

TRANSPORTATION AUTHORITY OF CALHOUN COUNTY

REQUEST FOR PROPOSALS: RFP #01-2025

LEGAL SERVICES: LEGAL COUNSEL & LABOR COUNSEL

RFP Deadline: February 19, 2025, at 5:00 PM.

OVERVIEW

The Transportation Authority of Calhoun County was established in 2023 by the Calhoun County Board of Commissioners under Public Transportation Authority Act 196 of 1986. Voters in the Cities of Albion, Battle Creek, Marshall, and Springfield approved a ballot proposal on November 5, 2024, to levy a millage to provide public transportation services to and between the four cities.

The Transportation Authority of Calhoun County Board now seeks the services of a firm and/or individual engaged in Municipal Law to be appointed as the Transportation Authority of Calhoun County Legal Counsel and/or Labor Counsel. These two positions may be assigned to two different entities. The initial term of contract will be until September 30, 2025. Extensions may be approved by the Board.

Legal Counsel and Labor Counsel will report to the Board and advise and work closely with the Executive Director and other staff. Staff will be hired in the next several months. Proposals require the individuals who are appointed as Legal Counsel and Labor Counsel to be a licensed member, in good standing, with the State Bar of Michigan.

(a) Legal Counsel and Labor Counsel shall act as legal advisor to the Board and shall be responsible solely to the Board. They shall advise the Executive Director concerning legal problems affecting the administration of the Authority and shall file with the Board Secretary a copy of all written opinions given.

(b) They shall represent the Authority in cases before courts and other tribunals. They shall file with the Board Secretary copies of such records and files relating thereto as the Authority may direct.

(c) They shall prepare or review all regulations, contracts, bonds, and such other instruments as may be required by the Board and shall promptly give their opinion to the Board Secretary as to the legality thereof.

PROPOSAL REQUIREMENTS

The proposal response must include the following sections:

Section 1 - The firm's or individual's history and experience

Section 2 - The resume, biography, and availability of the person to be appointed Legal Counsel and Labor Counsel

Section 3 - Summary of experience and knowledge of the required responsibilities

Section 4 – Summary of experience and knowledge of additional responsibilities

Section 5 - Provide a fee schedule, including hourly fees for performing specific duties

Section 1 - History and Experience Requirements

If the proposal is from a firm, describe the firm, including the size, office location(s), experience in municipal and Transportation Authority law, history of other types of law practices, and a list of other municipal and Authority clients.

If the proposal is from an individual, please describe your experience in municipal and Transportation Authority law, history of other types of law practices, and a list of other municipal and Authority clients.

Section 2 - Individual Resume, Biography and Availability Requirements

Include a resume and cover letter from the person seeking Legal Counsel and/or Labor Counsel. Address a cover letter to the Transportation Authority of Calhoun County Board and include a biography and availability.

Section 3 - Required Responsibilities Requirements

Legal Counsel - Summarize your experience or capabilities in providing services for the following six requirements. The Board requires a minimum of 5 years' experience with respect to each of these services.

- Drafting Resolutions. The Authority acts through its resolutions. Legal Counsel must have experience drafting resolutions on many matters. Certain subjects will require resolutions drafted by experts in the fields; however Legal Counsel will review these resolutions to ensure compliance with the Authority's standard format.
- Contracts and Agreements. Legal Counsel must be able to interpret, edit, and draft agreements between the Authority and vendors, MDOT, FTA, the four cities, etc.
- Open Meetings Act and Freedom of Information Act. Legal Counsel must have an excellent working knowledge of these two Acts to advise the Board, the Executive Director, and staff on compliance requirements.
- Knowledge of Transportation Authorities. Though the Authority will have staff and independent contractors who are knowledgeable about this subject matter, Legal

Counsel shall review and draft various documents and letters and give input on issues related to the Transportation Authority.

- Parliamentary Rules. A working knowledge of Roberts' Rules of Order is required.
- Meetings. Legal Counsel may need to attend Authority Board meetings throughout the year and, if necessary, special Board meetings. Meetings are generally held on the second and fourth Tuesdays of the month at 9 a.m. in Marshall.

Labor Counsel - Summarize your experience or capabilities in providing services for the following four Labor Counsel requirements. The Board requires a minimum of 5 years' experience with respect to each of these services.

- Contracts and Agreements. Labor Counsel shall be able to interpret, edit, and draft agreements between the Authority and vendors, MDOT, FTA, the four cities, etc. Labor Counsel will be required to negotiate, prepare, and implement personnel agreements. From time to time, Labor Counsel will be required to investigate employee disagreements and recommend action to the Executive Director and/or Board.
- Open Meetings Act and Freedom of Information Act. Labor Counsel must have an excellent working knowledge of these two Acts to advise the Board, the Executive Director, and staff on compliance requirements.
- Knowledge of Transportation Authorities. Though the Authority will have staff and independent contractors who are knowledgeable about this subject matter, the Labor Counsel shall review and draft various documents and letters and give input on issues related to the Transportation Authority.
- Meetings. Labor Counsel may need to attend Authority Board meetings throughout the year and, if necessary, special Board meetings. Meetings are generally held on the second and fourth Tuesdays of the month at 9 a.m. in Marshall. Labor Counsel will be required to attend collective bargaining sessions, personnel committee and Board meetings as requested. Labor Counsel will be required to support the Authority by participating in the City of Battle Creek and ATU collective bargaining sessions beginning in March 2025 at the City of Battle Creek.

Section 4 - Additional Responsibilities Requirements

Summarize your capabilities to provide legal advice or direction for duties in this section:

- Property law. Legal Counsel is responsible for most real estate purchases and sales. The Authority may use outside counsel for more complex property law matters. A working knowledge of real property law is necessary to review the work of the specialists.

- Insurance Carrier reviews. The Authority's insurance company hires attorneys to represent the Authority in various litigations. Legal Counsel will receive all litigation documents and pleadings relative to the same and may be asked to advise when requested, as to such litigation and assist in the direction such litigation may take.
- Public Acts and Articles of Incorporation. Legal Counsel and Labor Counsel will advise the Board and staff by possessing a working knowledge of the Public Acts and the Articles of Incorporation.
- Meeting with the public. At times, Legal Counsel is called upon to meet with members of the public and member cities regarding issues affecting them.

Section 5 - Fees Requirements

Provide a fee schedule for additional support staff, and an hourly rate for performing the duties of the Legal Counsel and/or Labor Counsel. Fees and Rates are negotiable with the successful applicant(s). If the firm or individual requires a retainer, the basis and services provided within this monthly retainer shall be submitted.

The Authority will retain the Legal Counsel and/or Labor Counsel deemed appropriate by the Board. If the Authority decides to retain special counsel, the Legal Counsel and/or Labor Counsel agree to cooperate with said counsel as necessary and appropriate. If the Legal Counsel and/or Labor Counsel wish to retain outside counsel, they may do so in cases of conflict or where they cannot represent the Authority due to vacation or illness. If that is the case, the Legal Counsel and/or Labor Counsel shall notify the Executive Director or the Board of such a representation.

PROPOSAL SUBMITTAL

Proposals will be accepted until 5:00 PM EST on February 19, 2025.

Proposals can be submitted electronically as a PDF to Authority Board Vice-Chairperson Tom Tarkiewicz by emailing TomTarkiewicz@gmail.com or mailing to Tom Tarkiewicz 506 Forest Court Marshall, MI 49068. The Board will review proposals and additional requirements and may request an in-person interview.

Questions may be addressed to Board Vice-Chairperson Tom Tarkiewicz by emailing TomTarkiewicz@gmail.com or calling 299-957-4949.

The Transportation Authority of Calhoun County is an equal opportunity employer to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, sex (including pregnancy), sexual orientation, national origin, age, disability, genetic information, marital status, height or weight, or any other characteristic protected by federal, state or local laws. We provide reasonable accommodation for qualified individuals with a disability if requested.