



# Agenda Cover Memorandum

**Meeting Date:** January 23, 2015

**Meeting Type:** ☒ Committee of the Whole ☐ City Council ☐ Budget Workshop

**Item Title:** Approve next steps for the City Attorney Selection Process.

**Item Type:** ☐ Transfer ☐ Budget Amendment ☐ Purchase Order ☒ Other

**Action Requested:** ☐ Approval ☒ For Discussion ☐ Feedback Requested ☐ For Your Information

**Staff Contact:** Jim McGuire, Procurement Officer  
**Phone #:** (847) 318-7948 **Email:** jmcguire@parkridge.us

## Background:

The City Attorney is one of two positions appointed directly by the City Council (City Manager is the other). The City's current firm, Kleln, Thorpe & Jenkins, Ltd., is renewed annually on May 1.

The City Attorney is the chief legal officer of the City and is responsible to the City Council for the proper administration and coordination of all City legal affairs.

## The City Attorney duties and responsibilities include:

- Preparing and/or reviewing all City ordinances, resolutions, contracts, and other legal documents;
- Attending City Council, Planning Commission, and other meetings;
- Conducting legal research and renders opinions on a variety of City issues;
- Providing legal advice to City officials and employees.

The current retainer has required attendance at all regular City Council meetings and up to eight additional meetings per year. The retainer also provides eight (8) hours per week for direct legal services for City Council and City staff.

City Staff prepared a Scope of Services that identified core areas of expertise that the City was seeking to be provided by candidates and a revised retainer agreement (see attachment). After Committee of the Whole discussions on August, 25, 2014 and September, 22, 2014, Staff was asked to issue an RFQ for City Attorney Services.

The City issued a Request for Qualifications on Thursday, October 2, 2014 to secure City Attorney services in accordance with specifications in AD-FY15-01 via a Pioneer Press advertisement. Twenty-four (24) firms registered via the City web site. Seven (7) bids were received by the closing on Tuesday, October 28, 2014.

A Review Team, composed of CP&D Department Head Jim Testin, City Manager Shawn Hamilton, Alderman Milissis, and Mayor Schmidt, scored the content of the RFQ; Procurement Officer Jim McGuire scored the financials and compiled results (see attachment). The top scorer was Ancel Glink Diamond Bush DiCianni & Krafthefer of Vernon Hills, IL. Ancel Glink scored the highest content and was the second lowest bidder for retainer price.

Human Resources had also conducted a simultaneous search for the position of City Attorney as a direct hire but this process did not identify any suitable candidates.

## Possible Next Steps for City Attorney Selection:

- 1) Ask the top scoring firm as determined by the Review Team to appear before the City Council to present their credentials and any other information that the City Council would need in order to make a decision to accept or reject their candidacy. This would be scheduled in a public meeting and their submittal would be part of the final review packet. An immediate vote would be made to accept or reject the candidate.

If a candidate is rejected, repeat the process with the next highest scoring candidate firm as determined by the Review Team.

## Agenda Cover Memorandum (Cont.)

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- 2) Ask the top two or three firms to appear before the City Council to present their credentials and any other information that the City would need in order to make a decision to accept or reject their candidacy. This would be done in a public meeting and their submittals would be part of the final review packet. Typically, no advantage is ceded to anyone making the second round. Alderman would score each candidate and the top scoring candidate would be approved. In the case of a tie, the candidate with the lowest price would be selected.
- 3) Maintain the City Attorney Engagement with Current Firm, Klein, Thorpe & Jenkins, Ltd. The City has a contract with Klein, Thorpe & Jenkins, Ltd. that is renewable annually on May 1. This action acknowledges the benefits of continuity, experience, and established relationships that the City would receive with an award to Klein, Thorpe & Jenkins, Ltd.

### Recommendation:

It is recommended that the City Council provide direction for next steps regarding the City Attorney selection process.

### Attachment(s), if any:

- RFQ City Attorney Services Scorecard
- Scope of Services for City Attorney Services RFQ

## **2.00 SCOPE OF SERVICES**

### **2.01 OBJECTIVE**

The City of Park Ridge is seeking the services of a municipal attorney or attorneys to fulfill the duties and responsibilities described in this Request for Qualifications (RFQ) for the City Attorney position. The City is inviting individual attorneys, or firms, to respond to this RFQ for the purpose of providing the City with the needed legal services listed in the request.

### **2.02 BACKGROUND**

The City, Incorporated in 1910, is a Home Rule Municipality located entirely within Cook County. The City Attorney is one of two positions appointed directly by the City Council (City Manager is the other). The duties of the City Attorney are defined in the City of Park Ridge Municipal Code Article 3 Chapter 7.

### **2.03 GENERAL MUNICIPAL LEGAL COUNSEL DUTIES**

The City Attorney is the chief legal officer of the City and is responsible to the City Council for the proper administration and coordination of all City legal affairs. The City Attorney represents the City at the direction of the City Manager.

The City Attorney duties and responsibilities currently include:

- Preparing and/or reviewing all City ordinances, resolutions, contracts, and other legal documents;
- Attending City Council (regular meetings are the first and third Mondays at 7:00pm), Committee of the Whole, and other meetings;
- Conducting legal research and renders opinions on a variety of City issues, including the following areas:

#### **CORE**

- a. land use and development, including zoning
- b. legal aspects of managing city functions such as police, fire, taxation, etc.
- c. home rule government
- d. municipal ordinance review and drafting of resolutions
- e. administrative hearings and adjudications
- f. water, storm water, electric utilities, and franchises
- g. employment matters
- h. compliance with open meetings and records laws
- i. review and approval of goods, services, and inter-agency agreements

#### **ANCILLARY**

- a. public finance
  - b. elections
  - c. annexation, and condemnation
  - d. construction
  - e. economic development
  - f. municipal court prosecution and operations
  - g. litigation
  - h. ethics and conflict of interest matters
  - i. property acquisition
  - j. defense of tax appeals of real property;
- Providing legal advice to City officials and employees.

#### ***Our Mission:***

THE CITY OF PARK RIDGE IS COMMITTED TO PROVIDING EXCELLENCE IN CITY SERVICES IN ORDER TO UPHOLD A HIGH QUALITY OF LIFE, SO OUR COMMUNITY REMAINS A WONDERFUL PLACE TO LIVE AND WORK.

The current retainer has required attendance at all regular City Council meetings and up to eight additional meetings per year. The current retainer also provides eight (8) hours per week for direct legal services for City Council and City staff.

## **2.04 MINIMUM QUALIFICATIONS**

The candidate(s) must have the following education and experience:

- a) Graduation from a recognized school of law, preferably with a specialization or emphasis in municipal and administrative law;
- b) Admission to the bar of the State of Illinois and the United States District Court for the Northern District of Illinois.

## **3.00 SUBMISSION AND CRITERIA**

### **3.01 SUBMITTAL FORMAT**

Qualified attorneys interested in performing the work described in this RFQ are asked to provide the following information presented in a clear, comprehensive, and concise manner, illustrating the attorney's capabilities and legal expertise:

- 1) Introductory Letter – Content at discretion of bidder;
- 2) General Firm Qualifications – Provide a statement that portrays the attorney firm's qualifications in relation to the Scope of Services. The response should include the following:
  - a) A summary of the attorney firm's general qualifications including specific disciplines represented that are applicable to the proposed work, number of employees, office locations, etc.;
  - b) An outline of the attorney firm's depth and breadth to carry out the scope and the extent of the work required, especially that of the lead attorney;
  - c) A description of the attorney firm's capability to perform legal services promptly and in a manner that permits the City Council and staff to meet established deadlines and to operate in an effective and efficient manner, including that of the lead attorney committed for the term of the agreement;
  - d) Areas of expertise, such as land use and development, including zoning;
  - e) Total attorney time required for anticipated workload (i.e. are multiple attorneys used for the same meetings possibly increasing costs, etc.)
  - f) Communication skills - Interaction with City Council, staff, and providers;
- 4) Rate table – for attorney and staff time by the hour, including rates for expenses such as travel;
- 5) Total annual retainer (fixed fee) cost - based on the following:
  - a) Attending twenty-three (23) regular City Council meetings;
  - b) Attending twenty (20) other meetings, as directed;
  - c) Providing on-site direct legal services for City Council and staff for ten (10) hours per week;
  - d) Conducting administrative hearings and adjudications for approximately eight (8) hours per month;
  - e) Totalling of items a), b), c), and d) in dollars.
- 6) List of five (5) municipal references, including contact information

SCORECARD SUMMARY  
CITY ATTORNEY SERVICES  
AD-FY15-01

CRITERIA	POINTS	Ancel Glinsk Diamond Bush D/Claesl & Krafthefer Vernon Hills IL	KTJ (Klein, Thorpe & Jenkins, Ltd.) Chicago IL 60606	ZRFM (Zukowski, Rogers, Flood & McArdle) Crystal Lake IL	Robbins, Salomon & Patti, Ltd. Chicago IL 60601	Holland & Knight Chicago IL	Ottoen Britz Kelly Cooper Gilbert & Dimola, Ltd. Naperville IL 60563
General Firm Qualifications	15	14	12	12	12	14	11
Lead Attorney Experience	10	9	9	8	7	9	8
Key Qualifications	25	24	19	20	19	23	20
Municipal Client References*	10	0	0	0	0	0	0
Hour Billable Rate (ex Retainer)	10	10	10	10	10	7	9
Total Annual Retainer Cost	30	28	30	27	27	22	26
	100	85	80	77	75	75	74

\*To Be Done: Checked for winner only.

RETAINER PRICE (WTD AGAINST LOWEST BIDDER)

Ancel Glinsk Diamond Bush D/Claesl & Krafthefer Vernon Hills IL	KTJ (Klein, Thorpe & Jenkins, Ltd.) Chicago IL 60606	ZRFM (Zukowski, Rogers, Flood & McArdle) Crystal Lake IL	Robbins, Salomon & Patti, Ltd. Chicago IL 60601	Holland & Knight Chicago IL	Ottoen Britz Kelly Cooper Gilbert & Dimola, Ltd. Naperville IL 60563
\$145,000.00	\$135,000.00	\$150,000.00	\$150,000.00	\$183,400.00	\$158,000.00
93%	100%	90%	90%	75%	87%
28	30	27	27	22	28

Procurement Savings = \$50,400.00.  
(delta between low and high bids)

PARTNER HOURLY RATE (WTD AGAINST LOWEST BIDDER)

Ancel Glinsk Diamond Bush D/Claesl & Krafthefer Vernon Hills IL	KTJ (Klein, Thorpe & Jenkins, Ltd.) Chicago IL 60606	ZRFM (Zukowski, Rogers, Flood & McArdle) Crystal Lake IL	Robbins, Salomon & Patti, Ltd. Chicago IL 60601	Holland & Knight Chicago IL	Ottoen Britz Kelly Cooper Gilbert & Dimola, Ltd. Naperville IL 60563
\$205.00	\$185.00	\$200.00	\$195.00	\$315.00	\$210.00
95%	100%	98%	100%	65%	93%
10	10	10	10	7	9