Functions and Duties:

1. The Attorney shall act as legal advisor to, and be attorney and counsel for, the City Council and the Mayor. They shall advise any officer or department head of the City in matters relating to their official duties when so requested and shall file with the Clerk a copy of all written opinions given by them.
2. The Attorney shall prepare or review all ordinances, contracts, bonds, and other written instruments, which are submitted to him by the Board or by the mayor and shall promptly give their opinion as to the legal consequences thereof.
3. The Attorney shall prosecute ordinance violations and they shall conduct for the City such cases in court and before other legally constituted tribunals. They shall file with the Clerk copies of such records and files relating thereto as the Board may direct.
4. The Attorney shall call to the attention of the Board all matters of law, and changes or developments therein, affecting the City.
5. The Attorney shall act as parliamentarian for the City Council and inform accordingly.
6. The Attorney shall perform such other duties as may be prescribed for them by the City Council, including municipal court prosecution.

The City Attorney is required to attend two (2) City Council meetings a month and may be requested to attend Planning & Zoning Commission, monthly staff meetings with the Department Heads, and other meetings, as necessary. Meetings may be attended in-person or remotely. The City Council meets the second and fourth Tuesday of every month with meetings beginning at 7:00 and has full capability for interactive remote attendance by the City Attorney via Zoom software.

## **Proposal Requirements**

The following items should be addressed as part of the proposal:

1. Describe your and/or your firm's experience with municipal law generally and specifically speak to your experience regarding municipal elections, municipal land use regulations, real property matters, zoning law, constitutional issues (state and federal) affecting municipalities, municipal finance, complex litigation, appellate practice, and any other areas you believe are relevant to the City's decision.
2. Provide a list of other municipal clients with whom you and/or your firm have worked in the past five years.
3. Describe any knowledge or experience that makes you and/or your firm particularly qualified for the position.
4. The City is soliciting talent and expertise first and foremost. While cost to the City is important, the selection will not be based solely on cost. Please detail and explain your and/or your firm's required fees to perform the requested services.
5. Provide your Martindale-Hubbell rating (if available) and a biography.
6. Please provide a list of all attorneys in the firm who might provide services under this proposal and list any disciplinary proceedings against them.
7. Please disclose any potential conflicts of interest.
8. Please provide a minimum of three client references.

9. If you propose to bill for services at an hourly rate or a monthly fee, provide the current hourly/monthly rate for each lawyer and for each employee of your firm who may work on City matters. State specifically whether you will work on a fixed fee basis and, if so, how you propose that such a fee be determined. State specifically that if you are the successful candidate and if your fee will be based on hourly rates that you will not increase for City matters before January 1, 2026.
10. Please provide the name of your professional liability insurance carrier and the limits of your professional liability insurance.
11. Describe the support services you would receive from your firm if selected.

## **General Terms and Conditions**

1. The City reserves the right to undertake its own investigation to evaluate a candidate. The City shall have the sole discretion to accept or reject a proposal.
2. All proposals become the property of the City upon receipt and will not be returned to the candidate. Selection or rejection of the proposal will not affect this right.
3. The City operates under public disclosure laws, as part of normal procedures. Proprietary information must be identified and will be protected as far as possible.
4. Cost of developing the proposal, attendance at the remotely held oral interview or any other such costs are entirely the responsibility of the candidate and shall not be reimbursed in any manner by the City.
5. Failure to conform to proposal rules, including failure to respond to each item in the Proposal section of this RFP or to follow the proposal format requested in the RFP may lead to the rejection of a proposal. The submittals should contain all information necessary to evaluate the proposals.
6. The successful candidate shall not at any time permit any individual employed by the City to benefit because of a financial interest in the candidate's firm, any affiliate of the successful candidate, or any subcontractor.
7. The final selection will be based on the written proposal, oral and written responses of client references and on the interview with the candidate.

The City will not be bound or responsible for any explanations or interpretations other than those given in writing as set forth in this Request for Proposals (RFP). No oral interpretations will be made by the City to any firm as to the requirements of this RFP.

It is anticipated that the selection of a firm will be completed at a **Regular Meeting of the City Council on January 28, 2025**.

All materials submitted in connection with the proposal document become the property of the City. All information received by the City shall become public record and shall be open to public inspection should an award of contract result from this solicitation.

## **KEY DATES**

A tentative schedule of key dates for the project has been established as follows:

### 1. Proposal Calendar

- Publication of RFP December 11, 2024
- Due date for proposals January 27, 2025
- Decision on RFP January 28, 2025
- Appointment of City Attorney at Regular City Council Meeting on February 11, 2025

The accuracy of the proposal is the sole responsibility of the Consultant. No changes in the proposal shall be allowed after the submission deadline, except when the Proposer can show clear and convincing evidence that an unintentional factual mistake was made, including the nature of the mistake and the price actually intended. Alternate proposals will not be considered.

The City reserves the right to accept or reject any and all proposals and to waive any informalities or irregularities in said proposals. The Request for Proposal does not bind the City to accept a proposal when, in the City's sole discretion, the City determines not to do so. Additionally, the City reserves the right to modify the schedule as necessary and will notify those participating in the RFP of the change in writing. The City of Rocky Ford is an equal opportunity employer.

## **TERMINATION OF CONTRACT**

The City may, by written notice to the successful Consultant, terminate the contract if the Consultant has been found to have failed to perform in a manner satisfactory to the City's specifications, including delivery as specified. The date of termination shall be stated in the notice. The City shall be the sole judge of non-performance.

The City may cancel the contract upon thirty (30) days' written notice for reasons other than cause. This may include the City's inability to continue with the contract due to non-appropriation or reduction of funding.

### **Not a Contract**

This RFP is not a contract and creates no legal rights for persons or entities submitting proposals.