



BANGOR CITY COUNCIL

SPECIAL MEETING AGENDA

Date: August 12, 2024

Time: 6:00 PM

Location: 257 W Monroe St Bangor, MI 49013

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call of Council Members**
- 4. Approval of Agenda**
- 5. Scoring and Evaluation of Attorney Bids**
 - a. The Curcio Law Firm
 - b. Bloom Sluggett PC
- 6. Opportunity for Public Comment**

(A limit of three (3) minutes per speaker is in effect.)
- 7. Council Member Comments**
- 8. Adjournment**



REQUEST FOR PROPOSAL

CITY ATTORNEY/LEGAL SERVICES

June 17th, 2024

City of Bangor

REQUEST FOR PROPOSAL CITY ATTORNEY/LEGAL SERVICES

Contact: Shelly Umbanhowar, City Clerk
Phone: 269.427.5831
Email: clerk@bangormi.org
Website: www.cityofbangormi.org

Introduction

The City of Bangor is seeking qualified attorneys or firms to serve as City Attorney for full service legal representation covering the entire scope of the City's municipal affairs. The contract is for a negotiable term of up to three (3) years. This request for proposal is for four (4) separate pricing options, which include general counsel monthly retainer, general counsel billable hourly, prosecution services monthly retainer and prosecution services billable hourly rate. The award of the Request for Proposal ("RFP") may be awarded in part to separate firms for general counsel and prosecution services.

Pre-Proposal Information and Questions

Each proposal that is received by the deadline will be evaluated on its merit and completeness of all requested information. In preparing proposals, respondents are advised to rely only upon the contents of this RFP and accompanying documents and any written clarifications or addenda issued by the City of Bangor ("the City"). If a respondent finds a discrepancy error, or omission in the RFP package, or required any written addendum thereto, the respondent is requested to notify in writing the contact noted on the first page of the RFP, no later than seven (7) days prior to the deadline, so that written clarification may be sent to all prospective respondents. **THE CITY IS NOT RESPONSIBLE FOR ANY ORAL INSTRUCTIONS.** No contact regarding this document with other city employees is permitted. All answers will be issued in the form of an addendum.

RFP Modifications/Addenda

Clarifications, modifications, or amendments may be made to this solicitation at the discretion of the City. Any and all addenda issued by the City will be posted on the City's website at www.cityofbangormi.org. All interested parties are instructed to view the listed website regularly for any issued addenda. Copies of any issued addenda may also be obtained by visiting the City Clerk, City of Bangor, 257 W Monroe St. Bangor, Michigan 49013 9:00 AM to 4:00 PM, Monday through Friday, except legal holidays. It is the responsibility of the respondent to obtain the available addenda and acknowledge any issued addenda on the proposal form for this solicitation, and further submit the form as part of the required submittal documents for this solicitation. If any changes are made to this solicitation document by any party other than the City, the original document in the City's files takes precedence.

Proposal Submission

Submissions should be contained in a sealed package or envelope and received by the City Clerk no later than **Monday, July 29th, 2024, at 3:00 PM.** The envelope or package should be clearly marked on the outside "City Attorney Proposal", deadline and respondent's name, address, phone, fax and contact

name. It is each respondent's responsibility to ensure that its proposal is received by the City Clerk by the deadline. This responsibility rests entirely with the respondent, regardless of delays resulting from postal handling or for any other reason. Proposals will be accepted at any time during the normal course of business only, said hours being 8:00 AM to 4:00 PM local time, Monday through Friday, except legal holidays. Proposals will be publicly opened by the City Manager and/or City Clerk immediately after the submission deadline. Proposals will be evaluated by the City Council and presented for approval, tentatively, at the regular City Council meeting on August 5th, 2024. Responses received after the deadline will not be accepted.

Documents may be mailed or hand-delivered to:

Shelly Umbanhowar, City Clerk
City Clerk, City of Bangor
257 W Monroe St,
Bangor, Michigan 49013

The opening and reading of a proposal does not constitute the City's acceptance of the respondent as a responsive and responsible respondent.

Duplicate Proposals

No more than one (1) proposal from any respondent, including its subsidiaries, affiliated companies and franchises will be considered by the City. In the event multiple proposals are submitted in violation of this provision, the City will have the right to determine which proposal will be considered, or at its sole option, reject all such multiple proposals.

Withdrawal

Proposals may only be withdrawn by written notice prior to the date and time set for the opening of proposals. No proposal may be withdrawn after the deadline for submission.

Rejection

The City Council reserves the right to reject any or all proposals, or to accept or reject any proposal in part, and to waive any informality or irregularity in proposals received if it is determined by the City Council that the best interest of the City will be served by doing so. If all proposals are rejected by the City, notice will be posted on the City's website as noted on the cover page of this document. No proposal will be considered for any person, firm or corporation that is in arrears or in default to the City on any contract, debt, or other obligation, or if the respondent is debarred by the City from consideration for a contract award, or if respondent has committed a violation of the City's Charter and/or Code of Ordinances which resulted in a termination of a contract or other material sanctions within the five (5) years immediately preceding the date of issuance of this document.

Procurement Policy

Procurement for the City will be handled in a manner providing fair opportunity to all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City.

Proposal Signatures

Proposals must be signed by an authorized official of the respondent. Each signature represents binding commitment upon the respondent to provide the goods and/or services offered to the City if the respondent is determined to be the most responsive and responsible respondent.

Contract Award

The respondent to whom the award is made will be notified at the earliest possible date. Tentative acceptance of the proposal, intent to recommend award of a contract and the actual award of the contract will be provided by written notice sent to the respondent at the address designated in the proposal. All proposals must be firm for at least one hundred twenty (120) days from the due date of the proposal. After a final award of the agreement by the City, the contractor must execute and perform said agreement. The date on which the agreement is signed by the City marks the beginning of the Agreement.

FOIA Requirements

Proposals are subject to public disclosure after the deadline for submission in accordance with state law.

Scope of Work

In accordance with the City of Bangor Charter, the City Attorney shall perform the following duties:

1. Act as legal advisor to and be the legal counsel for City Council and officers or department heads of the City in matters related to official city business.
2. Prepare and file written legal opinions with the City Clerk when requested.
3. Prosecute all charter and ordinance violations as allowed by charter, ordinance and state statutes, and represent the City in cases before the county, state and federal courts and other tribunals, as City Council may request. These matters include code violation enforcement actions, traffic infractions and all civil suits filed by or against the City.
4. Prepare or review all ordinances, regulations, contracts, bonds and other written instruments as may be required by the City Charter or City Council and provide a legal opinion thereof.
5. Call to the attention of City Council all matters of law, and changes or developments therein, affecting the City.
6. Perform such other duties as may be prescribed by City Charter or by City Council.
7. As may be recommended by the City Attorney or as requested by City Council, retain special legal counsel to handle any matter in which the City has an interest or to assist and counsel with the City Attorney.
8. Attend meetings of City Council, commission or boards when requested.

Monthly retainer proposals shall include all items listed on the Price Sheet which are considered "General Matters". If in the course of business conducted by the City matters outside the scope of work listed above required legal advisement or actions, the billable hourly rate will be applied. Approval from City Council to proceed at the hourly rate must be obtained.

Estimated Workload and Support Services

1. The City does not guarantee a set workload or billable hours. However, to aid in the development of a proposal, it is reasonable to expect an average of ten (10) monthly billable hours.
2. The City Attorney shall provide all the administrative services and support necessary to manage the workload in order to complete all assignments. This includes office facilities, support staff, supplies and equipment.
3. For work product and services outside of the retainer services, the City Attorney shall provide time records and detailed costs for supplies and other service items that are billed to the City.
4. Payment for non-retainer services rendered shall be on a monthly basis according to the itemized monthly statements provided by the City Attorney.

Specifications

1. The City Attorney shall attend regular and special City Council meetings, when requested. Currently, regular City Council meetings are scheduled the first and third Mondays of every month at 7:00 PM. If the time set for the holding of a regular meeting of the Council shall be a holiday, the regular meeting shall be held at the same hour and place on the next business day which is not a holiday.
2. The City Attorney must be available via telephone, mobile phone and e-mail.
3. Accessibility to the City Attorney is an important aspect of the service. Accessibility and responsiveness for the City Attorney is of greatest importance, although these elements will also be considered in relation to assistant attorney(s) as well. Accessibility includes the ability to be generally available to attend meetings in person on short notice and to be reached promptly by telephone.
4. Service response is also of high importance. When the City Manager or City Council requests draft ordinances or opinions, the City Attorney should provide an estimated time of completion and keep the requesting party apprised of any delays or special considerations.
5. The City does not offer space for offices in a city location and does not require the City Attorney to maintain an office within the City of Bangor.
6. The City Attorney must prioritize the attorney's workload so that city matters are given the highest priority and, therefore, are completed in a timely manner.

Statement of Qualifications

Respondents, specifically the business that will be contractually bound under the contract with the City of Bangor, will be deemed non-responsive and rejected without any further evaluation if they do not meet the following qualifications:

1. No conflicts of interest between the City and those of the respondent's existing clients, under Michigan Rules of Professional Responsibility, as determined by the City.
2. Significant experience, competence and reputation of the firm providing full-service representation in the area of municipal law and litigation.
3. Experience, competence and reputation of the specific lawyers assigned to the proposed contract for providing full-service representation in the area of construction law and litigation.
4. Satisfactory client references.
5. Availability to service the needs of the City in a convenient and timely manner.

Proposal

1. **Letter of Transmittal** - limited to six (6) pages to include:
 - a. A brief statement of the respondent's understanding of the scope of work;
 - b. A statement that the entire response and the prices contained therein shall be binding upon the respondent in all respects for a period of one hundred twenty (120) days from submission;
 - c. Identification of a single-point-of-contact to respond to any questions regarding the proposal;
 - d. A statement indicating whether respondent intends to subcontract any portion(s) of the work and to whom, if known at time of submittal.
2. **Executive Summary** - Each respondent shall submit a brief overview of the firm and the proposed attorney(s) to be assigned to the proposed contract. The summary shall be limited to five (5) pages in length and shall consist of no more than one (1) for the firm and four (4) pages for the attorney(s) to be assigned.

3. **Respondent History** - Respondents shall present information to demonstrate financial stability and performance, operational history, and firm biography. Please refrain from using marketing materials.
4. **Respondent Identifying Information** - Name and location of major offices and other facilities (other than the one identified on Proposal Form) that relate to respondent's performance under the terms of this RFP:
 - a. Name, business address, business and fax telephone numbers, and e-mail address of the proposed principal contact person.
 - b. Information on firm's experience, competence and reputation in providing legal services in the area of municipal law and litigation.
5. **Respondent Qualifications** - This section must contain all pertinent information relating to the respondent's organization and experience that would substantiate its qualification and capabilities to perform the legal services requested including:
 - a. Statement relating to existing clients and whether current representation presents a conflict of interest with potential representation of the City. Provide sufficient, non-confidential details for independent verification by the City. The City shall be the sole decision-maker about whether a conflict exists between its interests and those of a firm's other clients.
 - b. A narrative description documenting the firm's and attorney(s) experience with municipal and government entities in this area of law.
 - c. A summary of major cases handled during the last five (5) years by the attorney(s) to be assigned to this contract demonstrating the ability to represent and provide advice to the City in litigation involving municipal law (state case name, case number, court or administrative agency and citation, if any published decision is involved). Indicate the key issues of the case and the degree of success achieved. Indicate which cases were handled by person(s) designated as lead attorney for city matters.
 - d. Provide a summary of other relevant experience and training that demonstrates the ability of the key personnel to be assigned to represent the City in litigation or to provide advice on routine municipal matters. This may be non-litigation legal experience, significant litigation experience involving appellate courts practice, representation of other governmental entities, academic experience, publications and professional activities.
6. **Client References** - each respondent must provide no less than five (5) client references for similar services performed within the last three (3) years. Please include at least two (2) municipal or governmental entity clients. The list of clients must include the following:
 - a. Name and address of client.
 - b. Name and phone number of client contact.
 - c. Contract state date and duration
 - d. Type and size of contract
 - e. Role in representation
 - f. Number of staff by position participating in representation
 - g. Outcome of representation, if completed and available for disclosure. These references may be contacted and used in conjunction with the evaluation of proposals.
7. **Organizational and Staffing Plan** - Respondents shall submit information relating to their team, including attorney(s), paralegals, administrative and technical staff. Comparable resources must be guaranteed throughout the course of the representation.

- a. The respondent will provide resumes and qualifications of all proposed attorneys, staff and contractors, their role(s) on the contract, the expected percentage of time they will participate in the contract, and specific experience with related projects.
 - b. All attorneys must be licensed to practice law in Michigan and their licenses must be in good standing with the Michigan State Bar.
 - c. The principal attorney serving as City Attorney must have practiced law within the State of Michigan for at least five (5) years.
 - d. All staff assigned to the contract must be reasonably acceptable to the City. All replacements of key personnel must be of equal or superior experience as the person replaced. Any staff substitutions must include a resume and be approved in writing in advance of work on the project by the City Council.
8. **Project Manager** - Respondents shall specifically identify the individual who will be responsible for management of this representation and who shall serve as City Attorney for the City. The individual identified shall not be reassigned unless consented to by the City Council. Provide a detailed resume for this person. Include the number of years of experience on this attorney in providing municipal legal services to be delivered to the City. The following information must also be provided for this individual:
- a. Length of service with firm
 - b. Education, experience and responsibilities
 - c. Other relevant qualifications
9. **Compensation** - Respondents must provide the monthly retainer fees and hourly rate proposed to perform the services identified in this RFP. The retainers and hourly rates should fully account for overhead and other expenses. Complete attached price sheet.

Proposal Content

The respondent must include the following items, or the proposal may be deemed non-responsive and rejected without any further consideration:

1. All general forms contained in this RFP, fully completed:
 - a. All items requested in the "Proposal" section listed above,
 - b. Proposal Form (pages 10-11),
 - c. Price Sheet (page 12), and
 - d. Business Information Questionnaire (pages 13-14)
2. Evidence showing that the respondent meets each of the qualifications listed in the Statement of Qualifications of this RFP.

Exceptions

Respondent shall clearly identify any proposed deviation from the language in the RFP. Each exception must be clearly defined and referenced to the proper paragraph in this RFP. The exception shall include, at a minimum, the respondent's proposed substitute language and opinion as to why the suggested substitution will provide equivalent or better service and performance. The City will expect and require complete conformance with this specification and the successful respondent will be required to perform accordingly. Proposals not meeting all requirements may be rejected. Proposals taking exception to

material terms/conditions in the RFP will not be considered. The City reserves the right to accept, or to allow respondent to withdraw, any or all exceptions.

Shortlisting

The City may shortlist the respondents based upon responses to the above items. If necessary, the City will conduct interviews/demonstrations. The City will notify each respondent on the shortlist if such presentation is required. These presentations will provide an opportunity for the respondents to respond to questions posed by the City Council and to clarify their proposals through exhibition and discussion. The City will not reimburse presentation costs of any respondent.

Evaluation and Selection

1. **Evaluation Process** - The City reserves the right to award the contract to that respondent that best meets the needs and interest of the City. The following steps are anticipated:

- Step 1. Receipt and review of minimum qualifications
- Step 2. City scoring of written proposals
- Step 3. Initial references and information checks
- Step 4. City Manager interviews
- Step 5. City Council interviews of finalists
- Step 6. City Council Confirmation Process

2. **Scoring and Evaluation of the Written Proposal** - Written proposals will be scored by the City as follows:

- 40 points Experience of proposed City Attorney, particularly municipal law experience
- 20 points Depth and stability of firm or practice
- 20 points Knowledge of special municipal issues
- 20 points Overall cost
- 20 points Accessibility and responsiveness of attorney and support staff
- 10 points Overall presentation

Those respondents that receive the highest scores and also achieve successful reference and information checks may be invited to interview.

SPECIFIC CONTRACT TERMS AND CONDITIONS

1. Contract Terms

The contract term is negotiable up to a maximum of three (3) years, effective upon the first of the month following the notice of award unless otherwise indicated in the award letter. It is anticipated this contract will commence on **August 5th, 2024**.

2. Payment

The Contractor may bill monthly for the work completed. Payment is Net 30.

3. Insurance Submission Requirements

The successful respondent must submit proof to the City Clerk that they meet all City of Bangor insurance requirements prior to receiving an executed contract. Proof of insurance as stated below will be required no later than five (5) business days after request. A "Notice of Award" letter will serve as the request and will be faxed or e-mailed to the successful respondent. To expedite the process, a copy of your current coverage may be submitted with your bid.

4. Standard Insurance Requirements

The successful respondent must have General Liability insurance of at least \$1,000,000 per occurrence; \$1,000,000 aggregate, and Worker's Compensation Liability of at least \$500,000 per accident.

5. Non-Compliance

Failure to deliver in accordance with specifications will be cause for the City to cancel the contract or any part thereof.

6. Key Personnel and Subcontractors

It is essential that the respondent provides adequate experienced personnel and subcontractors, capable of and devoted to the successful accomplishment of work to be performed under this contract. The Contractor must agree to assign specific individuals to the key positions.

- a. The respondent agrees that, once assigned to work under this contract, key personnel and subcontractors shall not be removed or replaced without written notice to the City Council.
- b. If key personnel and subcontractors are not available for work under this contract for a continuous period exceeding thirty (30) calendar days or are expected to devote substantially less effort to the work than initially anticipated, the respondent shall immediately notify the City Council, and shall, subject to the concurrence of the City Council, replace such personnel with personnel of substantially equal ability and qualifications.
- c. The use of any subcontractor is subject to pre-approval by the City of Bangor.

7. Contract Negotiations

The City of Bangor reserves the right to negotiate all elements which comprise the apparent successful proposal to ensure that the best possible consideration is afforded to all concerned. City representatives and the selected finalist will review in detail, all aspects of the requirements and the proposal. During the review of the most favorable, apparent successful proposal, the proposer may offer and the City may accept revisions to the proposal.

PROPOSAL FORM

Failure to complete this form will result in your Proposal being deemed non-responsive and rejected without further evaluation.

TO: CITY OF BANGOR

The undersigned hereby offers and agrees to furnish the services in compliance with all terms, scope of work, conditions, specifications and addenda in the RFP.

ADDENDA:

The undersigned has read and understands the RFP with all exhibits thereto, together with any written addenda issued in connection with any of the above. The undersigned hereby acknowledges receipt of the addenda:

(Write "None" if none.)

In addition, the undersigned has fully and accurately completed all required forms.

OBLIGATION:

The undersigned, by submission of this proposal, hereby agrees to be obligated, if selected as the contractor, to provide the stated services to the City, for the term stated herein, and to enter into an agreement with the City, in accordance with the conditions, scope and terms, as well as the Specific Contract Terms and Conditions, together with any written addenda as specified above.

COMPLIANCE:

The undersigned hereby accepts all administrative requirements of the RFP and will be following these requirements. By submitting this Proposal Form, the respondent represents that: 1) the respondent is following any applicable provisions of the City's Charter and Code of Ordinances; and 2) if awarded a contract to provide the Services required in the RFP, the respondent will comply with the City's Charter and Code of Ordinances.

NONCOLLUSION:

The undersigned, by submission of this proposal, hereby declares that this proposal is made without collusion with any other person or entity.

SUBMITTAL REQUIREMENTS:

The undersigned certifies it has a complete response to each of the submittal requirements listed in the Proposal and Proposal Content section of this RFP.

No proposal shall be accepted which has not been manually signed in ink in the appropriate space below:

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:

Company Name

Address

City State Zip

Signature of Person Authorized to Sign

Printed Name

Title

For clarification of this offer, contact:

Name: _____

Phone: _____

Fax: _____

Billable Hourly Services - **General Counsel:**

\$_____ hourly

Billable Hourly Services - **Prosecution Services:**

\$_____ hourly

BUSINESS INFORMATION QUESTIONNAIRE

Failure to complete this form will result in your Proposal being deemed non-responsive and rejected without further evaluation.

NAME OF COMPANY _____

PRINCIPAL OFFICE ADDRESS _____

PHONE NUMBER _____ FAX NUMBER _____

FORM OF OWNERSHIP (Check one): Corporation LLC Joint Venture

State of Incorporation/Registration _____ Date of Incorporation/Registration _____

Partnership If Partnership, select one of the following: Limited General Individual

LIST OF PARTNERS, PRINCIPALS, CORPORATE OFFICERS OR OWNERS

Name

Title

LIST OF CORPORATE DIRECTORS

Principal Business Affiliation

Name

Other Than Respondent Directorship

ADDITIONAL INFORMATION REQUIRED:

LIST OF PRINCIPAL STOCKHOLDERS (i.e., those holding 5% or more of the outstanding stock)

Name

Address

_____	_____
_____	_____
_____	_____
_____	_____

FINANCIAL DISCLOSURE/CONFLICTS OF INTEREST: Identify any contract(s) including any contract involving an employment or consulting relationship, which the firm, or its partners, principals, corporate officers or owners currently has with the City of Bangor, or with any of its Council members or officers.

LATEST CREDIT RATING (Specify if other than Dun and Bradstreet)

I hereby certify that the foregoing business information is true, correct and complete to the best of my/our knowledge and belief:

Name of Company

By: _____
Signature Date

By: _____
Signature Date



C|L|F

THE CURCIO LAW FIRM

**Proposal for Legal Services
City of Bangor**

Proposal for Legal Services

To: The City of Bangor
From: Curcio Law Firm PLC
Date: July 15, 2024

1. Proposal Summary

The Curcio Law Firm proposes providing legal services to the City of Bangor at an hourly rate of \$185 per hour. Attorney Nick Curcio is qualified to perform the full scope of work described in the RFP.

2. Executive Summary

The Curcio Law Firm is a boutique law practice focusing on municipal law and appellate litigation. Attorney Nick Curcio has over a decade of experience in these areas. After graduating from Notre Dame Law



Attorney Nick Curcio

School in 2010, he began as a law clerk for a federal appeals court in Atlanta. He then moved into private practice with one of the largest firms in Michigan, practicing in its Grand Rapids office. In that capacity, he served as legal counsel to over 15 municipalities across the state, with clients ranging from small villages and townships to major cities like Grand Rapids and Mt. Pleasant.

Nick founded the Curcio Law Firm in September 2018, asking a few select municipal clients to join him in his new endeavor. The goal of the firm is to provide top-notch service more efficiently and affordably than other providers. To do this, the firm leverages several advantages that it has over competitor firms.

First, the firm maintains a small roster of clients, resisting the tendency to expand beyond capacity. Because the rates for municipal work are relatively low as compared to other practice areas, many of the best municipal attorneys continually add clients as they progress in their careers. The Curcio Law Firm was formed in order to do just the opposite. Concentrating on a few select clients allows the firm to be more responsive and proactive in addressing client needs.

Second, many firms carry high overhead with little benefit to municipal clients. Expenses like lavish conference rooms, marketing consultants, and destination retreats add up over time and increase the cost of service. The Curcio Law Firm avoids these expenses and focuses its investments on items that directly benefit municipalities. For example, the firm invests heavily in software and other technologies. These investments increase efficiency and provide research capabilities on par with any larger firm.

Finally, the firm takes advantage of the recent trend toward “unbundled” legal services. In the past, large law firms were often able to provide a greater breadth of expertise than their small-firm competitors. That advantage has now disappeared as new technologies make it easier for attorneys to partner together in co-counsel and independent-contractor arrangements. As a result, small firms can now easily identify and partner with other attorneys on more complex or unusual matters. These types of temporary partnerships are more cost effective than the traditional firm model, and they result in the same quality of service to the client.

In sum, the Curcio Law Firm uses an innovative business model to provide efficient and affordable legal services to municipalities.

3. Firm History

As noted above, the Curcio Law Firm was founded in September 2018. It has been financially stable for its first five years and has a strong client base. It currently represents approximately 10 public entities as well as several private clients.

4. Identifying Information

Entity Name:	Curcio Law Firm PLC
Mailing Address:	16905 Birchview Drive Nunica, MI 49448
Phone Number:	(616) 430-2201
Email:	ncurcio@curciofirm.com
Recognitions:	SuperLawyers “Rising Star” in Municipal Law Winner of the Cooley Law Review’s 2024 Distinguished Brief Award

5. Qualifications

5.1. Current Clients

The firm serves as general counsel for five West Michigan communities: the City of Allegan, the City of Hartford, the Village of Stevensville, the Village of Decatur, and Saugatuck Township. It also serves as legal counsel for a variety of other local government entities, including the South Haven Area Water/Sewer Authority (SHAWSA) and the Ottawa County Parks Commission.

As of now, the only firm clients that conduct business in Van Buren County are the City of Hartford, the Village of Decatur, and SHAWSA. Accordingly, the firm does not anticipate that it would have any conflicts of interest in matters involving the City of Bangor.

5.2. Narrative of Relevant Experience

Nick Curcio has focused on general municipal law since beginning his career in private practice. As an attorney in one of the largest municipal practices in Michigan, Nick represented cities, villages, and townships on a wide variety of transactional and litigation matters. He has significant experience in areas including ordinance drafting, real estate transactions, right-of-way regulation, utilities, eminent domain, Freedom of Information Act, Open Meetings Act, First Amendment law, intergovernmental agreements, election law, tax increment financing, and economic development.

Nick has particular expertise in zoning and land use. He has presented at conferences across the state on options for regulating vacation rentals in residential homes, including presentations to the Michigan Township Association (MTA) and the Michigan Association of Municipal Attorneys. Nick has also drafted a guidance document on marijuana regulation for the Michigan Municipal League (MML).

5.3 Litigation Matters

Nick has a strong litigation background and takes pride in his ability to represent municipal interests in court. The following are some of his more significant municipal litigation matters include:

- *Heos v City of East Lansing*, Michigan Supreme Court Case No. 165763 (pending) - Nick is representing the MML as amicus curiae in a case involving the legality of utility franchise fees and the applicable statute of limitations when a utility

customer challenges those fees under the Headlee Amendment. Nick's brief to the Michigan Supreme Court argues that utility franchise fees are contractual obligations that are inherently distinct taxes, and that they therefore do not violate the Headlee Amendment under any circumstances.

- o *Burns v Lewis*, Michigan Court of Appeals Case No. 371133 (pending) - Nick is representing the MML as amicus curiae in a case involving the legality of city charter provisions that authorize city councils to remove their own members for misconduct in office. The circuit court held that these provisions are preempted by a state statute that authorizes the governor to remove local officials. Nick's brief to the Court of Appeals argues that when the Legislature first granted the governor the power to remove local officials in the 1800s, it clearly understood that the power was concurrent with the powers granted to cities under their legislatively enacted charters.

- o *Pegasus Wind, LLC v Tuscola County*, Michigan Supreme Court Case No. 164261 (2024) - Nick successfully represented the MML and MTA as amici curiae in an appeal regarding the proper standards for dimensional variances under Michigan zoning law. Nick's brief to the Michigan Supreme Court argued that the decision below threatened to undermine hundreds of zoning ordinances across the state that require the ZBA to consider whether the requested variance relates to "unique circumstances" of the property, as opposed to general economic conditions. The Supreme Court recently reversed the Court of Appeals' problematic opinion.

- o *Saugatuck Dunes Coastal Alliance v Saugatuck Township*, Michigan Supreme Court Case No. 160358 (2022) - In 2016, Nick represented the Township's Planning Commission in a lengthy approval process for a residential development surrounding a manmade boat basin on the Kalamazoo River. An environmental group appealed that decision, and Nick worked closely with the Township's insurance counsel to defend the Planning Commission's decision. The circuit court and Court of Appeals ruled for the Township, finding that the appellant did not own property affected by the zoning decision and therefore lacked legal standing to bring the case. The case has been heavily covered in statewide media and is currently pending on remand from the Michigan Supreme Court.

- o *Hooker v Moore*, Michigan Supreme Court Case No. 158983 (2019) - Nick represented Muskegon County Drain Commissioner Brenda Moore on an

application for leave to appeal to the Michigan Supreme Court. The case was about whether the Election Law’s “factuality” requirement means that the statements in a recall petition must be true, or whether they must simply be “stated as facts.” Ms. Moore retained the firm after the Court of Appeals adopted the latter interpretation. The MTA provided an amicus brief supporting Ms. Moore’s position.

5.4 Other Relevant Experience

In addition to his direct client representations, Nick serves as a member of the MML Legal Defense Fund’s board of trustees. In that capacity, Nick assists the board reviewing municipal cases of statewide significance and determining whether the MML should participate by filing an amicus (“friend of the court”) brief. Through this work, Nick stays up to speed on new and developing issues in municipal law.

6. Client References

Reference Name: Chris Tapper, Village Manager
Village of Decatur

Mailing Address: 114 N. Phelps
Decatur, MI 49045

Phone Number: (269) 423-6114

Email: ctapper@decaturmi.us

Role in Representation: Village Attorney (September 2021 – Present)

Attorneys Involved: 1

Outcome: Ongoing representation with high levels of client satisfaction

Reference Name: Joel Dye, City Manager
City of Allegan

Mailing Address: 231 Trowbridge Street
Allegan, MI 49010

Phone Number: (269) 673-5511 Ext. 229

Email: jdye@cityofallegan.org

Role in Representation: City Attorney (July 2018 – Present)
Deputy City Attorney (2013 – July 2018)

Attorneys Involved: 1

Outcome: Ongoing representation with high levels of client satisfaction

Reference Name: Daniel DeFranco, Township Manager
Saugatuck Township

Mailing Address: 3461 Blue Star Highway
Saugatuck, MI 49453

Phone Number: (269) 857-7721

Email: ddefranco@saugatucktownship.org

Role in Representation: Township Attorney (July 2018 – Present)
Deputy Township Attorney (2015 – July 2018)

Attorneys Involved: 1

Outcome: Ongoing representation with high levels of client satisfaction

Reference Name: Kacey Dominguez, Village Manager
Village of Stevensville

Mailing Address: 5768 Saint Joseph Avenue
Stevensville, MI 49127

Phone Number: (269) 429-1802

Email: manager@villageofstevensville.us

Role in Representation: Village Attorney (March 2019 – Present)

Attorneys Involved: 1

Outcome: Ongoing representation with high levels of client satisfaction

Reference Name: Nicol Brown, City Manager
City of Hartford

Mailing Address: 19 West Main Street
Hartford, MI 49057

Phone Number: (269) 621-2477

Email: citymanager@cityofhartfordmi.org

Role in Representation: City Attorney (June 2023 – Present)

Number of Attorneys: 1

Outcome: Ongoing representation with high levels of client satisfaction

7. Organizational and Staff Planning

The Curcio Law Firm is a solo legal practice. Nick Curcio would be appointed City Attorney and would provide the City's legal representation for all matters within the scope of the contract. If a situation arises where it would be beneficial for the City to work with an attorney that specializes in a particular area of law, Nick would assist the City in selecting and retaining such an attorney as special counsel.

The firm has invested in state-of-the-art practice management software that automates many typical administrative functions. This allows the firm to operate with low overhead, and to pass along its savings to clients.

7. Project Management

Nick Curcio would be responsible for the management of all legal services provided under the contract.

8. Compensation

Because it is often difficult to estimate the amount of work needed under a contract, the firm strongly prefers hourly billing arrangements. This is especially true with respect to ordinance-prosecution services, since the costs are driven largely by how the client exercises its prosecutorial discretion. We propose an hourly billing rate of \$185 for all work performed under the contract.

Alternatively, because the Request for Proposals specifically asks for a proposal for a flat monthly fee, we propose a fee of \$3,000. This fee would be all inclusive except for: (1) ordinance-prosecution services; (2) litigation matters; and (3) attending City meetings in person. Because of the difficulties in estimating the amount of time these services would entail, the firm can only offer them pursuant to an hourly billing arrangement at a rate of \$185 per hour.

Under either the hourly or the flat-fee proposal, the City would not be charged for routine copying or printing, fees charged by legal-research providers, secretarial or administrative labor, or other typical overhead costs. The City would be charged for mileage reimbursement and for unusually large printing projects (*e.g.*, the printing of largescale site plans, litigation administrative records, etc.)

Attachment List

Exhibit A – Resume

Exhibit B – RFP Proposal Form

Exhibit C – RFP Business Information Questionnaire

Exhibit A

Nick Curcio

16905 Birchview Drive, Nunica, MI 49448
(616) 430-2201 ncurcio@curciofirm.com

Education

Notre Dame Law School 2007–10

- Magna Cum Laude, 3.75 GPA
- Notre Dame Law Review, Articles Editor

University of Notre Dame 2003–07

- Cum Laude, 3.71 GPA
- American Studies Major

Legal Experience

Curcio Law Firm PLC 2018–Present

Managing Member, Nunica

- Represent clients in matters including:
 - Appeals and other litigation in state and federal courts
 - Administrative proceedings
 - Advisory matters involving constitutional and regulatory issues
 - Real estate and other business transactions

U.S. Eleventh Circuit Court of Appeals 2010–2013

Law Clerk, Atlanta

- Prepared written and oral recommendations in appeals involving:
 - Criminal convictions and sentences
 - Habeas and § 2255 petitions
 - Immigration removal proceedings
 - Employment discrimination and other civil litigation matters

Other Experience

- Dickinson Wright PLLC
Municipal, Real Estate, and Appellate Attorney, 2013–2018
- U.S. Attorney's Office for the Northern District of Illinois
Summer Intern, 2009

Miscellaneous

Activities

- Athletic Director, St. Mary's Spring Lake
- Brazilian Jiu-Jitsu Black Belt
- Youth Wrestling Coach

Notable Appellate Cases

- *People v Dixon*, 509 Mich 170 (2022)
- *Schaaf v Forbes* (On Remand), 338 Mich App 1 (2021)
- *Tineo v Attorney Gen*, 937 F3d 200 (3d Cir 2019)



Exhibit B

PROPOSAL FORM

Failure to complete this form will result in your Proposal being deemed non-responsive and rejected without further evaluation.

TO: CITY OF BANGOR

The undersigned hereby offers and agrees to furnish the services in compliance with all terms, scope of work, conditions, specifications and addenda in the RFP.

ADDENDA:

The undersigned has read and understands the RFP with all exhibits thereto, together with any written addenda issued in connection with any of the above. The undersigned hereby acknowledges receipt of the addenda:

None.

(Write "None" if none.)

In addition, the undersigned has fully and accurately completed all required forms.

OBLIGATION:

The undersigned, by submission of this proposal, hereby agrees to be obligated, if selected as the contractor, to provide the stated services to the City, for the term stated herein, and to enter into an agreement with the City, in accordance with the conditions, scope and terms, as well as the Specific Contract Terms and Conditions, together with any written addenda as specified above.

COMPLIANCE:

The undersigned hereby accepts all administrative requirements of the RFP and will be following these requirements. By submitting this Proposal Form, the respondent represents that: 1) the respondent is following any applicable provisions of the City's Charter and Code of Ordinances; and 2) if awarded a contract to provide the Services required in the RFP, the respondent will comply with the City's Charter and Code of Ordinances.

NONCOLLUSION:

The undersigned, by submission of this proposal, hereby declares that this proposal is made without collusion with any other person or entity.

SUBMITTAL REQUIREMENTS:

The undersigned certifies it has a complete response to each of the submittal requirements listed in the Proposal and Proposal Content section of this RFP.


No proposal shall be accepted which has not been manually signed in ink in the appropriate space below:

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:

Curcio Law Firm PLC
Company Name

16905 Birchview Drive
Address

Nunica MI 49448
City State Zip


Signature of Person Authorized to Sign

Nicholas Curcio
Printed Name

Owner
Title

For clarification of this offer, contact:

Name: Nicholas Curcio

Phone: 616-430-2201

Fax: None

Billable Hourly Services - General Counsel:

\$ 185 hourly

Billable Hourly Services - Prosecution Services:

\$ 185 hourly

Exhibit C

BUSINESS INFORMATION QUESTIONNAIRE

Failure to complete this form will result in your Proposal being deemed non-responsive and rejected without further evaluation.

NAME OF COMPANY Curcio Law Firm PLC

PRINCIPAL OFFICE ADDRESS 16905 Birchview Drive, Nunica, MI 49448

PHONE NUMBER 616-430-2201 FAX NUMBER None

FORM OF OWNERSHIP (Check one): Corporation LLC Joint Venture

State of Incorporation/Registration MI Date of Incorporation/Registration August 23, 2018

Partnership If Partnership, select one of the following: Limited General Individual

LIST OF PARTNERS, PRINCIPALS, CORPORATE OFFICERS OR OWNERS

<u>Name</u>	<u>Title</u>
<u>Nicholas Curcio</u>	<u>Owner</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

LIST OF CORPORATE DIRECTORS

Principal Business Affiliation

<u>Name</u>	Other Than Respondent Directorship
<u>N/A</u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

ADDITIONAL INFORMATION REQUIRED:

LIST OF PRINCIPAL STOCKHOLDERS (i.e., those holding 5% or more of the outstanding stock)

<u>Name</u>	<u>Address</u>
N/A	

FINANCIAL DISCLOSURE/CONFLICTS OF INTEREST: Identify any contract(s) including any contract involving an employment or consulting relationship, which the firm, or its partners, principals, corporate officers or owners currently has with the City of Bangor, or with any of its Council members or officers.

None

LATEST CREDIT RATING (Specify if other than Dun and Bradstreet)

N/A

I hereby certify that the foregoing business information is true, correct and complete to the best of my/our knowledge and belief:

Curcio Law Firm PLC

Name of Company

By: *Ni Li* July 15, 2024 By: _____
Signature Date Signature Date

Bloom Sluggett, PC

COUNSELORS & ATTORNEYS

Andrew J. Gordon
Direct Dial (616) 965-9344
Direct Fax (616) 965-9350
andy@bloomsluggett.com

July 24, 2024

Ms. Shelly Umbanhowar
City Clerk, City of Bangor
257 W. Monroe St.
Bangor, MI 49013

**Re: CITY ATTORNEY PROPOSAL
Bloom Sluggett, PC**

Dear Ms. Umbanhowar:

Enclosed please find the Proposal for City Attorney services from Bloom Sluggett, PC, in response to the City of Bangor's Request for Proposals dated June 17, 2024. We appreciate the invitation to submit this Proposal and it would be an honor to represent the City. We would be happy to meet with you or with the members of the City Council to discuss our proposal.

Thank you for your consideration in this matter.

Sincerely,


Andrew J. Gordon

cc: Jeff Sluggett, Bloom Sluggett PC

Bloom Sluggett, PC

Counselors & Attorneys

PROPOSAL FOR MUNICIPAL LEGAL SERVICES

CITY OF BANGOR, MICHIGAN

Bloom Sluggett, PC
161 Ottawa Ave. NW, Suite 400
Grand Rapids, MI 49503
www.bloomsluggett.com
Phone: (616) 965-9340
Fax: (616) 965-9350
Federal Taxpayer ID #: 45-4497441

Andy Gordon
Phone: (616) 965-9344
Fax: (616) 965-9350
andy@bloomsluggett.com

TABLE OF CONTENTS

	Page
1. INTRODUCTION.....	3
2. STATEMENT OF QUALIFICATIONS.....	3
3. SCOPE OF WORK.....	3
4. EXECUTIVE SUMMARY.....	3
5. FIRM PERSONNEL FOR THE CITY.....	5
ATTORNEY ANDY GORDON.....	5
ATTORNEY JEFF SLUGGETT.....	6
ATTORNEY BLAKE CONKLIN	7
ATTORNEY CLIFF BLOOM.....	8
ATTORNEY ASHLEIGH RUSSETT	9
ATTORNEY MICHELLE KITCH.....	10
ATTORNEY CHRISTINE BLUM.....	11
ATTORNEY TOBY KOENIG.....	12
ATTORNEY CLINTON ROSEKOPF.....	13
ATTORNEY REBECCA JOHNSON.....	14
PARALEGAL TONYA VOAKES.....	15
PARALEGAL OLIVIA SHEA.....	16
6. IDENTIFYING INFORMATION.....	17
7. FIRM EXPERIENCE, REPUTATION & COMPETENCE.....	17
8. STATEMENT OF INSURANCE.....	17
9. QUALIFICATIONS.....	17
10. PROFESSIONAL REFERENCES.....	20
10. DEDICATION TO QUALITY SERVICE.....	21
11. ACCESSIBILITY AND RESPONSIVENESS.....	21
12. ORGANIZATIONAL & STAFFING PLAN.....	22
13. PROJECT MANAGER & PRINCIPAL ATTORNEY.....	22
14. PROPOSED FEE STRUCTURE.....	24
15. CONCLUSION.....	26

INTRODUCTION

Bloom Sluggett, PC (“BSPC”) is pleased to present this proposal to provide legal services for the City of Bangor (the “City”). We would welcome the opportunity to review our proposal or answer any questions the City may have.

STATEMENT OF QUALIFICATIONS

BSPC attorneys include Cliff Bloom, Jeff Sluggett, Blake Conklin, Andy Gordon, Christine Blum, Clinton Rosekopf, Michelle Kitch, Toby Koenig, Ashleigh Russett, and Rebecca Johnson. All of our attorneys possess a valid license to practice law in the State of Michigan and practice in a limited number of specialized areas; concentrating first on representing public sector clients. Several of our attorneys have been recognized for their public sector practice in Michigan through various awards, peer recognition, and other acknowledgements. We encourage you to learn more about us by visiting our website at www.bloomsluggett.com.

Andy Gordon is proposed to be the lead attorney and principal contact for the City of Bangor. Jeff Sluggett would act as the principal back up to Andy. If the City wishes to employ BSPC to also handle ordinance enforcement and prosecution work, Andy Gordon is the proposed principal contact for the City, but the majority of the work will be handled by the BSPC attorneys specializing in these areas, namely Clinton Rosekopf and Ashleigh Russett.

UNDERSTANDING OF SCOPE OF WORK

We understand that the City is seeking proposals for City Attorney services to act as the City’s general counsel and/or as the City’s attorneys for prosecution and ordinance enforcement work. BSPC offers this Proposal for Municipal Legal Services (“Proposal”) as its response to the City’s Request for Proposals. This Proposal (including the price quotes herein) shall remain binding upon BSPC for 120 days from the date of this Proposal. BSPC does not intend to sub-contract any of the work in the proposal, but in the event of a conflict of interest, BSPC may need to recommend other outside counsel for the City for a particular matter. Any questions regarding this proposal may be submitted to Andy Gordon.

EXECUTIVE SUMMARY – FIRM EXPERIENCE

Founded in 2012, BSPC has established itself as a distinguished boutique law firm, specializing in municipal, riparian, and real estate law. With an unwavering commitment to these core practice areas, we have honed our expertise to offer unparalleled legal services, ensuring a cost-effective and efficient approach to serving our clients.

We are committed to a practical approach coupled with a sincere dedication to the well-being of the communities we serve. At BSPC, we stand by our values of excellence, promptness, and affordability in delivering top-tier legal services. We prioritize our clients' needs, in an effort to achieve their goals and protect their interests.

We believe that our clients would attest to our proven record of serving local governments and public entities with the utmost dedication and professionalism. Our team of seasoned attorneys

possess a comprehensive understanding of the intricacies of municipal law, and a wealth of experience in addressing the unique legal challenges such entities face. Our services encompass a wide range of areas, including but not limited to:

- General Municipal/Public Sector Law
- Charter Amendments
- Ordinance Drafting
- Millages
- Procurement and Construction
- Litigation
- Zoning and Planning
- Eminent Domain
- Special Assessments
- Intergovernmental Agreements
- Ordinance Enforcement
- Freedom of Information Act
- Employment Law/Human Resources
- Federal and State Grants
- Riparian/Water Law
- Election Law
- Library Law
- Contract Negotiations
- Property Tax Appeals
- Economic Development/Incentives
- Labor Law
- Real Estate
- Land Division
- Open Meetings Act

For an identification of the areas of expertise of each of our attorneys, please see the included biographical section.

Our municipal practice is expansive. We currently serve as general legal counsel to numerous municipalities in Michigan including:

- City of Cedar Springs
- City of Coopersville
- City of Ionia
- City of Kentwood
- City of Newaygo
- City of Plainwell
- City of South Haven
- City of Springfield
- City of Stanton
- City of Walker
- Ada Township
- Alpine Township
- Benton Charter Township
- Big Prairie Township
- Bois Blanc Township
- Bowne Township
- Brooks Township
- Bushnell Township
- Crystal Township
- Croton Township
- Dayton Township
- Dorr Township
- Evergreen Township
- Gaines Township
- Georgetown Charter Township
- Grant Township
- Grattan Township
- Irving Township
- Lake Township
- Leighton Township
- Lilley Township
- Lincoln Township
- Lowell Charter Township
- Martin Township
- Merrill Township
- Montcalm Township
- North Plains Township
- Norwich Township
- Plainfield Charter Township
- Pleasant Plains Township
- Sheridan Township
- Sherman Township
- Thornapple Township
- White River Township

- Winfield Township
- Wright Township
- Village of Howard City
- Village of Lake Isabella
- Village of Lakeview
- Village of Nashville
- Village of Pierson
- Village of Sparta
- Village of Sand Lake

Additionally, we serve as special legal counsel for many other public authorities, public entities, and public libraries.

PROPOSED PRINCIPAL ATTORNEYS – ANDY GORDON & JEFF SLUGGETT

ATTORNEY ANDREW GORDON

Andy would serve as the City’s lead attorney under this proposal. Andy earned his Juris Doctor from the University of Iowa College of Law, in 2014, where he also served as the Senior Managing Editor of the Iowa Law Review as well as Co-President of the Iowa Student Bar Association. Prior to law school, Andy earned his Bachelor of Science degree in Accounting and Finance from Indiana University’s Kelley School of Business, in 2011.



Before joining Bloom Sluggett, Andy worked for a private firm in Lansing representing some of Michigan’s largest labor unions in federal and state litigation, administrative hearing matters, and arbitrations. Additionally, Andy worked for a smaller firm in Iowa where he served as the Assistant City Attorney for the City of Forest City. He represented the City in civil enforcement matters and advised the City Council on a variety of issues including open meeting requirements, utilities regulation, and administrative civil rights.

Practice Areas: General municipal law, public sector litigation, Tax Tribunal matters, labor and employment law, Freedom of Information Act, and Open Meetings Act.

Bar Admission: State of Michigan (2015) (P80211)
 State of Iowa (2014) (inactive)

ATTORNEY JEFF SLUGGETT

A graduate of the University of Oregon Law School (1986), Jeff has over 30 years' experience in the legal field. Jeff would serve as Andy's principal back up. His practice is devoted to public sector legal work. He has extensive experience in a wide range of municipal legal issues and represents over 20 communities and public authorities as general counsel. The longstanding relationship that Jeff enjoys with many of his clients is the aspect of his practice that he most values.



Clients, other municipal counsel, and municipal administrators and officers often look upon Jeff to participate in various speaking engagements regarding municipal legal topics. He is also a contributor to *Michigan Municipal Law*, published by the Institute for Continuing Legal Education of the State Bar of Michigan and has published in other venues on numerous occasions.

In addition to being a 12-time recipient of the Michigan Super Lawyers rating in the area of public sector law, Jeff has also received the highest designation of AV Preeminent by Martindale Hubbell for over 20 years and was selected in 2010 as a Distinguished Michigan Attorney of the Year by the Michigan Association of Municipal Attorneys upon the recommendation of his clients. Since 2017 he has been selected for inclusion in *The Best Lawyers in America* for his practice in the area of municipal law. Jeff was also chosen as "Lawyer of the Year" in 2019 by *Best Lawyers* for his work in the public sector. A former chairperson of the Government Law Section of the State Bar of Michigan (2007-2008), Jeff continues to actively serve on that body. In addition, he is a member of the State Bar of Michigan and the Michigan Association of Municipal Attorneys.

Aside from his professional legal work, Jeff is engaged in various civic organizations. Jeff lives in the Grand Rapids area.

Practice Areas: General municipal law including zoning, planning, annexation and 425 agreements, elections, Freedom of Information Act, Open Meeting Act, tax increment financing, special assessments, charter amendments, code and ordinance drafting, real estate, and public contracts.

Bar Admission: State of Michigan (1986) (P39440)

OTHER BSPC ATTORNEYS

BSPC utilizes a collaborative approach to servicing our clients' needs. This means that the firm will utilize the particular expertise of its attorneys if and when the needs of the client are best served by another attorney in the firm. Accordingly, BSPC may utilize the services of other attorneys if their personal expertise may provide for the most efficient delivery of client services.

ATTORNEY BLAKE CONKLIN

Blake earned his Juris Doctor from Case Western Reserve University School of Law in Cleveland, Ohio. While in law school, Blake clerked for the City of Cleveland's Law Department and the office of the United States Attorney, Northern District of Ohio.



In his municipal practice, Blake represents a wide variety of cities, townships, villages, and other public-sector entities in general municipal matters. He has particular experience working with communities on voter-approved millages and election matters. Additionally, Blake has served as grantee's counsel in connection with Michigan Natural Resources Trust Fund grant applications and as applicant's counsel in connection with United States Department of Agriculture – Rural Development grant and loan applications and closings.

In his real estate practice, Blake routinely handles real estate sale and purchase transactions and leasing matters for both government and private clients. He has particular experience in the resolution of title, survey, and other due diligence issues to ensure that transactions are closed in an efficient and cost-effective manner. Blake also serves as general counsel for a number of Condominium Associations.

Blake has extensive prior experience with a major utility company and a deep knowledge of utility matters, including the negotiation and acquisition of easements and other property interests along with condemnation and eminent domain law.

Practice Areas: General municipal, real estate, millages, election issues, land use and zoning, property purchases, easements, leases and licenses.

Bar Admission: State of Michigan (2012) (P75737)

ATTORNEY CLIFF BLOOM

Cliff has over 30 years of legal experience. Originally from Grand Rapids, he received his undergraduate and law degrees from the University of Michigan (1983). He has practiced law in Grand Rapids ever since.



Cliff is a recognized expert in the field of riparian law and serves as the general legal counsel for the Michigan Lakes & Streams Association, Inc. and is co-counsel for the Michigan Waterfront Alliance. Among his various printed works, Cliff authors a regular column for the Michigan Riparian Magazine and has authored several books for the Michigan Townships Association.

Having lectured on a variety of real estate and municipal topics, Cliff serves as general legal counsel for over 20 Michigan municipalities, including City of Newaygo, and the Village of Lake Isabella. He has extensive experience in zoning and planning matters and has lectured on those issues for various organizations including the Michigan Townships Association.

In addition to being a 12-time recipient of the Michigan Super Lawyers rating, Cliff has also received the highest designation of AV Preeminent by Martindale Hubbell.

Practice Areas: Real estate, riparian, zoning and planning, and public sector law.

Bar Admission: State of Michigan (1983) (P35610)

ATTORNEY ASHLEIGH RUSSETT

Ashleigh Russett earned her Juris Doctor degree in 2017 from the Michigan State University College of Law, where she served as an editor on the International Law Review and published a student note on human trafficking legislation. Her passion for small government began during her undergraduate education at Central Michigan University, where she obtained a Bachelor of Science in political science and French. During law school, she worked as a legislative aide at the Michigan House of Representatives, where she collaborated with local governments and interest groups to support the concerns of their constituents.



After graduating law school, Ashleigh began her career as a litigator at a large firm in Grand Rapids practicing insurance defense and subrogation. She garnered extensive experience in litigation at the district, circuit, and federal district court levels in matters ranging from products liability actions to multi-million-dollar construction losses. In this role, she worked closely with fire investigators, engineers, and other experts to investigate liability for fires and other property losses, which included overseeing large fire scenes and laboratory examinations. Her experience makes her well equipped to handle a variety of municipal law cases, including prosecution, ordinance enforcement, and other civil matters.

Ashleigh currently serves on the Awards Committee of the Grand Rapids Bar Association and as a 17th Circuit Representative on the Representative Assembly for the State Bar of Michigan. She is a frequent volunteer with Legal Aid of Western Michigan and has handled many pro bono cases through their office. She previously served as a CASA (court-appointed special advocate) for foster children in Kent County (2021-2023) and as President of the Young Lawyers Section of the Grand Rapids Bar (2023).

Practice Areas: Municipal and public sector law, prosecution, code enforcement, and litigation.

Bar Admission: State of Michigan (2017) (P82174)

ATTORNEY MICHELLE KITCH

Michelle graduated from the University of Michigan with a BA degree in 1980 and attended law school at The Detroit College of Law where she obtained her Juris Doctorate in 1983. Michelle has been a litigator her entire career handling almost all types of property and casualty insurance matters and is now handling public sector, municipal tax, and riparian rights litigation for BSPC.

Michelle served as National Coordinating Counsel for a Fortune 500 company for approximately 10 years. She is also an ICLE trained facilitator/mediator serving as a facilitator or mediator in State Court. Michelle was the chair of the USDC – Western Division, VFM Advisory Committee for about 4 years and she sits on the VFM panel of approved federal court facilitators. She is also a court approved case evaluator. Michelle worked as a CASA (Court Appointed Special Advocate) volunteer for 10 years with wards of the Court in abuse and neglect cases.



Practice Areas: Public sector and riparian rights litigation.

Bar Admission: State of Michigan (1983) (P35498)

ATTORNEY CHRISTINE BLUM

Christi obtained her Juris Doctor from the University of Notre Dame in 1998, but her pursuit of academic excellence began during her undergraduate years at Saint Louis University, where she graduated with honors. Her bachelor's degree was enriched with a multifaceted education, encompassing history, political science, and French, along with certificates attained through the honors and prelaw programs. Notably, Christi's passion for advocacy and the art of persuasion was evident as she actively participated on the mock trial team throughout her undergraduate journey.



Before joining Bloom Sluggett, Christi developed and honed her litigation skills with an insurance defense law firm in Grand Rapids and Detroit while defending medical malpractice and mass tort product liability actions throughout the state. She has over a decade of litigation experience.

Practice Areas: Federal and state litigation, Tax Tribunal matters.

Bar Admission: State of Michigan (1998) (P59048)

ATTORNEY TOBY KOENIG

Toby earned his Juris Doctor degree from Wayne State University Law School in Detroit, where he served as Senior Note and Comment Editor of the Wayne Law Review and interned with the Navy JAG Corps in Washington D.C. Prior to law school Toby earned his Bachelor of Arts degree from Grand Valley State University in Allendale.



Prior to joining Bloom Sluggett, PC, Toby worked as a research attorney at the Michigan Court of Appeals, served as a judicial law clerk to the Honorable Mary Beth Kelly of the Michigan Supreme Court and to the Honorable Stephen L. Borrello of the Michigan Court of Appeals. Following his time working for the judiciary, Toby served as an Assistant City Attorney for the City of Grand Rapids where he specialized in municipal tax defense and municipal litigation.

Practice Areas: Municipal and public sector law, municipal tax defense, and Tax Tribunal matters.

Bar Admission: State of Michigan (2008) (P72367)

ATTORNEY CLINTON ROSEKOPF

Clinton earned his Bachelor of Arts degree in Political Science from Roosevelt University and his Juris Doctor from Western Michigan University Thomas M. Cooley Law School in 2017, graduating Magna Cum Laude. While in law school Clinton served as a Senior Resource Editor on the Cooley Law Review and gained valuable experience interning with a local Grand Rapids law firm, as well as the Kent County Prosecutor's Office.



After graduating law school, and before joining Bloom Sluggett, Clinton worked as an associate attorney for a local Grand Rapids law firm focusing on criminal defense, personal injury, and family law. Clinton then moved on to work as an assistant prosecuting attorney with the Muskegon County Prosecutor's office and then with the Ottawa County Prosecutor's office. During his time as an assistant prosecuting attorney, Clinton managed and tried all levels of cases including misdemeanors, felonies, juvenile offenses, and abuse/neglect cases.

Clinton is DRE certified having completed the Drug Recognition Expert (DRE) training program, which is designed to provide law enforcement officers with the knowledge and skills necessary to identify, evaluate, document, and prosecute drugged drivers.

Practice Areas: Municipal and public sector law, prosecution, and code enforcement.

Bar Admission: State of Michigan (2017) (P82073)

ATTORNEY REBECCA JOHNSON

Before joining Bloom Sluggett, Rebecca worked as an associate attorney at a notable mid-level law firm in Southwest Michigan, focusing on serving clients in commercial and residential real estate transactions. These transactions would include real estate tax appeals as well as complex and standard real estate transactions. While at the law firm, Rebecca worked with clients on business formation and preserving businesses for generations to come. Before her time as an associate attorney with the law firm, Rebecca assisted utility companies, predominately petroleum pipelines, in developing and sustaining right-of-way lines while conserving property interests for the utility companies. Her experience and knowledge in real estate and business planning will make her a valuable resource in municipal law and real estate matters.

Rebecca graduated from Western Michigan Cooley Law School in 2012, earning her Juris Doctor. While earning her degree, she engaged in pro bono opportunities with the less fortunate, assisting them with end-of-life planning while maintaining her career as a Regional Deployment Planner with Nestle Waters.

Rebecca resides in Wyoming but grew up in central Michigan, and her interests reflect her love for nature and the outdoors. In her spare time, you will find her throughout the State enjoying the beauty Michigan has to offer.

Practice Areas: General municipal and real estate.

Bar Admission: State of Michigan (2014) (P78433)

PARALEGALS

TONYA VOAKES

Tonay Voakes has over 23 years' experience in litigation, property tax, real estate law, and municipal legal support. She supports attorneys who serve as counsel for communities large and small throughout Michigan. Municipal litigation projects include complex cases of eminent domain, street vacation, and parcel vacation matters as well as zoning, property, ordinance, and appeal matters. For our private sector clients, Tonya provides document drafting and discovery support with the firm's riparian litigation cases.

Prior to joining Bloom Sluggett, PC, Tonya was senior support assistant for the Department of Law with the City of Grand Rapids, Michigan. She also has prior experience working for a small criminal defense firm, and a large corporate law firm.



When she is away from the office, Tonya enjoys her perennial flower gardening and exploring culture throughout Michigan.

OLIVIA SHEA

Olivia earned her Bachelor of Arts degree in Legal Studies with a minor in Criminal Justice from Grand Valley State University in 2021. She then joined Bloom Sluggett PC in the fall of that same year.

Before joining Bloom Sluggett, Olivia worked for a firm that dealt in debt collection. Since joining Bloom Sluggett, her role at the firm as a paralegal has continuously developed and includes work related to tax appeals, general municipal work, litigation, and ordinance enforcement for multiple municipalities.

She currently resides in Jenison with her husband, Connor, and dogs (Phoebe and Zoey). She enjoys exotic plant propagation and hiking in her spare time.



BSPC'S IDENTIFYING INFORMATION

BSPC maintains one office location in downtown Grand Rapids, as follows:

161 Ottawa Ave NW, Ste. 400
Grand Rapids, MI 49503
Phone: (616) 965-9340
Fax: (616) 965-9350

The immediate contact information for the principal attorneys in this proposal:

Andy Gordon
Office: (616) 965-9344
Email: Andy@BloomSluggett.com

Jeff Sluggett
Office: (616) 965-9341
Email: Jeff@BloomSluggett.com

BSPC'S FIRM EXPERIENCE, REPUTATION, & COMPETENCE

Unlike other law firms that may offer municipal services, our firm was founded and continues its practice of focusing on providing municipal and governmental clients with services to meet their needs. We have curated our roster of highly competent attorneys to provide efficient and effective services to municipal clients and their unique needs.

Since its founding, BSPC has built its reputation on servicing municipal clients and doing so in a cost-effective manner. Our firm structure allows us to offer competitive rates so that municipalities and governmental entities may best protect the interests of their taxpayers.

On conjunction with our substantial experience in municipal law, we also provide a host of services for municipal litigation.

STATEMENT OF INSURANCE

BSPC confirms that it maintains at least the minimum insurance requirements listed in the City's Request for Proposals, as well as standard professional liability insurance coverage.

BSPC QUALIFICATIONS

A. Statement on Possible Conflict of Interests

BSPC has on occasion performed work for the Bangor Community Fire Department. Any dispute between the City and the Bangor Community Fire Department may require BSPC to recuse itself from representation in such a dispute. BSPC is unaware of any other potential conflicts of interest. If an unanticipated conflict of interest arises in the future, it will be disclosed to the City promptly.

B. Narrative Description of Firm Experience

BSPC's primary area of practice is municipal law and related municipal litigation. This involves a whole suite of services related to typical general counsel representation of cities and other governmental entities.

C. Representative Sample of Recent Cases

Here is a representative sample of recent cases handled by the primary attorney. These are a sample of recent appellate decisions:

1. *GWCC Holdings, LLC v. Alpine Township, et al.*, __ NW3d __, 2024 WL 1813471 (Mich Ct App, Apr 25, 2024) (Docket No. 367925) (pending publication). This case involved the successful defense of a Township Clerk in her determination regarding the adequacy of a local voter petition for a referendum on a zoning ordinance. The trial court granted summary disposition and dismissed the matter in favor of the municipality, and that decision was upheld by the Michigan Court of Appeals. This case is still subject to possible appeal to the Michigan Supreme Court.
2. *Lane, et al. v. Grattan Township, et al.*, 2023 WL 3560450 (Mich Ct App, May 18, 2023) (Docket No. 360941). The case involved the successful defense of a constitutional challenge to a local land-division ordinance. The Michigan Court of Appeals upheld the constitutionality of the ordinance and the township prevailed on the substance of its counterclaims to compel the property owners' compliance with the ordinance.

Here is a representative sample of recent trial-court matters:

1. *Matthews, et al. v. Lake Township, et al.*, Case No. 24-105914-CZ (Huron County Circuit Court, decided April 30, 2024). This case involved a challenge to a local clerk's determination that a petition seeking a referendum of a zoning ordinance amendment was "inadequate" pursuant to the Michigan Zoning Enabling Act. The trial court granted summary disposition and dismissed the matter in favor of the municipality.
2. *Wackernagel v. Patti Sargent and White River Township*, Case No. 23-003091-AW (Muskegon County Circuit Court; decided Aug. 11, 2023). This case involved a challenge to a local clerk's determination that a petition seeking a referendum under the Michigan Zoning Enabling Act lacked the required number of signatures. The trial court granted summary disposition and dismissed the matter in favor of the municipality. This matter is pending on appeal.
3. *Plainfield Charter Township v Michael J. Lammers*, Case No. 21-09443-CZ (Kent County Circuit Court; decided Jan. 6, 2023). This case involved a breach of contract matter when a property owner failed to return duplicated funds from a purchase agreement subject to a FEMA disaster-aid grant. BSPC secured a judgment in favor of the municipality for the full amount owed as reimbursement under the purchase agreement. A settlement was reached with another co-defendant. This matter is pending on appeal.

4. *Plainfield Charter Township v Ken Yonker, et al.*, Case No. 22-04027-CH (Kent County Circuit Court; issued Dec. 8, 2023). This case involved a claim to amend three existing plats to eliminate three unnecessary “stub streets.” This case involved a multitude of defendants required by the Michigan Land Division Act. BSPC was able to negotiate a comprehensive consent judgment to achieve the municipality’s desired result and amend the plats.

D. Additional Key Experience

In addition to the litigation experience above, Andy Gordon also has significant experience in addressing tax-appeal matters. In conjunction with Attorney Toby Koenig, BSPC handles significant volumes of complex tax-appeal matters covering both valuation and exemption claims.

Furthermore, Andy Gordon possess significant experience in handling employment and labor matters. Andy Gordon has significant experience in creating employee handbooks, drafting and managing employment contracts, addressing civil rights and disciplinary issues, and working on union-related matters.

PROFESSIONAL REFERENCES

Heather Visco
Human Resources Director
City of Kentwood
4900 Breton Ave. SE, PO Box 8848
Kentwood, MI 49518-8848
viscoh@kentwood.us
(616) 554-07

James Lower
Village Manager
Village of Sparta
156 E. Division
Sparta, MI 49345
villagemanager@spartami.org
(616) 887-8251

Darrel Schmalzel
Manager
City of Walker
4243 Remembrance Road NW
Walker, MI 49534
dschmalzel@walker.city
(616) 791-6787

Greg Janik
Fire Chief
Saugatuck Township Fire District
3342 Blue Star Hwy
Saugatuck, MI 49453
gjanik@saugatuckfire.org
(269) 857-3000

Peter Elam
Senior Planner
Plainfield Charter Township
6161 Belmont Ave NE
Belmont, MI 49306
elamp@plainfieldmi.org
(616) 364-1190

Darin Dood
Village Manager/Police Chief
Village of Lakeview
208 S. Lincoln Ave
Lakeview, MI 48850
manager@villageoflakeview.com
(989) 352-6322

Georgia Andres
Chief of Police
City of Newaygo - Police Department
28 State Road, PO Box 308
Newaygo, MI 49337
gandres@newaygocity.org
(231) 652-1655

Kate Hosier
City Manager
City of South Haven
539 Phoenix Street
South Haven, MI 49090
khosier@southhavenmi.com
(269) 637-0775

Additional references available upon request.

DEDICATION TO QUALITY SERVICE

BSPC's specialized focus allows us to limit potential conflicts of interest. If BSPC is selected to provide legal services for the City, it agrees not to represent clients that have interests directly adverse to the City. One of the important traits that differentiates BSPC from other firms is that BSPC does not (with rare exception) represent private clients against any municipality. We do this because we are, first and foremost, a municipal law firm dedicated to providing the highest quality services to our municipal clients. We also do this to avoid the potential of establishing adverse precedent that may harm the interests of Michigan municipalities.

Another part of our "DNA" is that we strive to remain conscious of our role as a legal consultant to our clients, and not a type of policy maker. Our job, as we view it, is to serve the elected and other officials who are the policy makers for the community.

ACCESSIBILITY AND RESPONSIVENESS

BSPC successfully represents municipalities across the State of Michigan, and we are confident that our commitment to providing excellent legal services at a reasonable cost will allow us to effectively handle the City's legal needs. Our skilled attorneys are passionate about helping municipalities provide quality services for their residents, and BSPC will make every effort to be readily available to the City – day or night. We especially pride ourselves on our timely responsiveness to the needs of our clients.

BSPC operates as a collaborative legal environment, tapping into the various skill sets and experiences of our attorneys. As noted earlier, Andy Gordon will serve as the City's lead attorney and principal point of contact. But, when it comes to providing legal services, BSPC will potentially utilize any member of the firm, relying on each attorney's subject matter expertise.

ORGANIZATIONAL AND STAFFING PLAN

The proposed staffing plan is Andy Gordon as the principal attorney and point-of-contact for all legal representation needs. Andy Gordon, on behalf of BSPC, would be the person designated as the City Attorney. Jeff Sluggett would be the secondary attorney and backup point-of-contact. Where appropriate, BSPC may utilize the following attorneys: Cliff Bloom, Blake Conklin, Clinton Rosekopf, Ashleigh Russett, Toby Koenig, Rebecca Johnson, Michelle Kitch, or Christi Blum. Regardless of whether any other attorneys are used, Andy Gordon and Jeff Sluggett would remain the principal points of contact. Expected time devoted by each attorney will vary depending upon the needs of the City and each attorney's particular area of expertise. All attorneys are in good standing with the Michigan State Bar.

BSPC may also utilize the services of paralegals Tonya Voakes and Olivia Coulter. The use of paralegals in support of the attorneys is to provide cost-effective services.

PROJECT MANAGER – PRINCIPAL ATTORNEY

Andy Gordon will serve as BSPC's principal attorney and point-of-contact for this contract. Andy Gordon, on behalf of BSPC, will be the person designated as the City Attorney. Andy Gordon has been employed with BSPC since January 2021. He has a total of ten (10) years of practice. A copy of Andy Gordon's complete resume is on the following page.

Andrew J. Gordon

WORK EXPERIENCE

BLOOM SLUGGETT PC

Grand Rapids, MI

Attorney At Law

January 2021 – Present

- Draft and analyze contracts for municipal entities
- Advise municipal entities on various state and federal legal issues including employment law, land use regulation, zoning, and election law
- Litigate state and federal cases involved municipal issues, including litigation or any resulting appeals
- Litigate tax appeal valuation and exemption cases before the Michigan Tax Tribunal
- Draft memos for municipal boards on possible action items
- Advise municipal clients on Michigan Freedom of Information Act compliance
- Advise municipal clients on Open Meetings Act compliance
- Attend and participate in municipal board meetings and closed sessions
- Research complex Michigan and federal legal issues for municipal clients

WHITE SCHNEIDER PC

Lansing, MI

Associate Attorney

July 2016 – December 2020

- Litigate state and federal labor, civil rights, and business disputes
- Represent clients in labor arbitration and administrative hearings
- Draft briefs, contracts, bylaws, and business formation documents
- Research complex issues involving state and federal law
- Author articles for client periodicals on Michigan labor and veterinary law

CITY OF FOREST CITY, IOWA

Forest City, IA

Assistant City Attorney

January 2015 – July 2016

- Advised the City on contracts, nuisance issues, regulatory issues, civil rights complaints, economic development initiatives
- Prosecuted simple misdemeanors, traffic violations, and municipal infractions

BAKKE & GORDON LAW OFFICES

Forest City, IA

Associate Attorney

August 2014 – July 2016

- Litigate civil cases for public and private clients
- Advised clients on issues of state and federal law, including public education regulations and administrative civil right issues

EDUCATION

UNIVERSITY OF IOWA COLLEGE OF LAW

Iowa City, IA

Juris Doctor (J.D.)

May 2014

Senior Managing Editor, *Iowa Law Review* (Volume 99)

INDIANA UNIVERSITY

Bloomington, IN

Bachelor of Science in Account & Finance

May 2011

ADMISSIONS

Admitted to practice law in all Michigan state and federal courts

PROPOSED FEE STRUCTURE OPTIONS

In response to the City's request for both hourly and flat-fee structure options, BSPC proposes the following alternative fee structures for the City's consideration. This is based upon the RFP's representation that the City anticipates the need for approximately ten (10) hours of billable work per month.

If the City wishes to engage BSPC, we propose a three-year contract for services. The rates provided in these alternative proposals would be in effect for the first 12 months of the contract, subject to renegotiation upon the annual anniversary date of the contract.

1. Proposed Hourly Fee Structure – General Counsel and/or Prosecution/Enforcement

If the City wishes to retain BSPC at an hourly billable rate, for the first year of the contract BSPC proposes the following hourly billable hour rates for general legal work and/or ordinance/prosecution work:

Ordinance Enforcement/Prosecution Work	\$195
All Other Attorney Work	\$225
Paralegals	\$110

The hourly rates quoted above include all salary and compensation, overhead expenses, computer research costs, and other employee costs including, but not limited to, clerical and word-processing expenses. Time is calculated in tenths of hours and block billed.

These rates do not include costs and fees incurred for the service of legal documents (e.g., subpoenas) or for outside services (e.g., transcript preparation), which are itemized and billed to the City at the actual amount incurred using the most cost-effective services or methods. Additionally, except as noted below, BSPC would bill the City for expenses incurred on its behalf such as photocopying (actual beyond a set number of copies), hand delivery and courier services, and filing, record, certification, and registration fees charged by the court or by governmental agencies (where applicable) among others. No administrative or similar fee or charge would be added to these actual costs. Mileage for travel to and from meetings or court hearings will be in accordance with the then-standard IRS business mileage rate.

Under our proposal, BSPC would only bill the City for one-half of any travel time to/from the City. Additionally, BSPC will work with the City to keep costs down by utilizing virtual meeting options (e.g., Zoom or Microsoft Teams) when desired.

In circumstances where substantial costs are involved (e.g., consultant fees, surveyor fees, appraiser fees), BSPC may request that the City pay third parties directly. Costs are generally included in monthly invoices. BSPC is cost conscious consistent with good practice.

2. Proposed Flat-Fee Structure – General Counsel

If the City wishes to retain BSPC at a monthly flat-fee rate for general counsel services, for the first year of the contract BSPC proposes the following rates for such general counsel work:

Flat Fee Rate	\$3,000.00 (per month)
---------------	------------------------

This flat fee rate quoted above includes all salary and compensation, overhead expenses, computer research costs, and other employee costs including, but not limited to, clerical and word-processing expenses.

This flat fee does not include any time spent on litigation, administrative dispute resolution work, or prosecution or ordinance enforcement services. For purposes of understanding this proposal, litigation shall mean any instance where the City or an outside party files a lawsuit (or similar court action) on behalf of or against the City, including any instances where BSPC attorneys may need to submit their appearances on behalf of the City to any court of law. Work on any litigation or administrative dispute resolution services would be billed on an hourly basis and independently at the rates provided in Proposal Item #1 on the previous page. Work on any prosecution or ordinance enforcement services would be billed on an hourly basis and independently at the rates provided in Proposal Item #1 unless the City retains BSPC on a flat-fee rate for such services in accordance with Proposal Item #3.

Further, this flat fee rate does not include costs and fees incurred for the service of legal documents (e.g., subpoenas) or for outside services (e.g., transcript preparation), which are itemized and billed to the City at the actual amount incurred using the most cost-effective services or methods. Additionally, except as noted below, BSPC would bill the City for expenses incurred on its behalf such as photocopying (actual beyond a set number of copies), hand delivery and courier services, and filing, record, certification, and registration fees charged by the court or by governmental agencies (where applicable) among others. No administrative or similar fee or charge would be added to these actual costs. Mileage for travel to and from meetings or court hearings will be in accordance with the then-standard IRS business mileage rate.

In circumstances where substantial costs are involved (e.g., consultant fees, surveyor fees, appraiser fees), BSPC may request that the City pay third parties directly. Costs are generally included in monthly invoices. BSPC is cost conscious consistent with good practice.

3. Proposed Flat-Fee Structure – Prosecution/Enforcement

If the City wishes to retain BSPC at a monthly flat-fee rate for prosecution and enforcement services, BSPC proposes the following rates for such prosecution and enforcement services:

Flat Fee Rate	\$2,000.00 (per month)
---------------	------------------------

This flat fee rate quoted above includes all salary and compensation, overhead expenses, computer research costs, and other employees' costs including, but not limited to, clerical and word-processing expenses.

This flat fee does not include any time spent on any litigation or administrative dispute resolution work, other than prosecution and ordinance enforcement services. This proposal does not include any general counsel services.

Further, this flat fee rate does not include costs and fees incurred for the service of legal documents (e.g., subpoenas) or for outside services (e.g., transcript preparation), which are itemized and billed to the City at the actual amount incurred using the most cost-effective services or methods. Additionally, except as noted below, BSPC would bill the City for expenses incurred on its behalf such as photocopying (actual beyond a set number of copies), hand delivery and courier services, and filing, record, certification, and registration fees charged by the court or by governmental agencies (where applicable) among others. No administrative or similar fee or charge would be added to these actual costs. Mileage for travel to and from meetings or court hearings will be in accordance with the then-standard IRS business mileage rate.

In circumstances where substantial costs are involved (e.g., consultant fees, surveyor fees, appraiser fees), BSPC may request that the City pay third parties directly. Costs are generally included in monthly invoices. BSPC is cost conscious consistent with good practice.

CONCLUSION

It would be our privilege to serve as the City of Bangor's legal counsel. BSPC stands uniquely equipped to offer the City the same unwavering commitment to high-quality, efficient, and cost-effective representation that we have consistently provided to numerous municipalities across Michigan. We eagerly look forward to the prospect of meeting with City officials, whether to address any remaining questions or to explore the City's needs in greater detail. Your trust in our expertise is a responsibility we hold in high regard.

For more information or for questions, please feel free to contact:

Andy Gordon
Direct Dial: (616) 965-9344
Direct Fax: (616) 965-9350
Email: andy@bloomsluggett.com

Visit our website and blog at www.bloomsluggett.com

Signed:



Andrew Gordon

Date: 07/24/2024

Signed:



Jeffrey Sluggett

Date: 7/24/24

PROPOSAL FORM

Failure to complete this form will result in your Proposal being deemed non-responsive and rejected without further evaluation.

TO: CITY OF BANGOR

The undersigned hereby offers and agrees to furnish the services in compliance with all terms, scope of work, conditions, specifications and addenda in the RFP.

ADDENDA:

The undersigned has read and understands the RFP with all exhibits thereto, together with any written addenda issued in connection with any of the above. The undersigned hereby acknowledges receipt of the addenda:

None

(Write "None" if none.)

In addition, the undersigned has fully and accurately completed all required forms.

OBLIGATION:

The undersigned, by submission of this proposal, hereby agrees to be obligated, if selected as the contractor, to provide the stated services to the City, for the term stated herein, and to enter into an agreement with the City, in accordance with the conditions, scope and terms, as well as the Specific Contract Terms and Conditions, together with any written addenda as specified above.

COMPLIANCE:

The undersigned hereby accepts all administrative requirements of the RFP and will be following these requirements. By submitting this Proposal Form, the respondent represents that: 1) the respondent is following any applicable provisions of the City's Charter and Code of Ordinances; and 2) if awarded a contract to provide the Services required in the RFP, the respondent will comply with the City's Charter and Code of Ordinances.

NONCOLLUSION:

The undersigned, by submission of this proposal, hereby declares that this proposal is made without collusion with any other person or entity.

SUBMITTAL REQUIREMENTS:

The undersigned certifies it has a complete response to each of the submittal requirements listed in the Proposal and Proposal Content section of this RFP.

No proposal shall be accepted which has not been manually signed in ink in the appropriate space below:

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:

Bloom Sluggett, PC

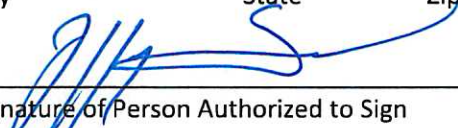
Company Name

161 Ottawa Ave NW Ste 400

Address

Grand Rapids, MI 49503

City State Zip



Signature of Person Authorized to Sign

Jeffrey Sluggett

Printed Name

President

Title

For clarification of this offer, contact:

Name: Andy Gordon

Phone: 616-965-9344

Fax: 616-965-9350

Billable Hourly Services - **General Counsel:**

\$ 225 hourly

Billable Hourly Services - **Prosecution Services:**

\$ 195 hourly

BUSINESS INFORMATION QUESTIONNAIRE

Failure to complete this form will result in your Proposal being deemed non-responsive and rejected without further evaluation.

NAME OF COMPANY Bloom Sluggett, PC

PRINCIPAL OFFICE ADDRESS 161 Ottawa Ave NW Ste 400 Grand Rapids MI 49503

PHONE NUMBER 616-965-9340 FAX NUMBER 616-965-9350

FORM OF OWNERSHIP (Check one): Corporation LLC Joint Venture

State of Incorporation/Registration MI Date of Incorporation/Registration 12/27/2011

Partnership If Partnership, select one of the following: Limited General Individual

LIST OF PARTNERS, PRINCIPALS, CORPORATE OFFICERS OR OWNERS

<u>Name</u>	<u>Title</u>
<u>Jeff Sluggett</u>	<u>Shareholder</u>
<u>Cliff Bloom</u>	<u>Shareholder</u>
<u>Blake Conklin</u>	<u>Shareholder</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

LIST OF CORPORATE DIRECTORS

Principal Business Affiliation

<u>Name</u>	<u>Other Than Respondent Directorship</u>
<u>Jeff Sluggett</u>	<u>Shareholder</u>
<u>Cliff Bloom</u>	<u>Shareholder</u>
<u>Blake Conklin</u>	<u>Shareholder</u>

ADDITIONAL INFORMATION REQUIRED:

LIST OF PRINCIPAL STOCKHOLDERS (i.e., those holding 5% or more of the outstanding stock)

<u>Name</u>	<u>Address</u>
Jeff Sluggett	161 Ottawa Ave NW Grand Rapids MI 49503
Cliff Bloom	161 Ottawa Ave NW Grand Rapids MI 49503
Blake Conklin	161 Ottawa Ave NW Grand Rapids MI 49503

FINANCIAL DISCLOSURE/CONFLICTS OF INTEREST: Identify any contract(s) including any contract involving an employment or consulting relationship, which the firm, or its partners, principals, corporate officers or owners currently has with the City of Bangor, or with any of its Council members or officers.

N/A

LATEST CREDIT RATING (Specify if other than Dun and Bradstreet)

N/A

I hereby certify that the foregoing business information is true, correct and complete to the best of my/our knowledge and belief:

Bloom Sluggett PC
Name of Company
By: [Signature] Date: 2/24/24 By: _____ Date: _____
Signature Date Signature Date

CITY OF BANGOR, CITY COUNCIL

Evaluation Score Sheet

Date: _____

Applicant Name: _____

Bid Type: City Attorney

Bid Amount: _____

<p>Score will be assigned as follows: 0-29 = Failure, not invited to interview 30-69 = Poor, inadequate, fails to meet requirement 70-120 = Average, meets minimum requirement 121-130 = Above average, exceeds minimum requirement</p>
--

Instructions: Each applicant will be scored individually. Evaluate how well the applicant responded to each criteria listed below. Scores can range from a low of zero to a high of 130 (see box). Applicant's scoring below 30 points will not be considered.

Evaluation Criteria	Score (Range 0-130)	Total Points Possible
WRITTEN PROPOSAL		
EXPERIENCE: (40 points possible)		
1. The applicant demonstrates extensive experience, particularly in municipal law.		40 points possible
DEPTH & STABILITY: (20 points possible)		
2. The applicant has depth and stability of their firm or practice.		20 points possible
KNOWLEDGE: (20 points possible)		
3. The applicant has special municipal law knowledge.		10 points possible
4. The applicant has charter, by-laws and commission/board experience.		10 points possible
COST: (20 Points possible)		
5. The applicant's overall cost is favorable and in line with the City's budget.		20 points possible
ACCESSIBILITY & RESPONSIVENESS: (20 points possible)		
6. The applicant and support staff is accessible.		10 points possible
7. The applicant and support staff is responsive.		10 points possible
PRESENTATION: (10 points possible)		
8. The applicant's presentation of the written proposal is well done.		10 points possible
TOTAL EVALUATION POINTS		
Total		130 points possible

EVALUATOR NOTES AND COMMENTS: