



REQUEST FOR PROPOSALS CORPORATION COUNSEL

SECTION 1: PURPOSE

Buffalo County requests proposals from qualified attorneys to provide legal counsel and representation to the County Board, its committees, departments and officers in the capacity of Corporation Counsel. The Corporation Counsel works with the County Coordinator under the general directions of the Finance Committee.

SECTION 2: BACKGROUND

Buffalo County has an approximate population of 13,699 people and the county seat is in Alma, Wisconsin.

The County Board is the legislative and policy making body of the County, and is composed of fourteen (14) supervisors, all of who are elected to serve two (2) year terms. The County Board of Supervisors adopts local laws and ordinances, authorizes the raising and appropriation of funds, and awards all contracts for public works and purchase contracts requiring competitive bidding under State Law. Buffalo County has (9) Standing Committees and Twenty-One (21) Departments.

SECTION 3: RECEIPT OF PROPOSALS – DEADLINE

Address questions concerning the requirements of this RFP to the name provided below. Proposals must be submitted by 4:00 p.m. on November 22, 2023 to:

Lee M. Engfer
Administrative Coordinator
Buffalo County
PO Box 494
Alma, WI 54610-0494
Phone: (608) 685-6235
Fax: (608) 685-6300
Email: Lee.engfer@buffalocountywi.gov

SECTION 4: QUALIFICATIONS OF PROPOSER

Each proposer shall:

1. Be a member of the State Bar of Wisconsin, and;
2. Have a minimum of three (3) years professional legal experience and relevant experience in municipal and public law.

SECTION 5: SCOPE OF SERVICES

The selected proposer will be required to act as Corporation Counsel to prosecute and to defend all civil actions, proceedings, applications and motions in which Buffalo County or any board, or committee thereof is interested or a party by virtue of such office, except those matters arising under the State of Wisconsin Motor Vehicle Code, under Department of Natural Resources Regulations, under Chapter 24 of Wisconsin Statutes, and further except those claims where representation is provided by the County's insurance company's duty to defend.

Administer the office of the corporation counsel to assign, coordinate and oversee the caseload, provide supervision of contact with the public in office, and communicate office and county policies.

Notwithstanding the foregoing, the Corporation Counsel generally will not give legal advice or render legal services on matters relating to Buffalo County personnel, including conditions of employment, training, discipline, hiring, discharge, negotiations for salary and benefits, matters involving employee unions and other matters relating to personnel and employment.

Corporation Counsel must require that outside counsel execute approved retainer agreements with the County and provide a detailed budget at the commencement of all work. Outside counsel will be held to the same level of engagement with reporting of litigation.

Corporation Counsel must disclose any prior or existing relationship with outside counsel before said is retained. Corporation Counsel should not receive any benefit as a result of sending work to outside Counsel.

Duties to be performed by the selected proposer shall include, but are not limited to the following:

1 GENERAL COUNSEL – NON-CLIENT DUTIES:

- Tender legal options and advice to the Buffalo County Board of Supervisors and other boards, committees, or agencies of Buffalo County, when requested in all civil matters in which Buffalo County is interested or relating to the discharge of the official duties of such board of officers. Counsel must provide detailed analysis of the litigation at the outset, including advice on the likelihood of success. Regular detailed updates on the progress of the case must also be provided;
- Prosecute all civil actions arising under violations of county ordinances;
- Render advisory opinions concerning the code of Ethics for Local government Officials under Sec. 19.59(5);
- Perform all actions necessary to function as general legal advisor to Buffalo County and its boards, committees, or agencies;

- Draft or review all Buffalo County contracts as requested.
- Perform all necessary actions as the attorney designated by the Buffalo County Board of Supervisors to represent the interests of the public in the conduct of all proceedings under Chapter 59, Wisconsin Statutes, including the drafting of all necessary papers related to the action;
- Corporation Counsel attends County Board meetings and provides advice as needed,

2 GENERAL COUNSEL – CLIENT RELATED DUTIES – CHILD SUPPORT:

- Perform all actions necessary to function as general legal advisor to the Buffalo County Department of Health and Human Services and the Child Support Agency. Buffalo County currently is collaborating with Pepin County to administer their Child Support Program. The provider may be required to travel to Pepin County located in Durand, Wisconsin.
- Perform all necessary actions as the attorney designated by the Board of Supervisors to provide the representation authorized under paternity cases brought under Section 767.80, Wisconsin Statutes.

3 GENERAL COUNSEL – CLIENT RELATED DUTIES – OTHER SERVICES – DEPARTMENT OF HEALTH AND HUMAN SERVICES

- Perform all necessary actions as the attorney designated by the Buffalo County Board of Supervisors to represent the interests of the public in the conduct of all proceedings under Chapters 46, 48, 49, 51, 55, and 880, Wisconsin Statutes, including the drafting of all necessary papers related to the action. Buffalo County is collaborating with Pepin County located in Durand, Wisconsin in guardianships, protective placements and services. The provider may be required to travel to Pepin County. The provider will work closely with the Department of Health and Human Services to establish timelines and expectations to meet the department’s needs.
- Administer the office of the corporation counsel to assign, coordinate and oversee the caseload, provide supervision of contact with the public in the office, communicate office and county policies.

SECTION 6: CONTRACT

The selected proposer(s) will be required to execute a contract with Buffalo County. This agreement will provide for annual review of compensation and evaluation of performance. The County reserves the right to terminate the contract at any time, with or without cause, by thirty (30) days written notice.

SECTION 7: TERMS AND CONDITIONS

- 1) Each proposal submitted will be the document upon which Buffalo County will make its initial judgment regarding each proposer’s qualifications, methodology, and ability to provide the requested services.
- 2) Proposers shall thoroughly examine and be familiar with the County’s specifications. The failure or omission of any proposer to receive or examine this document shall in no way relieve any proposer of obligations with respect to this proposal or the subsequent contract. The submission of a proposal shall be taken as prima facie evidence of compliance with this paragraph.

- 3) Those submitting proposals do so entirely at their own expense. There is no expressed or implied obligation by the County to reimburse any firm or individual for any costs incurred in preparing or submitting proposals, preparing or submitting additional information requested by the County, or participating in any selection interviews.
- 4) Submission of a proposal indicates an acceptance of the conditions contained in this Request for Proposals unless the submitted proposal clearly and specifically states otherwise.
- 5) Buffalo County reserves the right to accept or reject any and all proposals in whole or in part, to waive any and all informalities, and to disregard all non-conforming, non-responsive, or conditional proposals. County reserves the right to re-issue any RFP.
- 6) All materials submitted in response to this RFP will become the property of Buffalo County.
- 7) The County agrees, to the extent permitted by law, to hold all material and information belonging to the proposer, which it deems to be confidential, in strictest confidence. The proposer agrees to hold all material and information belonging to the County or the County's agents in strictest confidence and not to make use thereof other than for the performance of contractual obligations, to release it only to employees requiring such information.
- 8) Any award of the legal services work shall be conditioned on the execution of a formal written contract. Buffalo County reserves the right to revoke or rescind any award at any time prior to the full execution of a formal written contract.
- 9) The term of the contract is for the calendar year 2024 and 2025.
- 10) The County is not bound to accept the proposal with the lowest cost but may accept the proposal of the Respondent that demonstrates the best ability and is the most qualified to meet the needs of the county.

SECTION 8: SUBMISSIONS OF PROPOSALS:

In order to be considered, two (2) copies of your completed proposal in response to this RFP must be received no later than November 22, 2023 by 4:00 p.m. All bids are subject to the open records statute of the State of Wisconsin. Proposals will not be returned.

The provider may submit one proposal for all areas of work as identified in Number 1, 2 and 3 in the Scope of Services;

OR

The provider may submit an individual proposal for only the area of work as identified in Number 1, 2 and 3 in the Scope of Services that they wish to provide to Buffalo County.

SECTION 9: PROPOSAL OPENINGS:

Proposals shall be reviewed publicly in the Third Floor County Board Room by the Finance Committee at the Buffalo County Courthouse, 407 South Second Street, Alma, Wisconsin on Thursday, December 11, 2023. The bid shall be valid for 60 days post public review of the bids to allow for review and acceptance by the parties hereto.

SECTION 10: POST-PROPOSAL SUBMISSION DISCUSSION:

Discussions may be conducted with the party who submit proposals determined to be reasonably likely to be selected for the purpose of clarifications and to be reasonably likely to be selected for the purpose of clarification and to assure full understanding of, and responsiveness to, the RFP requirements.

SECTION 11: REVIEW PROCESS:

An initial review of the proposal will be conducted to ensure that it has been prepared and submitted in accordance with the requirements of the RFP.