

**Professional Services Consultant
General Legal Services**

**REQUEST FOR QUALIFICATIONS
NO. CC-24-01
GENERAL LEGAL SERVICES
ISSUED February 16, 2024**

Purpose

In accordance with Section 6-308 of the Home Rule Charter of the City of New Orleans and Rule 42 of the Rules and Regulations of the New Orleans City Council, and pursuant to Council Motion No. M-22-458, the Council is soliciting proposals from qualified law firms to be employed as special counsel to advise and represent the Council, as directed, on an as-needed basis, excluding any legal matter relating to or arising from the Council's utility regulatory authority.

Scope of Services

It is anticipated that the consultant will be responsible for the following services to the Council:

- Provide professional legal advice and assistance to the Council, on an as-needed basis;
- Represent the Council, as requested, in circumstances where the City Attorney's Office or the Council's Executive Counsel has a legal conflict or where additional legal resources and expertise are necessary.

Qualifications Statement Content

The proposal should include the following components:

1. Professional experience and resumés of partners, principals, and employees in the firm and subcontractors who will be responsible for, and actively involved in, providing the required services for the Council, including any relevant experience and expertise of such key personnel.
2. A concise but detailed narrative indicating the proposed approach to providing the required services (including a description of the types and quantities of services which would be provided).
3. A brief description of three assignments which best illustrate the respondent's qualifications relevant to the areas requested in this request for qualifications, including applicable samples of work product.

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4. A sworn affidavit listing all persons with an ownership interest in the respondent firm or company. An “ownership interest” shall not be deemed to include ownership of stock in a publicly traded corporation or ownership of an interest in a mutual fund or trust that holds an interest in a publicly traded corporation. The affidavit is a public record.
5. A sworn affidavit stating that no other person holds an ownership interest in the respondent.
6. A list of all persons, natural or artificial, who are retained by the respondent at the time of the application and are expected to perform work as sub-contractors in connection with respondent’s work for the City Council. The Council may require information on employees or sub-contractors of or ownership interest in the sub-respondent. This list is a public record.
7. A sworn affidavit stating that the affiant is in compliance with Section 2-8(c) of the New Orleans City Code such that no principal, member and/or officer of the contracting entity has within the preceding five years been convicted of or pled guilty to, a felony under state or federal statutes for embezzlement, theft of public funds, bribery, and/or falsification or destruction of public records.
8. A comprehensive narrative detailing the respondent’s plan to comply with the provisions of Article IV of Chapter 70 of the New Orleans City Code pertaining to local and disadvantaged business enterprises (DBE) utilization goals for the City of New Orleans.

Potential Conflict of Interest

The respondent shall provide a clear and unambiguous indication of any potential or real conflicts of interest it or any of its sub-contractors may have with respect to performing the work outlined in this RFQ on behalf of the Council, including but not limited to work performed in the last five years on behalf of: (i) the Council, (ii) the City of New Orleans, or (iii) any agency of the City. For any such work performed, the respondent shall indicate the scope of the engagement, the time frame, the amount of compensation received and why such work may or may not conflict with the execution of the scope of work proposed in this RFQ. The Council shall be the sole arbiter as to any conflicts of interest and shall make the final determination as to whether any potential or real conflict of interest exists.

Evaluation Criteria

Upon receipt by the due date of responses to this request for qualifications, the Council’s staff selection review committee will evaluate all responses received based on the following criteria as permitted by Council Rule 42:

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1. Training, experience and record of success in the following areas:
 - General civil litigation and appeals
 - Administrative law
 - Local law, including the Home Rule Charter, City Code and Comprehensive Zoning Ordinance
 - Open Meetings Law and Public Records Law
 - Intergovernmental relations and advocacy at the state and federal level
 - Investigations pursuant to Charter authority
2. Appropriateness of plan submitted;
3. Capability of contractor to provide staffing and support;
4. Knowledge of local conditions;
5. Ability to provide the work in the time period required, as evidenced by past performance and current workload;
6. Involvement of members of disadvantaged groups at the professional level;
7. Whether the respondent has met, or demonstrated good-faith efforts to meet, the 35% DBE utilization goal applicable to City Council professional services contracts as more fully set forth in Section 70-467 of the City Code;
8. Participation by persons living and/or working in New Orleans at a professional level;
9. The need for continuity of services and/or specialized and institutional experience and knowledge; and
10. The cost of services to be provided.

Proposal Submission

Except as provided herein below, no written, electronic, or oral communications from any actual or potential respondent to this RFQ or anyone acting as agent or representative for such person shall be made to any councilmember, city employee, or Council staff person from the date this RFQ is issued until a final decision is made by the Council (“Blackout Period”). All communications during the Blackout Period to and from any actual or potential respondent must be submitted by email to Paul Harang at paul.harang@nola.gov. Any such communication and the response thereto will be public records.

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RFQ submissions, including samples of work products, **must be submitted electronically to Paul Harang at paul.harang@nola.gov by 5:00 PM CST on Friday, March 22, 2024.** All responses submitted will be public records. Late proposals will not be considered.

Selection Process

A committee composed of Council staff will review and evaluate the submissions for responsiveness using the Evaluation Criteria. The selection review committee will determine if the responses received are complete and will submit its determination to the City Council. Selection of the consultant(s) is made by Motion of the City Council.

Inspector General

The Inspector General shall be notified in writing prior to any meeting of a selection or negotiation committee relating to the procurement of goods or services by the City, including meetings involving third party transactions. The notice required shall be given to the Inspector General as soon as possible after a meeting has been scheduled, but in no event later than 24 hours prior to the scheduled meeting. The Inspector General may attend all City meetings relating to the procurement of goods or services as provided herein and may post questions and raise concerns consistent with the functions, authority and powers of the Inspector General. An audio recorder or court stenographer may be utilized to record all selection or negotiation committee meetings attended by the Office of the Inspector General.

Section 2-1120 of the New Orleans City Code, relative to the Office of Inspector General, provides in part as follows:

[E]very bid, proposal, application or solicitation for a city contract, and every application for certification of eligibility for a city contract or program shall contain the following statement: "It is agreed that the respondent or applicant will abide by all provisions of City Code § 2-1120, including, but not limited to, City Code § 2-1120(12), which requires the respondent to provide the Office of Inspector General with documents and information as requested. Failure to comply with such requests shall constitute a material breach of the contract. In signing this contract, the respondent agrees that it is subject to the jurisdiction of the Orleans Parish Civil District Court for purposes of challenging a subpoena."

Additional Information

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The City of New Orleans is not liable for any costs incurred by the respondent prior to entering into a formal written contract. Any costs incurred in the preparation of the proposals, interview, or other pre-contract activity are the responsibility of the respondent. All submissions become the property of the City and, as such, are public records.

The City Council reserves the right to accept or reject any and all responses submitted and to cancel the request for qualifications, in whole or in part, for any reason, in its sole judgment.

It is anticipated that the respondent will invoice the City Council monthly during the term of the contract.

The contract with the City Council shall contain a provision that regarding any sub-contractor proposed to be retained by the respondent to perform work on the contract with the City Council the respondent must notify the appropriate Council committee within 30 days of retaining said sub-contractor. The Council may require information on ownership interests in the sub-contractor.