

BAYFIELD COUNTY BOARD OF ADJUSTMENT
REQUEST FOR PROPOSALS
FOR
LEGAL SERVICES OF BOARD OF ADJUSTMENT

December 2017

Bayfield County Administrator's Office
markaa@bayfieldcounty.org
715 373-6181

I. REQUEST FOR PROPOSALS

Bayfield County Board of Adjustment Request for Proposals Legal Services

Bayfield County is requesting proposals on a contract basis for services of Board of Adjustment Counsel, including all professional and clerical support effective May 2018 or as otherwise agreed. The County will review proposals for compliance with the terms, included here.

Proposal deadline is Thursday, February 16, 2018. Submissions must be in a sealed envelope with the following notations on the envelope:

Bayfield County
Proposal for Board of Adjustment Legal Services
117 East Fifth Street, PO 878
Washburn, WI 54891

Proposals received after the date listed may not be accepted.

All proposals received are to remain in effect for a period of not less than ninety days from the proposal due date. All proposals submitted become the property of Bayfield County and cannot be returned.

Bayfield County reserves the right to accept or reject, in whole or in part, any and all proposals, cancel this solicitation, waive any informality associated with the process, and award the contract to the firm which best serves the interest of Bayfield County.

Please contact Mark Abeles-Allison, County Administrator at 715-373-6181 or markaa@bayfieldcounty.org if you have questions.

II. GENERAL TERMS AND CONDITIONS

Contract Period

Bayfield County wishes to contract for services for a one year term initially, with the option to renew for successive three-year terms. Contracts may be extended upon mutual consent.

Disclaimer

Each respondent is responsible to assure that their proposal will provide the level of service outlined here. Any deviation from such services must be clearly indicated in the proposal.

Mandatory Requirements

All submitters should be aware of and knowledgeable of Bayfield County Board of Adjustment procedures, ordinances (13-1-102 and 13-1-102A) and statutes (59.694) regarding the Board of Adjustment. This includes but is not limited to:

- Types of Variances
- Criteria for granting a variance
- Hardships
- Unique physical property limitations
- Harm to public interests
- Variance limitations
- Appeals

The contents of the RFP will become part of the contract.

Contract Awards

Bayfield County will award the contract for Board of Adjustment Attorney based on cost, conformity to specifications and the ability to provide the quality of service expected of by the Bayfield County Board of Adjustment.

Prior to the award of a contract, respondents agree to an interview with representatives of the Board of Adjustment and the Administrative Staff.

A signed contract is required prior to beginning work.

Individuals To Be Served

Services shall be provided to the Bayfield County Board of Supervisors and all departments of the County. The Board of Adjustment Attorney is under the general supervision of the BOA Chair and Board of Adjustment. The specific responsibilities are outlined in the attached required duties.

Termination of Contract

Bayfield County and or the Bayfield County Board of Adjustment retains the ability to

terminate the contract with the provider upon sixty (60) day written notice without reason or explanation.

The Contractor retains the ability to terminate the contract with the County by providing (sixty) 60 day written notice to the Board of Adjustment Chairman and County Administrator.

Renewal of Contract

The County has the right to renew the contract for additional terms. If a rate change is proposed consultation, negotiation and approval by the County Administrator is required prior to renewal.

Public Information

It is the intention of the Board of Adjustment to maintain an open and public process in the submission, review and approval of this contract. All materials submitted by applicants will be made available for public inspection after the notice of intent to award or not to award the contract based on the evaluations(s) of the proposals submitted, if requested.

III. REQUIRED DUTIES OF BOARD OF ADJUSTMENT ATTORNEY

- To provide superior legal counsel and representation in all matters before the Board of Adjustment including appeals and variances.
- Advise Board in procedural issues and existing case law to develop solid legally defensible “boilerplate” decisions.
- Guide the Board to develop decisions based on findings of fact and conclusions.
- Foresee possible conflicts.
- Address matters, decision and findings in a prompt and speedy manner. Strive to capture findings of fact and conclusions, allowing for a decision to be rendered and a decision drafted on the day of the meeting whenever possible.
- Establish respectful, positive relationships with all parties, the Zoning Board of Appeals, Bayfield County Planning and Zoning and the Bayfield County Administrator’s Office.
- Correspond with BOA Chair and Board as directed and as allowed under open meetings law.
- Attend meetings of the Board, approximately six to eight times a year with an average of 10 cases. Arrange for backup attorney in the event of a conflict or absence.

- Assist with the review and revision of policies and procedures of the Board of Adjustment as requested or required.
- Provide representation and defense to the Board of Adjustment as required.
- Appraise the Planning and Zoning Director of decisions and court case outcomes as appropriate.

IV. REQUIREMENTS OF THE PROPOSAL

Provide legal services through qualified professionals with recognized credentials as a practicing attorney with admittance to Wisconsin State Bar.

Knowledge and understanding of county zoning law and State Statutes governing the Board of Adjustment.

Knowledge of pertinent judicial procedures and rules of evidence, ability to determine the adequacy and accuracy of findings of fact, the application of legal principles, and the content of pleadings, briefs and opinions.

Ability to provide reliable and sound legal counsel in the field of zoning law.

Demonstrated capacity for originality and analytical thinking.

Knowledge of Parliamentary Procedure, Open Meetings Law and Open Records Laws and experience in providing advice regarding such.

Demonstration of sufficient support staff to prepare all documents in a timely and efficient manner.

Ability to represent the Board in cases where decisions are appealed before the Circuit and Appellate Courts.

V. PROPOSAL DOCUMENT

The proposal shall cover the period from May 1, 2018 through April 30, 2019.

Firm _____

Address _____

City _____ State _____ Zip _____

My firm proposes to provide the Services of Board of Adjustment Attorney on a contractual basis for the period specified. We will provide these Services as specified at the rates listed for each category of service rendered and listed below:

1. May 1, 2018 – April 30, 2019

Cost of Services Per Hour: \$ _____ or a flat fee for the 12 month period \$ _____.

2. If contact is extended:

Fees for Year 2:

Fees for Year 3:

Fees for Year 4:

By Signing below, I certify that I am entitled and empowered to enter a proposal on behalf of the firm listed above and that I have read and understand fully all of the requirements, terms and conditions of said services.

Signed _____

My Title _____ Date _____

* Unsigned Proposals may not be accepted!

VI. QUESTIONNAIRE

1. State the name of your firm, office address and the name, address, telephone and email contact of the person whom the BOA will be dealing with regarding this proposal.
2. Does your firm provide zoning consulting services for other individuals or municipalities in the region? If so to whom do you provide those services?
3. How many years has your firm offered legal services and to what types of clients.
4. Does your firm have an Affirmative Action/Equal Employment Opportunity policy? If so, please provide a copy of the document.
5. Explain the preferred method and process of payment desired for the contracted services, ie: monthly invoice, etc. (Amount will be on separate sheet as noted above.)
6. Explain how your firm intends to provide devoted customer service to insure timely response to inquiries from the BOA.
7. What would the response time to requests/questions from the BOA be?
8. Please provide information on staff members that may be providing services and the service they will provide.
10. Please name the individual who will be responsible for such duties in the absence of the primary individual.
11. Describe your experience in trial settings.
12. Describe the liability/malpractice coverage provided by your firm and how it relates to the services provided for BOA.
13. List the name and location of up to three (3) current clients who utilize your services on a contracted basis.
14. List the name and location of three clients who have utilized your services on a contracted basis in the past and have terminated such contract. If you wish, please provide the reason(s) why.
15. What conflicts of interest do you anticipate?
16. Why are you the best qualified applicant for this work? And Are you able to do the work in a cost effective manner, if so, why?

Thank you for participating in this proposal process. Proposal Submittal Form, Rate Schedule, and answers to all questions above are to be included in your Proposal Response.