



## **TOWN OF MIDDLEBURG, VIRGINIA**

### **REQUEST FOR QUALIFICATIONS**

### **TOWN ATTORNEY SERVICES**

**November 15, 2016**

#### **I. INTRODUCTION**

The Town of Middleburg is soliciting the interest of qualified professional law firms or individuals to provide a full range of municipal legal services serving as the Town Attorney on a part time contractual basis. The Town of Middleburg operates under the laws applicable to a chartered town as per the provisions of the 1950 Code of Virginia, as amended, with a seven-member Council and Mayor. The Town Attorney is an appointed position that serves at the pleasure of the Town Council.

#### **II. COMMUNITY PROFILE**

Middleburg was established in 1787 by Revolutionary War Lieutenant Colonel and Virginia statesman Leven Powell, who chose the name Middleburg because of the town's location midway between Alexandria and Winchester on the Ashby Gap trading route (now Route 50). The Town is currently home to approximately 800 residents and has a thriving historic commercial district and tourist trade that draws visitors from near and far. It is located just one hour from downtown Washington, D.C. and 35 minutes from Washington Dulles International Airport.

In spite of its small size, the Town provides a full array of government services, including water and sewer services, planning & zoning, and economic development services, as well as a full-service police department.

#### **III. SCOPE OF SERVICES**

The scope of services includes attendance at one Town Council meeting per month and other Town meetings as needed. The Town Attorney is expected to conduct research, provide recommendations, and legal opinions as well as consult with staff or officials of the Town, as requested by the Town Administrator. Preparation and review of contracts, ordinances, policies and other municipal matters also may be required.

Other services may include litigation support wherein the Town, or one of its officials, is a party; acquisition of real property interests; and review of municipal contracts and leases, as directed by the Town Administrator. The Town has required approximately 20 hours per month of legal services over the past few years.

It is anticipated that the period of contract will be one year, with annual renewals, but a longer initial term is subject to negotiation. The Town retains the right to solicit other proposals for legal services every twelve months, or as needed for a specific project after the initial contract period or if legal service needs change substantially.

## **V. SELECTION PROCESS**

**Step I – Submittal of Statement of Qualifications:** Four (4) copies of a Statement of Qualifications must be submitted by the submission deadline and must address the following items, at a minimum:

1. Understanding of municipal government issues and municipal law;
2. Qualifications and availability of the key staff that will be assigned to the Town. (If a law firm is submitting that proposes to use multiple attorneys to serve the Town, indicate the key staff, their assigned role, amount of time available, past relevant experience and resume, etc.)
3. Familiarity with Virginia Land Use Law; and
4. References. (Include names of references, including contact person and telephone numbers of organizations for which the firm has provided similar services)

**Step II – Selection:** The Selection Committee will review all proposals and will invite the most qualified offerors to an interview. The Town will review and evaluate each statement of qualifications on the basis of:

1. Demonstrated understanding of municipal government issues & law
2. Qualifications of assigned counsel & other staffing resources
3. Availability of assigned counsel to attend meetings and otherwise serve the Town
4. Results of references

The Town reserves the right to modify the selection criteria.

**Step III – Legal Services Fee and Contract:** Upon selection of the individual or firm, the fee and contract will be negotiated with the Town Administrator and approved by the Town Council.

## **VI. TERMS AND CONDITIONS**

Not all offerors may be interviewed. The offerors shall be responsible for the accuracy of the information supplied. The Town of Middleburg reserves the right to reject any and all proposals, to issue one or more agreement(s) for the intended scope of services, to waive minor irregularities, to issue additional RFQs, and to either substantially modify or abandon the selection process prior to any award of a contract.

The Town reserves the right to negotiate all elements which comprise the apparent successful proposal to ensure that the best possible consideration is afforded to all concerned. Nothing contained herein shall require the Town to award a contract, and the

Town reserves the right to determine its own selection criteria in the award of the final agreement. The contract resulting from acceptance of a proposal by the Town shall be in a form supplied or approved by the Town, and shall at a minimum reflect the specifications in the RFQ. The Town reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFQ, and which is not approved by the Town Council. The Town shall not be responsible for any costs incurred in preparing, submitting, or presenting a response to the RFQ.

## **VII. SCHEDULE OF PROPOSAL PROCESS**

The Town will make every effort to follow this timetable; however, we reserve the right to modify the proposal process and dates as necessary.

Distribution of RFQ: November 15, 2016

**Deadline for Submittal of Qualifications: December 16, 2016 at Noon**

Possible Finalist interviews with Town Council: January 2017

Firm selected: January-February 2017

## **VIII. SUBMISSION DEADLINE**

Four (4) copies of the response materials shall be submitted on or before Noon on **December 16, 2016** to:

Martha Mason Semmes, Town Administrator  
townadmin@middleburgva.gov  
Town of Middleburg  
PO Box 187  
10 W. Marshall Street  
Middleburg, VA 20118-0187  
540-687-5152

Questions concerning this request must be submitted in writing to Martha Mason Semmes, Town Administrator, and received by 4:30 p.m. December 9, 2016, at the address above or via email at townadmin@middleburgva.gov.

Late submissions, faxes, or telephone proposals will not be accepted. Digital proposals may be submitted via e-mail, but the Town assumes no responsibility for formatting or transmission errors.

Proposals should be prepared simply, providing a straight forward, concise description of provider capabilities to satisfy the requirements of the request. Emphasis should be on completeness and clarity of content. Items such as special bindings, color displays, glossy finishes, and promotional materials are not desired. Submittals should be limited to a total of 10 pages.