

REQUEST FOR QUOTATION OF SERVICES FOR LEGAL SERVICES AND GENERAL COUNSEL

**Summary:**

The Metropolitan Mosquito Control District (MMCD), a special purpose government entity, seeks information from qualified firms and individuals to provide legal services and serve as general counsel.

In accordance with MN Statute 471.345 the MMCD does not plan to undergo a formal RFQ process but rather seeks to enter into direct negotiation with a qualified consultant. The MMCD solicits quotations from qualified consultants.

MMCD’s goal is to select counsel by early-November 2024. This may vary depending on number and timing of responses to this request.

**Who we are:**

The Metropolitan Mosquito Control District (MMCD, the District) is a statutorily defined special purpose government entity serving the Minneapolis -St. Paul seven-county metropolitan area (Metropolitan Area) of Minnesota. The MMCD is charged with controlling mosquitoes, disease vectoring ticks and black flies (biting gnats).

**MMCD Mission:** To promote health and well-being by protecting the public from disease and annoyance caused by mosquitoes, black flies, and ticks, in an environmentally sensitive manner.

**MMCD Values:** We value integrity, trust, cooperation, respect, and competence in our interactions with colleagues and customers.

**MMCD Vision:** To be the leading mosquito abatement district in the world.

The district is governed by an 18-member Commission of county commissioners representing each of the seven counties in the Metropolitan Area. A Technical Advisory Board, comprised of regulators, public health officials, natural resource professionals and scientists, advises the agency. The organization employs 54 permanent staff and approximately 190 seasonal staff. It is led by an Executive Director that is appointed by the Commission. Four senior managers support the Executive Director. Each manager oversees one of the following divisions: Administration, Field Services, Public Affairs, and Technical Services. The Executive Director and the 4 division managers make up the Senior Leadership Team (SLT). The District operates out of six regional and one central office location. The primary work functions of the organization exist in the Field Services division which monitors and uses control materials to control mosquito and black fly populations and the Technical Services division that consists of scientific experts that conduct mosquito, tick and black fly identification, monitor vector borne diseases and carry out scientific studies. Public Affairs manages intergovernmental relationships and provides media relations, communications, education and outreach for the district. Administration oversees finance, human resources, IT and facilities and supports the work of the other three divisions.

**Who we are looking for:**

Responsive, timely and professional legal counsel to provide legal services generally understood within the field of local government law which fall within the category of “general counsel” work, and shall include, but not necessarily be limited to the following:

• Routine legal advice, telephone and personal consultations with the Commission, Executive Director, Business Administrator and other authorized representatives.

• Guidance on Minnesota Open Meeting Law and government data practices including records retention and privacy issues.

• Assistance in preparation and review of Resolutions, Agreements, Contracts, Forms, Notices, Certificates, Deeds, and other documents required by the District.

• Attendance at Commission regular meetings as well as other special meetings as requested. Regular meetings are held on the fourth Wednesday of each month beginning at 9:15 am with the exceptions; November meeting is the third Thursday of the month at 9:15 am and the December meeting is the third Wednesday at 6:00 pm.

All meetings are held at the Metropolitan Mosquito Control District main office:

2099 University Ave W, St. Paul, MN 55104.

• Attendance at other board, commission, and committee meetings upon request.

• Attendance of meetings with District Staff, upon request.

• Legal advice and written opinions concerning legal matters that affect the District.

• Legal work pertaining to property acquisitions, property disposals and public improvements.

• Monitoring of pending and current state and federal legislation and court decisions, as appropriate.

• Coordination of outside legal counsel, as needed and as directed by the Commission and District Staff.

• Legal advice and support in human resources, labor and employment law.

**Quotation for Services:**

The District understands that the scope of work requested may be conducted by a single attorney, a legal firm, or by a partnership of individual attorneys. The quotation for services should provide the name, title, address, telephone number, and email address for each person engaged in the project. If a partnership of attorneys, the quotation for services should indicate who will serve as the point person.

**Attorney Qualifications and Roles:**

Describe the nature of your practice or your law firm’s qualifications for providing District Attorney services. Include a professional chronology for the individual who will be designated to serve as District Attorney, as well as for others whom you anticipate being involved with providing legal services to the District.

Provide the overall capabilities, qualifications, training, and areas of expertise for each of the principals, partners, and associates of the law firm or partnership, including the length of employment for each person and their area of specialization.

• Legal training and number of years of practice, including date of admission to the Minnesota Bar Association, number of years of municipal or other local public sector law practice as full-time government attorney and/or in a private law office specializing in local government.

• Professional affiliations.

• Knowledge of and experience with Minnesota Municipal Law or other public sector experience.

• Litigation experience and demonstration of a good court record. Cite examples.

• Knowledge and practice of law relating to land use and planning, environmental law, risk management, development, general plans, real estate, and other related law.

• Experience in the preparation and review of agendas and resolutions.

• Types of clienteles represented and years representing each.

• Office location(s) and accessibility to the District. If the firm/individual, or any of the attorneys employed by the firm, have ever been sued by local governments or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information about the nature of the incident, the dates of when the matter began and was concluded, and the results of the situation.

**District / District Attorney Relationship**

Describe how you will structure the working relationship between the District Attorney and the Commission and District Staff. Define the standard time frame for response by the District Attorney to direction and /or inquiry from the Commission or District Staff. Describe the systems or mechanisms that would be established for monthly reporting of the status of projects, requests, and litigation

**Process for Quotation for Services Submission and Evaluation:**

* All costs incurred in the preparation of a response to this RFQ are the responsibility of the consultant and will not be reimbursed by MMCD.
* Quotations for services should be submitted in PDF format via email to Daniel Huff, dhuff@mmcd.org and Arleen Schacht aschacht@mmcd.org. If the file is too large for email, a link to the file should be provided.
* Notwithstanding any other provisions of the RFQ, the District reserves the right to reject any or all quotation for services, to waive any irregularity in a quotation for services, and to accept or reject any item or a combination of items, when to do so would be to the advantage of the District or its taxpayers. It is further within the right of the District to reject quotation for services that do not contain all elements and information requested in this document. The Metropolitan Mosquito Control District shall not be liable for any losses incurred by any responders throughout this process.
* During the evaluation process, the District reserves the right, where it may serve the District’s best interest, to request additional information or clarifications from proposing firms, or to allow corrections of errors or omissions. At the discretion of the District, firms submitting quotation for services may be requested to make oral presentations as part of the evaluation process.
* If the consultant deems any material submitted to be proprietary or confidential, that must be indicated in the relevant section(s) of the response.

**Notification of Selection and Timeline:**

Submission of quotations should be no later than **4:00 pm,** **September 30, 2024**

It is expected that an attorney will be selected by early November, although this timeline is subject to change. The District reserves the right to cancel this RFQ at any time.

**Criteria for Selection**:

The District will select the quotation for services which it feels will deliver the highest quality deliverable at the best value. Quotation for services will be reviewed by the Executive Director and the Senior Leadership Team. Additional permanent staff may be involved in the review process. The Executive Director, with input from the Senior Leadership Team, will select the recommended attorney(s) for Commission approval.

Consideration will also be given to the following:

• Depth and breadth of experience and expertise in the practice of law, specifically in those areas most often encountered in local government operations.

• Capability to perform legal services promptly and in a manner that permits the Commission and Staff to meet established deadlines and to operate in an effective and efficient manner.

• Degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems.

• Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners in the governmental law field.

• Communications skills.

• Cost of services; and

• Other qualifications/criteria, as deemed appropriate by the District.

The contract will require that the individual or law firm selected as District Attorney maintain general liability, automobile, workers’ compensation, and errors and omissions insurance. The contract will also contain provisions requiring the selected individual or law firm to indemnify the District and provide that the District Attorney is an independent contractor serving at the will of the District. Other required provisions will include the District’s right to terminate the agreement, at its sole discretion, upon the provision of the notice.

The award will be made to the qualified quotation for services whose quotation is most advantageous to the District with price and other factors considered. After quotation for services submission, additional information may be requested by the District.

The District contemplates awarding the contract to the responsive firm with the most cost-effective solution and the capabilities to perform the contract services.

**Preference to Targeted Group and Economically Disadvantaged Businesses and Individuals:**

In accordance with Minnesota Rules, part 1230.1810, subpart B and Minnesota Rules, part 1230.1830, certified Targeted Group Businesses and individuals submitting quotation for services as prime contractors will receive a six percent preference in the evaluation of their quotation for services, and certified Economically Disadvantaged Businesses and individuals submitting quotation for services as prime contractors will receive a six percent preference in the evaluation of their quotation for services. Eligible TG businesses must be currently certified by the Materials Management Division prior to the solicitation opening date and time. For information regarding certification, contact the Materials Management Helpline at 651.296.2600, or you may reach the Helpline by email at mmdhelp.line@state.mn.us. For TTY/TDD communications, contact the Helpline through the Minnesota Relay Services at 1.800.627.3529.

**Veteran-Owned Preference:**

In accordance with Minn. Stat. § 16C.16, subd. 6a, (a) Except when mandated by the federal government as a condition of receiving federal funds, the commissioner shall award up to a six percent preference on state procurement to certified small businesses that are majority-owned and operated by veterans.

In accordance with Minn. Stat. § 16C.19 (d), a veteran-owned small business, the principal place of business of which is in Minnesota, is certified if it has been verified by the United States Department of Veterans Affairs as being either a veteran-owned small business or a service disabled veteran-owned small business, in accordance with Public Law 109-461 and Code of Federal Regulations, title 38, part 74.

To receive a preference the veteran-owned small business must meet the statutory requirements above by the solicitation opening date and time.

If you are claiming the veteran-owned preference, attach documentation, sign and return the Veteran-Owned Preference Form with your response to the solicitation.  Only eligible veteran-owned small businesses that meet the statutory requirements and provide adequate documentation will be given the preference.

**Conflict of Interest:**

The Proposer must disclose, in an exhibit to the quotation for services, any possible conflicts of interest that may result from the award of the Contract or the services provided under the Contract. Except as otherwise disclosed in the quotation for services, the Proposer affirms that to the best of its knowledge there exists no actual or potential conflict between the Proposer, the Proposer’s project manager(s) or its family’s business or financial interests (“Interests”) and the services provided under the Contract. The Proposer must disclose any relationships with MMCD staff or Commission members. In the event of any change in either Interests or the services provided under the Contract, the Proposer will inform MMCD regarding possible conflicts of interest, which may arise as a result of such change. The Proposer agrees that all conflicts shall be resolved to the MMCD’s satisfaction, or the Proposer may be disqualified from consideration under this RFQ.

Indicate whether you or your law firm represent or have represented any client which representation may conflict with your ability to serve as District Attorney. What procedures does your firm use to identify and resolve conflicts of interest? If selected, the Attorney shall not accept any client or project which would knowingly place it in a conflict of interest with the services to be provided to the District. For the person to be designated as District Attorney, list all public clients that person presently represents as city attorney or general counsel, along with the meeting dates and times for each governing body.