CITY OF COLLEGE PARK, MARYLAND

Request for Proposals CP-20-04

Independent Legal Counsel for College Park Ethics Commission

Issued by:
City of College Park
City Manager’s Office
8400 Baltimore Avenue, Suite 375
College Park, MD 20740
240-487-3501

Bid Submission

RFP Issue Date: Friday, January 31, 2020
Proposals Due: Monday, February 24, 2020, by 5:00 p.m.
Section I – General. The City of College Park requests sealed bid proposals for Independent Legal Counsel for College Park Ethics Commission, RFP CP-20-04, as specified in this RFP.

The City of College Park, chartered in 1945, is a community of approximately 32,000 residents, located five miles northeast of Washington, DC, in Prince George’s County Maryland. The City is the home of the University of Maryland flagship campus.

The City Council consists of eight Councilmembers (two elected from each of four Council districts) and the Mayor, who is elected at large, all of whom are elected for concurrent two-year terms.

The City has adopted the Council-Manager form of government. The City Manager is appointed by the Mayor and Council and supervises the day-to-day operations of all City departments and staff and has administrative and operational responsibility for the City. The City provides constituent services through six departments: Administration; Finance; Public Services; Public Works; Planning, Community and Economic Development; and Youth, Family and Senior Services.

The City has approximately 14 advisory boards with volunteers appointed by the Mayor and City Council. The seven-member College Park Ethics Commission is established under Chapter 38 of the Code of the City of College Park and utilizes independent legal counsel. The Ethics Commission has been served by Ken Sigman of Silber, Perlman, Sigman & Tilev, P.A. since 2005. Mr. Sigman provided notice in December 2019 that he is discontinuing his private law practice effective January 31, 2020.

Section II - Project Description. The City of College Park seeks proposals from interested and qualified attorneys and/or law firms to perform legal services for the College Park Ethics Commission. The Ethics Commission meets on weekday evenings on an as-needed basis, but legal services will be rendered both during and outside of scheduled meetings.

The number of hours of legal services required by the Ethics Commission will vary from year-to-year depending on legal issues that arise, both expected and unexpected. Hours are generally higher in the months leading up to the municipal election, which is held in November of odd-numbered years. In recent years the incumbent has billed approximately 40 hours per year to the City for Commission-related legal services.

The services that may be required for the College Park Ethics Commission include, but are not limited to, the following:

1. Stay abreast of developments in Maryland public ethics laws and recommend amendments to the Ethics Chapter of the College Park Code.

2. Advise the Ethics Commission on Open Meetings Act compliance.

3. Draft advisory opinions regarding the application of College Park Code of Ethics and Article III, Fair Election Practices, of Chapter 34 of the College Park City Code.
4. Develop and conduct ethics training for City officials, employees, and candidates for elective office.

5. Assist the Ethics Commission with review of financial disclosure statements.

6. Advise the Ethics Commission on substantive and procedural matters, assist in the initial evaluation of complaints, advise on the conduct of Commission hearings, represent the Commission and present the alleged violation, testimony and other evidence at preliminary and final hearings and report on the outcome of such hearings to the relevant authorities.

7. Respond to informal inquiries regarding ethics and elections matters from City officials, employees, and candidates.

8. Assist the Ethics Commission with the promulgation of regulations.


10. Submit annual certification of compliance with state ethics requirements to the Maryland State Ethics Commission.

11. Attend Ethics Commission and City Council meetings as needed.

Section III – Qualifications. Applicant must have an interest in promoting the integrity of the election process and the ethics of municipal officials; be a member in good standing of the Maryland bar; have prior administrative and/or litigation experience, particularly in the area of government ethics; maintain professional malpractice insurance; and be available on an as-needed basis, generally in the evening. Experience representing Maryland municipalities is helpful. The successful applicant will be subject to the provisions of the City’s Ethics Code.

Section IV- Insurance Requirements. The selected Attorneys will purchase and maintain during the entire term of this Agreement, comprehensive general liability insurance, professional errors and omissions insurance, automobile liability insurance and workers’ compensation insurance with limits of not less than those set forth below. On each policy, Attorney will name the City as an additional insured, with the exception of the workers compensation insurance and errors and omissions insurance.

A. Comprehensive General Liability Insurance
   (1) Personal injury liability insurance with a limit of $1,000,000 each occurrence/aggregate;
   (2) Property damage liability insurance with limits of $500,000.00 each occurrence/aggregate.

   All insurance shall include completed operations and contractual liability coverage.
C. **Professional Errors and Omissions Insurance.** The Attorney shall maintain a policy with limits of not less than $1,000,000.00 each occurrence/aggregate.

D. **Automobile Liability Coverage** Automobile fleet insurance $1,000,000.00 for each occurrence/aggregate; property damage - $500,000.00 for each occurrence/aggregate.

E. **Workers’ Compensation Insurance.** Attorney shall comply with the requirements and benefits established by the State of Maryland for the provision of Workers’ Compensation insurance. All Corporations are required to provide Workers’ Compensation Certificates of Insurance.

The selected Attorney will covenant to maintain insurance, in these amounts, which will insure all activities undertaken by Attorney on behalf of the City under this Agreement. Copies of the certificates of insurance for all required coverage shall be furnished to the City prior to beginning work. The City shall receive 30 days prior notice of any amendment, reduction or elimination of the insurance coverage required herein. Coverage will be primary and noncontributory with any other insurance and self-insurance.

Provision of any insurance required herein does not relieve the selected Attorney of any of the responsibilities or obligations assumed by the Attorney in the contract awarded, or for which the Attorney may be liable by law or otherwise. Provision of such insurance is not intended in any way to waive the City’s immunities or any damage limits applicable to municipal government as provided by law.

**Section V – Submission.** Interested parties are invited to submit written proposals as a PDF attachment via email to:

Scott Somers, City Manager  
ssomers@collegeparkmd.gov

with a copy to:

Janeen S. Miller, City Clerk  
jsmiller@collegeparkmd.gov

The transmission email must be received not later than February 24, 2020 at 5:00 p.m. and include the subject line **RFP CP-20-04.**

Proposals shall include:

- a transmittal cover letter from a principal of the firm and certify that the proposal and fee schedule will remain in effect for 90 days from the bid due date.
- a brief background of the firm, number of attorneys employed, and identify the lead attorney proposed, the attorney(s) that will assist, and include the resumes of all identified attorneys.
any other information or experience which may be helpful in evaluating the proposal.
- the location of the primary office and attorney(s) assigned to this account, and provide an address, phone number, email address and fax number for the firm.
- a description of any municipal government legal services provided in Maryland in the last five years. Provide a reference list of three recent municipal clients.
- a proposed hourly billing rate for any attorneys and staff members who may service this account, which if accepted shall remain in effect for at least one year from date of retention.

Section VI – Selection Process. Qualified submissions will be forwarded to the College Park Ethics Commission for evaluation and interviews. The Commission will formulate a recommendation to the Mayor and Council who have final approval.

Section VII – Termination. The performance of work or delivery of services by the Attorney may be terminated in whole or in part at any time upon written notice when the Mayor and Council determine that such termination is in the City’s best interest, subject to legal restrictions upon the withdrawal of counsel from litigation matters. The City will be liable to the Attorney only for services furnished prior to the effective date of such termination. The Attorney shall provide at least 90 days prior written notice to the City of its intent to terminate this Agreement.

Section VIII – Equal Benefits. In submitting a proposal, the Attorney certifies that the Attorney:

a. Currently complies with the conditions of §69-6 “Equal Benefits” of the City Code, by providing equality of benefits between employees with spouses and/or dependents of spouses and employees with domestic partners and/or dependents of domestic partners, and/or between spouses of employees and/or dependents of spouses and domestic partners of employees and/or dependents of domestic partners; or
b. Will comply with the conditions of §69-6 at time of contract award; or
c. Is not required to comply with the conditions of §69-6 because of allowable exemption.

Section IX – Non-Discrimination. In submitting a proposal, the Attorney certifies that the Attorney does not discriminate on the basis of age, race, color, creed, pregnancy, religion, national origin, ancestry, disability, marital status, sex, sexual orientation, gender identity, physical characteristic or other unlawful basis of discrimination.