



## **Town of Woodfin**

90 Elk Mountain Road  
Woodfin, NC 28804  
PH: (828) 253-4887  
FX: (828) 253-4700

### **REQUEST FOR QUALIFICATIONS (RFQ) FOR LEGAL SERVICES**

PLEASE NOTE: The selection of an attorney to provide the described scope of services will not be made on cost alone but may be made based on the consideration of qualification-related factors contained in the Request for Qualifications. If selected as a finalist, you will be interviewed by the Board of Commissioners. There is no expressed or implied obligation on the part of the Town of Woodfin to reimburse responding firms for any expenses incurred in preparing or presenting a Request for Qualifications in response to this request.

#### **I. Purpose of RFQ**

The Town of Woodfin is a municipality with a population of approximately 7900. It provides a wide variety of services to citizens and visitors, to include police, planning, code enforcement, parks and recreation, trash collection, street maintenance, stormwater, and others. An important part of this governance relies on quality legal services. This scope of services will include the appointment of an individual to serve in the position of Town Attorney, who will be appointed by and serve at the will and pleasure of the Woodfin Town Board of Commissioners (“Town Board”).

#### **II. Professional Credentialing and Legal Services Required**

The individual selected is to have a Juris Doctorate from an accredited law school, a license to practice law in the State of North Carolina and be a member in good standing of the North Carolina Bar. Experience with North Carolina municipalities and knowledge of municipal law, municipal finance, personnel law, land use and regulation is preferred.

##### **A. The legal services under consideration in this Request for Qualifications involve, but are not limited to:**

1. Providing a variety of proactive, high-quality, and timely legal opinions to the Town Board and Town Staff.
2. Attending regular meetings of the Town Board (one per month – 3rd Tuesday) and occasional special called meetings.
3. Being intimately familiar with the Town’s Code of Ordinances, applicable State and Federal laws, and other applicable documents (such as the Town

- Charter, Personnel Policies and Procedures, code enforcement process, etc.)
4. Providing advice to the Town on a variety of legal matters.
  5. Representing the Town as Town Attorney in legal matters
  6. Serving as the Town Attorney by prosecuting violations of municipal ordinance.
  7. Reviewing and/or drafting ordinances, resolutions, and other documents as requested by the Town Board, Town Manager or assigned staff.
  8. Negotiating and/or reviewing contracts, as well as assisting with contract disputes, as requested.
  9. Reviewing and making recommendations on a variety of projects and proposals which have legal ramifications.
  10. Maintaining an appropriate relationship with professional organizations in the field of municipal legal services.
  11. Staying abreast and informing the Town of new or proposed State and Federal legislation affecting the Town.
  12. Researching alternative approaches to resolving legal problems.
  13. Knowledge, or ability to acquire such, of land use laws and abilities of the Town to implement and administer such laws in conformance with State and Local requirements.
  14. Knowledge, or ability to acquire such, of laws and experience with managing extraterritorial jurisdiction and annexation.
  15. Knowledge, or ability to acquire such, of laws and methods to facilitate effective code enforcement to improve deteriorating areas of the Town, including demolition procedures and property maintenance code provisions.
  16. Knowledge of North Carolina Freedom of Information Act and Open Meeting Laws.
  17. Attending Planning Board meetings, as needed.
  18. Attending Board of Adjustment hearings and appeals, as needed.

### III. Proposal Requirements

#### The Statement of Qualifications must address the following criteria:

- A. **Name of firm, owner, address and telephone number.**
- B. **Personnel Qualifications.** Provide resume and summarize experience, and if a law firm, identify the key attorney who will serve in the position of Town Attorney. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.
- C. **Specialized Legal Services Competence.** Provide information about the attorney's experience in providing legal services to municipal organizations. Provide at least three references from these organizations including names, contact persons and phone numbers.

- D. **Capability**. Provide information about capability to perform on short notice and in a timely manner. If the appointed Town Attorney is not available, are there other means of responding to requests?
- E. **Client List**. Provide a list of current municipal clients, if any, and a contact person with telephone number.
- F. **Approach To Communicating With The Town**. Describe approach to communicating with the Town in regard to progress reports, status reports, recommendations, status of opinions, etc.
- G. **Understanding of Services to be Provided**. Describe understanding of the scope of work.
- H. **Work Schedule and Approach to Project Management**. Provide a plan for service delivery, and an explanation of how tasks and projects are managed to insure timely response and completion.
- I. **Conflict of Interest**. List any clients you currently represent that could cause a conflict of interest with your responsibilities as Town Attorney for Woodfin and describe how you would be willing to resolve these or any future conflicts of interest.
- J. **Fees**. Please provide rates for providing the services as described above. Please provide hourly fees for all work. For hourly fees, please identify hourly rate of attorney and support personnel, and indicate minimum increment of time billed for services. Also state rates for other cost items proposed to be itemized and billed.
- K. **Statement**. The attorney or firm, by submitting a proposal, certifies that to the best of their knowledge or belief, no elected or appointed official of the Town is financially interested, directly or indirectly, in firm or in the purchase of services as described in the RFQ. Certify that the information contained in the Statement of Qualifications is correct and complete to the best of your knowledge

## Evaluation Criteria

The town reserves the right to accept or reject any and all submissions in the best interest of the Town.

The following information will be included for consideration during the evaluation process:

- Meets qualifications identified in the Request for Qualifications
- Proposal has complete and clear responses to items
- Familiarity with laws and regulations governing North Carolina local government and operating procedures relative to conducting Town business.
- Demonstrated expertise in land use and zoning law as it relates to municipalities.
- Available support staff and range of services offered.
- Demonstration of workload and a level of experience commensurate with the level of service required by the Town.

- The professional reputation for providing high-quality services, ability to work cooperatively with Town Board, Town Manager, Town staff and demonstrates sound judgment, integrity, and reliability as determined by the references provided.
- Costs of providing basic and hourly services as per the submitted retainer and hourly rate.

## Evaluation Process

The Town Board and Town Manager will review the submitted proposals. After review, they will select finalists for interviewing. After completing negotiations and employment agreement process, Town Board will appoint a Town Attorney and approve the employment agreement. The Town Attorney serves at the pleasure of the Town Board and may be removed at any time by a majority vote of the Board.

## Timeline

- Issue Request for Qualifications and Proposals March 18, 2022
- Receive Qualifications and Proposals April 18, 2022
- Review Proposals and Select Finalists TBD
- Finalist Interviews with Town Board TBD
- Complete Negotiations and Contract Process TBD
- Present Contract to Board for Final Approval TBD

## IV. Contract Award

Per North Carolina law, the Town Attorney will continue to serve at the pleasure of the Town Board.

All costs, directly or indirectly, related to the preparation of a response to this RFQ or any oral presentation required to supplement and/or clarify the RFQ which may be required shall be the sole responsibility of, and shall be borne by, the applicant.

The individual or law firm that represents the Town is not an employee of the Town and does not receive any Town benefits. The attorneys are independent contractors responsible for their own benefits, office expenses, malpractice insurance and staff

## V. Submittal Instructions

The Town will receive responses to this RFQ at the address set forth below until 5:00 p.m. on Monday, April 18, 2022. Responses should be directed to:

Ryan Vinson, Town Clerk  
Town of Woodfin  
90 Elk Mountain Rd.  
Asheville, NC 28804

Phone: 828-253-4887 X1001  
E-Mail: [clerk@woodfin-nc.gov](mailto:clerk@woodfin-nc.gov)

The Request for Proposals document is available on the Town's Website at [www.Woodfin-NC.gov](http://www.Woodfin-NC.gov). Electronic submissions will be accepted; however, such information must be provided in a single PDF file. You may confirm receipt of your submitted packet.

Contact Sheri Powers, Finance and Budget Director, with any questions or for clarification on any item to be submitted under this RFQ.  
828 253-4887 X1003