



**CITY OF GARDINER
REQUEST FOR PROPOSAL
to provide
LEGAL SERVICES**

Issued: June 18, 2025

The City of Gardiner, ME hereby solicits proposals from legal firms to represent the City as its legal counsel. The firm selected would serve as Chief Legal Advisor to the City Council, the City Manager, all City Departments, and various City boards, agencies, committees and commissions.

The City of Gardiner's selection will be based on its evaluation of the written proposal, the firm's qualifications and experience, client references, and overall fee structure.

Proposals can be mailed to the City of Gardiner, 6 Church Street, Gardiner, Maine, 04345, until 10:00 A.M. on Friday, July 18, 2025. Proposals must be sealed and clearly marked, "Legal Services for the City of Gardiner". Any questions or inquiries should be directed to Denise Brown, Interim City Manager/Finance Director, 582-6891 or to dbrown@gardinermaine.com

Respondents must submit an original proposal and four copies.

The City of Gardiner reserves the right to reject any or all proposals and to select the legal firm deemed to have submitted a qualified proposal, when in the judgment of the City such an award is in the best interest of the general public.

(I) INTRODUCTION

The City of Gardiner has a Council-Manager form of government, with the City Manager operating as the Chief Administrative Officer. The population of the City is approximately 6,159 with an annual General Fund operating budget of approximately \$8M. The City also has two Enterprise Funds with annual budgets of \$2M each and multiple Tax Increment Finance Districts.

The City of Gardiner is involved in a variety of activities which require a diversity of legal services. The City will continue to retain separate counsel for personnel and labor relations.

The City intends to treat any proposals as confidential.

(II) SCOPE OF WORK

The services rendered shall incorporate an array of legal work; advising the council, preparing ordinances, rendering legal opinions, preparing legal instruments, defending officials, settling of claims, submitting reports, bond council and preparing unemployment claims. (See Appendix A)

(III) GENERAL REQUIREMENTS

Hold Harmless Clause: The Legal Firm shall indemnify the City of Gardiner from all suits, actions or claims of any kind brought on account of any injuries or damages sustained by any person in consequence of any negligence in performing contract work, or on account of any act of commission by the attorney or the firm or its employees, or from any claims or amounts arising or uncovered under any law, bylaw, ordinance, regulation, or decree, violated by such attorney or firm. The legal firm shall be required to carry Professional Liability Insurance. Proposals must specify the carrier and the coverage limits of no less than \$1,000,000.

Collusive Agreements: Each legal firm submitting a proposal to the City of Gardiner shall state that the proposal is made without any connection with any other service agent making any proposal for the same service; and that no violation of the conflict-of-interest provisions of the Gardiner City Charter will occur if the applicant firm is selected.

Compensation: The City will entertain compensation proposals in any format including a lump sum retainer, payment on an hourly basis at a stated rate, payment on a per case basis, or any combination thereof. The compensation proposal must include a description of the firm's billing practices and methods.

(IV) QUALIFICATION OF LEGAL COUNSEL

The legal firm shall incorporate within their proposal an outline of the size and experience of the law firm to include resumes of legal staff, as well as a listing of clients and references.

(V) ADDITIONAL INFORMATION AND REQUIREMENTS

Termination: Subject to the provisions below, the contract may be terminated by either party upon sixty (60) days advance written notice to the other party; but if any work or services hereunder is in progress, but not completed as of the date of termination, then the contract may be extended upon written approval by the City Manager until said work or services are completed and accepted.

The City of Gardiner shall not be restricted from appointing specialized counsel when the need arises.

APPENDIX A



The Legal Department shall consist of the City Solicitor who shall be appointed by the City Manager and confirmed by a majority of the City Council, and shall be an attorney and counselor at law of the courts of the State. He will enforce all laws and act to protect the interests of the city and who shall:

- (1) Advise the City Manager and Council: Advise the City Manager, City Council or its Committees or any City Officer, when thereto requested, upon all legal questions arising in the conduct of City business.
- (2) Prepare Ordinances: Prepare or revise ordinances when so requested by the City Manager, Department Directors, City Council or any Committee thereof.
- (3) Give Opinions: Give opinion upon any municipal legal matter or question submitted to him/her by the Council, or any of its Committees, or by any City Officer.
- (4) Attend Council and Committee Meetings: Attend City Council meetings, Planning Board, and other related municipal meetings when requested for the purpose of giving the Council and municipal officials legal advice.
- (5) Prepare Legal Instruments: prepare for execution all contracts and instruments to which the City is party.
- (6) Prosecute Offenders and Defend Officials: Prepare, when authorized by the Council, all charges and complaints against, and appear in the appropriate court in the prosecution of, every person charged with the violation of a City ordinance or of any regulation adopted under authority of the charter, or with the commission of misdemeanor as declared by the charter or by virtue of its authority. In any prosecution for violation of any regulation adopted by any Board or Commission created under the authority of the Charter, the City Attorney shall act under the directions of such Board or Commission, subject to paramount control as is given to the Council by the Charter. Defend officials in any prosecution for violation of any law or regulation while action, cause of action, accounts, debts, claims, demands, disputes under the direction of the City Manager.
- (7) Settlement of Claims: Have the power to adjust, settle, compromise or submit to arbitration, any action, causes of action, accounts, debts, claims, demands, disputes and matters of favor of or against the City or in which the City is concerned as debtor or creditor, now existing or which may hereafter arise, under the direction of the City Manager.
- (8) Make Reports: Immediately report the outcome of any litigation in which the City has an interest to the City Manager and Council.

- (9) Control Legal Services Incidental to Council Action: Have charge of all legal services auxiliary to Council action in connection with the appropriation of property to public use and in the levying of assessments.
- (10) Collections: Collect unpaid taxes, fines and loans, when directed by the Tax Collector.
- (11) Real Estate: Prepare deeds, easements and contracts as pertaining to real estate and render title opinions on property being acquired by the City.
- (12) Keep Records: Keep a complete record of all suits in which the City had or has an interest, giving the names of the parties, the Court where brought, the nature of the action, the disposition of the case, or its condition, if pending, and the briefs of counsel. Keep a complete record of all written opinions furnished by him/her and of all certificates or abstracts of titles furnished by him/her to the City, or any department or official thereof.

It may be understood that added to this list of formal responsibilities are the informal activities expected of the City Attorney, including counseling department heads and elected officials, instructing officers and employees in the elements of public law, examining intergovernmental activities, and answering inquiries from the public in general.