THE LITCHFIELD TAX INCREMENT FINANCE AUTHORITY (TIFA)

REQUEST FOR QUOTATION (RFQ)

FOR

LEGAL SERVICES

To provide legal services for the Litchfield TIFA

The Litchfield Tax Increment Finance Authority (TIFA) will receive sealed Request for Quotation for **LEGAL SERVICES** according to the following specifications.

Sealed proposals, with a fee proposal enclosed in a separate sealed envelope, will be received until 4:00 P.M. prevailing Eastern Time, Wednesday, December 14, 2022. Proposals shall be addressed as follows:

**LITCHFIELD TIFA**

**ATTN: Jason Smith, City Manager**

221 Jonesville Street

PO Box 236

Litchfield, MI 49252

All proposals must be signed by a legally authorized agent of the proposing firm. **ENVELOPES/SHIPPING BOXES MUST BE PLAINLY MARKED “LEGAL SERVICES” AND MUST BEAR THE NAME OF THE PROPOSER.**

The TIFA Board reserves the right to accept any or all alternative proposals and award the contract to other than the lowest bidder, to waive any irregularities or informalities or both; to reject any or all proposals; and in general to make the award of the contract in any manner deemed by the TIFA Board, in its sole discretion, to be in the best interest of the Litchfield TIFA.

Notice Dated: November 9, 2022

**NOTICE TO PROPOSERS**:

The Litchfield TIFA officially distributes RFQ Documents through the City of Litchfield website at www.cityoflitchfield.org and at the City of Litchfield Offices, 221 Jonesville Street, Litchfield, MI 49252. **Copies of RFQ documents obtained from any other source are not considered official copies.** The Litchfield TIFA cannot guarantee the accuracy of any information not obtained from the above sources and is not responsible for any errors contained by any information received from alternate sources. Only those vendors who obtain RFQ documents from the above sources are guaranteed access to receive addendum information, if such information is issued. If you obtained this document from a source other than the source indicated, it is recommended that you contact the Litchfield City Office and obtain an official copy.

# IMPORTANT DATES

RFQ Issue Date November 17, 2022

Last Date for Questions December 7, 2022 by 4:00 P.M.

Please submit questions to:

Jason Smith, City Manager/TIFA Administrator

[manager@cityoflitchfield.org](mailto:manager@cityoflitchfield.org)

**RESPONSE DUE DATE WEDNESDAY, DECEMBER 14, 2022 by 4:00 P.M.**

Review Date Wednesday, December 14, 2022 at the regularly scheduled

TIFA meeting, 181 Simpson Drive, Litchfield, MI 49252.

Meeting begins at 7:00 p.m. EST

# GENERAL INSTRUCTIONS

Qualified legal firms are invited to submit qualifications to the Litchfield TIFA for Legal Services. The legal services sought need to include the specialized legal service and expertise needed by a Michigan Tax Increment Finance Authority. The Attorney is a contract position and will work closely with the TIFA Administrator and TIFA Board.

**Only Licensed attorneys, or law firms with licensed attorneys, that practice law and maintain an office in Michigan may respond to this RFQ.**

To be considered by the TIFA Board, **one (1) UNBOUND original, ten (10) copies** of the proposal with the fee proposal enclosed in a separate sealed envelope must be received by the date and time specified. A sealed envelope containing the fee proposal may be sent in the same package as the technical proposals. **Late submittals will not be considered.**

Submitted copies become the property of the TIFA and shall not be returned.

The Litchfield TIFA shall not be responsible for any cost associated with the preparation of a response to this RFQ. Firms are encouraged to provide the minimum amount of information necessary to address the RFQ.

Consultant service agreements are for a three (3) year duration. The Litchfield TIFA retains the right to extend the agreement upon mutual consideration of both parties for up to an additional two (2) years in one (1) year increments.

# SCOPE OF SERVICES

Legal services to be performed on behalf of the Litchfield TIFA include, but may not be limited to:

* 1. Review, draft, and negotiate contracts and leases;
  2. Review, draft, and negotiate real estate purchase agreements, sale documents including deeds, and advise on real property disposition;
  3. Advise on real estate, land use, Tax Increment Finance Authority legal issues, policies, and negotiations;
  4. Attend TIFA Board meetings as needed;
  5. Work with TIFA Administrator/City Manager, TIFA Board Chairman, and advise TIFA Board as a whole;
  6. Other legal services as needed.

# SPECIFICATIONS

1. **Format** – The following outline shall be followed for all Qualification Packages:
   1. Name of the firm and firm principals, business address, telephone, fax, and email addresses. The name and title of the principal authorized to negotiate on behalf of the firm shall be identified.
   2. Name and qualifications of staff proposed to be assigned to Litchfield TIFA. Note: a principal, director, or equivalent is expected to be available to provide legal services to the Litchfield TIFA board, and the TIFA Administrator.
2. **Experience and Qualifications** – The respondent should describe their legal experience, especially in TIFA matters. Preference will be given to those with more than 5 years experience in handling other TIFA Districts in the state of Michigan.
3. **References** – Provide the names, telephone and fax numbers, e-mail addresses, and addresses of three recent client references.
4. **Organization, Size, Structure, and Areas of Practice** – If the respondent is a firm, identify your firm, year of establishment, and key team members for this project. Please indicate a complete listing of names, titles, addresses, emails, and phone numbers, as well as the primary contact person for this project.
5. **Attorney Qualifications** – The respondent should have experience in the following areas:
   1. Michigan Municipalities, Authorities, and similar tax-exempt organizations;
   2. Real-estate development
   3. Tax increment financing
   4. Bond financing
   5. Grants and contracts

The Respondent should describe the qualifications of each attorney to be assigned to this project. The description should include:

1. Professional and educational background of each attorney
2. Prior experience of the individual attorneys with respect to the required experience listed above
3. Only include resumes of attorneys likely to be assigned to the representation. Education, position in the firm, years, and types of experience; continuing professional education will be considered.
4. **Compensation** – The TIFA is considering alternate methods of compensation for services depending on the nature and scope of the services provided. These include but are not limited to hourly rate compensation and flat fee compensation. Please provide your expected type of compensation including, as applicable, hourly rate or rates, flat fee rates. Note that any rates submitted remain subject to negotiation after submission as this is not a bid submittal since the scope of the work remains somewhat undefined.
5. **Other** – Provide any other information necessary to fully describe services and qualifications (not to exceed 10 pages). The total number of pages in the submittal shall not exceed forty (40). Economy of preparation and brevity are encouraged.
6. **Review Process** – The Litchfield TIFA reserves the right to reject any or all submittals. TIFA may request one or more firms to provide a detailed proposal. The TIFA reserve the right to modify the scope with one or more of the respondents, and to waive any/all requirements which the TIFA deems to be in their best interest. The public entities are not liable for any costs incurred by any agent or firm prior to the negotiation, approval, and execution of an agreement. This RFQ should not be construed as creating a contractual relationship between the TIFA and any agent or firm submitting a response to this RFQ. The TIFA shall have no obligation or liability to any agent or firm responding to this RFQ.
7. **Evaluation Criteria** – The following will be considered in the selection of a consultant:
   1. Relevant Experience
   2. Qualifications
   3. Understanding of TIFA-related issues and familiarity with the Litchfield TIFA
   4. Team compatibility, including the ability of firm/attorney to work with staff and board members based on references and other supporting information.
   5. Unique resources the firm/attorneys may bring regarding innovative techniques.
   6. The professional reputation of the law firm and its attorneys.

The evaluation of proposals will be done by the TIFA Administrator and TIFA Board. Firms are invited to attend the opening and review of quotes at the regularly scheduled TIFA meeting, said meeting begins at 7:00p.m.on December 14, 2022; building located at 181 Simpson Drive, Litchfield, MI.; while the meeting is open to the public, any questions should be answered by no more than two representatives from their respective firms. The TIFA board members may make a motion for a final recommendation for the entire TIFA Board for consideration. The evaluation process will be based on qualifications. Fee proposals, which are to be submitted in a separate sealed envelope, will be reviewed after the most qualified firms have been established.