

REQUEST FOR PROPOSALS
LEGAL SERVICES
FOR
THE TOWN OF CHESTERTON, INDIANA

Chesterton Town Council

Sharon Darnell – President

Erin Collins – Vice President

James G. Ton – Member

Dane Lafata – Member

Jennifer Fisher – Member

Courtney Udvare – Clerk Treasurer

February 20, 2025

INTRODUCTION

The Town of Chesterton (“Town”) solicits this Request for Proposal (“RPF”) for legal services to support the Chesterton Town Council, its Departments, Boards, and Commissions.

The Town of Chesterton, Indiana is a Duneland community of 14,241 residents (2020 census) and encompasses 9.5 square miles. Chesterton is well known for being the gateway to the Indiana Dunes National Park and Indiana Dunes State Park, an excellent school system, and high quality of life. The historic downtown district boasts a variety of shops, restaurants, and events. The surrounding neighborhoods have additional access to regional trails and park amenities. The SR49 corridor, which includes I80/94 and I90 exits, has fueled both commercial and residential growth across the outlying area making for an overall vibrant community that is seeking continued economic development and growth.

The Town acknowledges that legal services are professional services under I.C. 5-22-6 et seq. The Town may purchase services using any procedure the Town considers appropriate. The Town reserves the right to reject any or all proposals received in response to this RFP. Further, the Town reserves the right to select a proposal based on the factors stated herein or any other factors that they determine to be reasonably appropriate. A contract will be negotiated with the successful proposer for the services described in this RFP. All costs incurred in the preparation of a proposal responding to the RFP will be the responsibility of the proposer and will not be reimbursed by the Town. Additional information may be requested from the responders, and they must be available for an interview if the Town so desires.

MONTHLY STIPEND AGREEMENT

The Town solicits a proposal for general legal services for all operations of the Town. Due to budgetary needs and the steady demand for such services, the Town proposes a monthly stipend for the scope of services provided herein. The proposer shall not be entitled to reimbursement for mileage, copying, fax transmissions, long-distance telephone bills or technology equipment or services. Instead, such routine expenses of the proposer shall be covered by the monthly stipend. A primary attorney is expected to be assigned as the main point of contact for this contract. The proposer must be readily available to perform the following legal services as requested by the Town:

1. Guide the Town Council, its Boards and Commissions, and the Clerk Treasurer to ensure compliance with all federal and state statutes.
2. Draft, guide, review ordinances and resolutions, legal agreements, annexation documents, bond issuances and memoranda of understanding per Indiana statutes. Consult as needed on matters related to open-door law, public notices, meetings and ARPA requests.
3. Make visits, arrange conference calls, or attend meetings virtually or in person with the Town Council, Clerk Treasurer, or Department Head level staff as such other times as may be deemed reasonably necessary by both parties.
4. From time to time, the following legal services may be requested to support the Town’s boards and commissions ..
 - a. Town Council: review and prepare street and alley vacations; review and prepare waivers of Town Standards.
 - b. Redevelopment Commission: assist with Tax Increment Financing Districts.
 - c. Advisory Plan Commission: provide legal guidance during the subdivision, PUD, and planning processes.
 - d. Park Board: Assist with impact fee impact study review and masterplan updates.

- e. Storm Water Management Board: Draft easement and property acquisition documents; assist with stormwater rate reviews; review Floodplain and MS4 ordinances when required to be updated; and review enforcement citations.
 - f. Board of Zoning Appeals: Prepare BZA decisions and provide interpretation of Town code requirements.
 - g. Utility Service Board: assist with utility rate reviews and outside user agreements.
 - h. Support and negotiate special economic development initiatives, financial incentives and tax abatements.
5. Attendance at the regularly scheduled meetings listed below is required. The meetings take place at the Chesterton Town Hall.
- a. Town Council: the 2nd and 4th Monday of each month at 7:00 PM.
 - i. As needed at executive sessions.
 - b. Advisory Plan Commission: the 3rd Thursday of each month at 6:30 PM.
 - c. Board of Zoning Appeals: the 4th Thursday of each month at 6:30 PM.

SERVICES BEYOND THE SCOPE OF THE MONTHLY STIPEND

At times, services may be required beyond the scope of the monthly stipend. In these instances, the Town reserves the right to hire the firm or attorney of their choice to act as local legal representation in these matters. If the Town chooses to use the selected firm on retainer, the attorney may bill additional time at a contractual hourly rate with prior notice to, purpose, and awareness of the Town Council and Clerk Treasurer as a separate engagement. Additional services beyond the scope of the monthly retainer fee may include:

- 1. Represent the Town in any legal matters in which such representation is requested by the Town Council.
- 2. Conduct land acquisition.
- 3. Update Town policies and procedures including but not limited to the Employee Policy Handbook.
- 4. Update to the Unified Comprehensive Zoning and Subdivision Control Ordinance.
- 5. Provide legal guidance to the Chesterton Economic Development Corporation.
- 6. Provide legal guidance to the Chesterton Park Foundation.

BILLING PROCESS

The stipend will be paid monthly. The firm shall provide an itemized bill each month to the Clerk Treasurer. All time should be billed in increments of one tenth of an hour. If additional services beyond the scope of the retainer were agreed upon and performed, those items must be billed under a separate engagement at a separate hourly rate to be negotiated between the Town Council and the proposer and approved by the Clerk Treasurer.

PROPOSAL CONTENTS

The proposer shall at a minimum include the following in their proposal:

1. Experience & Qualifications – The proposer shall include a description/resume of the qualifications of the primary attorney and any other attorneys or associates to be assigned to this contract related to the scope of services stated above. The proposer shall describe its experience related to areas outlined in the scope of services above.
2. Organization, Size, Structure, and Areas of Practice – The proposer should describe its organization in terms of the following:
 - a. Number of attorneys employed by the firm
 - b. Names and titles of all partners and associates anticipated to provide services to the Town and their respective areas of practice
 - c. Office and staff Locations which will conduct work with the Town
 - i. Note the office locations of the primary and associate attorneys
 - d. Examples of municipal experience
 - e. Litigation experience on municipal cases
3. Cost Proposal – The respondent shall provide a proposed monthly stipend for the scope of services identified above. The Town is expecting a proposal between \$8,000 and \$10,000. If the respondent provides an amount over \$10,000, they must provide justification in the proposal. The proposal should also include a schedule of the firm’s 2025 hourly rates for the primary attorney proposed to be assigned to the contract and any associates or anticipated staff services.

SUBMISSION OF PROPOSALS

Proposals must be submitted by email not later than **March 20, 2025, by noon CST** to Courtney Udvare, Clerk Treasurer, at cudvare@chestertonin.org. Responders must be attorneys currently licensed to practice law in Indiana, or law firms including such attorneys.

REVIEW AND EVALUATION PROCESS

The Town will review all proposals submitted and select the proposal that presents the best combination of experience, capacity, availability, and rates to meet the needs of the Town. The Town reserves the right to request additional information from any responder, and if so desires, may request selected responders to attend an interview.