

REQUEST FOR PROPOSALS

TOWN ATTORNEY

TOWN OF CAPE CHARLES

Description of the Town

The Town of Cape Charles is located in Northampton County, on Virginia's Eastern Shore, with a land area of 2,817 acres and a population of 1,100 residents. The Town is listed on the National Register of Historic Places and has adopted Historic District Guidelines. The Town operates waterworks and wastewater treatment facilities, trash pick-up service, a public harbor and beach, a police department, a public library and other services for the citizens. In 1992 the Town annexed 2,191 acres of land from Northampton County, and two large planned unit developments are currently being developed with two upscale golf courses, 3,000 new homes and a marina and village commercial areas. The Town is governed by an elected Mayor and Town Council, managed by a Town Manager, and has an approved FY 2011/2012 budget of \$11,743,743.

Outline of Services to be Provided

The Town is seeking an Attorney to provide legal advice and counsel to the Mayor, Town Council, Town Manager and the various departments within the Town government. Requests for advice and levels of activity will vary and will be coordinated through the Town Manager. The individual will be requested to be familiar with property tax sales and utility collection. The Attorney will be asked to respond to requests in a timely fashion. The individual retained should be able to attend some Town Council meetings or special called meetings. The Town Manager anticipates the need for up to 10-20 hours of legal services per month for routine matters which will be invoiced to the Town regularly on a monthly basis.

Necessary Areas of Expertise

The individual should have prior experience working with or for municipal government and must be a member of the Local Government Attorneys of Virginia, Inc. In addition to experience in personnel, contracts, procurement, land acquisition, zoning and planning law, the individual should have strong negotiating skills. The individual must be able to:

- Assist in the interpretation of Town ordinances and policies and shall review draft ordinances, resolutions and policies. In the event of possible conflicts of Town ordinances or actions with state law, the attorney shall seek and render appropriate advice to resolve said conflicts;
- Conduct research on state statutes and constitutional questions as necessary;
- Review proposals implementing existing annexation agreements and multi-jurisdictional or joint undertakings in which the Town may participate;
- Review requests for proposals, invitations for bids and proposed contracts;
- Draw contracts and deeds for Town services and property;
- Review loan/bond documents and grant agreements;
- Arrange and conduct sales of property to collect delinquent taxes;
- Collect delinquent utilities fees;
- As arranged, participate in Town Council meetings and public hearings and answer questions from the Mayor, Town Council and citizens;
- Initiate and litigate legal suits brought on behalf of the Town and defend the Town in suits brought against it.

- Assist Police, Code Official, Zoning Administrator and other staff with court actions to enforce Town Ordinances.

Term of Contract

The contract term shall be for two years, commencing March 1, 2012. However, the Attorney shall serve at the will and pleasure of the Town Council.

Outline of Proposal Submission

The proposer shall include in his or her proposal:

1. Number of hours or days available for provision of services;
2. Scope of services to be provided;
3. A resume indicating past experience, education and memberships;
4. A brief description of the proposer's knowledge and experience in the various facets of municipal law;
5. A non-binding estimate of the cost of providing the services outlined in the scope of services and acceptable alternatives for structuring an agreement for reimbursement on a retainer or hourly basis.

The proposer shall submit one (1) original and one (1) copy of his or her proposal to the Town Clerk, 2 Plum Street, Cape Charles, Virginia 23310 no later than 1:00 PM, local time, Wednesday, February 1, 2012. For further information, contact Heather Arcos, Town Manager, at (757) 331-3259, Ext. 12.

Proposals shall be placed in a sealed envelope with "Town Attorney" clearly marked on the outside of the envelope. The Town of Cape Charles reserves the right to negotiate with any and all proposers.