

**REQUEST FOR STATEMENT OF QUALIFICATIONS:
“AS NEEDED” COUNSEL
TO THE
VIRGINIA BEACH INDEPENDENT CITIZEN REVIEW BOARD**

City of Virginia Beach, Virginia
City Attorney’s Office
2401 Courthouse Drive
Building One, Room 2089
Virginia Beach, Virginia 23456

**Date: April 8, 2024
Closing Date: May 15, 2025, 3:00 PM**

THIS DOCUMENT CONSTITUTES A REQUEST FOR STATEMENTS OF QUALIFICATIONS FROM QUALIFIED INDIVIDUALS AND FIRMS TO PROVIDE:

Legal representation to the Virginia Beach Independent Citizen Review Board (ICRB). This representation will be “as needed.” The Office of the City Attorney serves as the primary legal counsel to the ICRB. However, the City desires to have counsel retained for those instances where the Office of the City Attorney is unable to represent the ICRB.

Information regarding the ICRB can be found here: <https://virginiabeach.gov/city-hall/appointed-agencies/icrb> The ICRB’s adopted policies and procedures are found here: <https://virginia-beach-departments-docs.s3.amazonaws.com/city/City-Hall/Appointed-Agencies/ICRB/ICRB-Policy.pdf>

SCOPE OF WORK

A. General Requirements:

When called to act as counsel to the ICRB, the Contractor will advise the ICRB in fulfilling its statutory duties. These services may include seeking a subpoena from the Virginia Beach Circuit Court and serving as legal counsel to the ICRB for certain hearings for which the ICRB’s primary legal counsel has a conflict. These services are at the direction of the ICRB and in coordination with the Board Liaison.

SUBMISSION REQUIREMENTS

Statements of Qualifications should address the following:

- 1. Qualification and capabilities of firm.** Please set forth the following:
 - a. Describe the firm’s practice. Provide a firm resume, if available.

- b. Name of the firm; and name and title of the individual(s) who would be responsible for this work.¹
 - c. Describe the anticipated division of duties among partners, associates and paralegals. Provide resumes for each person to be assigned, including background and experience relevant to this employment.
 - d. Describe the firm's experience in representing governmental boards, if any.
 - e. List and describe briefly the firm's experience on behalf of the Commonwealth of Virginia or with Virginia local governments, as well as other experiences or engagements that you believe may qualify the firm for the City work. In each instance, provide:
 - (1) The firm's role in the engagement;
 - (2) Dates of the engagement; and
 - (3) Name, title and phone number of persons who may be contacted for references. Of particular interest are references from municipalities in a similar position to the City.
 - f. Describe the firm's malpractice and other insurance. Any firm chosen is to provide evidence of professional liability insurance within thirty (30) days of being notified that it has been chosen to be the City's Contractor.
- 2. Conflicts of Interest.** Because the City desires to avoid disqualifications and/or the engagement of substitute qualified counsel, the City does not intend to engage a firm that is in litigation as a party adverse to the City, intends to represent clients who will be parties adverse to the City in litigation, intends to represent clients that lobby against the interests of the City. The representation of clients in the defense of City Code traffic infractions or misdemeanor violations would not disqualify a firm or attorneys except in cases where the attorney's current or former private client is a witness or party to the specific matter pending before the ICRB. Describe any existing or potential conflicts of interest arising from the firm's relationships with or representation of other parties that should be considered as a factor in determining the firm's objectivity, and provide to the City sufficient facts, legal implications, and possible effects so that the City may appreciate the significance of each conflict. Also, describe the procedure(s) your firm would employ should a potential or real conflict arise during your firm's services as Contractor.
- 3. Expectations.** Describe the firm's expectations of the City of Virginia Beach with respect to providing services.

¹ The assigned attorney(s) must be qualified to practice law in the Commonwealth of Virginia.

4. **Proprietary Information.** Identify any proprietary information contained in the proposal with appropriate markings, as provided by Virginia Code § 2.2-4342(F), so that we can avoid disclosing it.

5. **Special terms and conditions:**

- a. **Term of Appointment.** The selection of an appointment of Contractor is at the pleasure of the City Attorney and may be terminated at any time and without notice. However, once the City Attorney has made an assignment of a matter to the Contractor due to the City Attorney having a conflict of interest, the appointment of the Contractor shall be under the oversight of the Board Liaison and the Board, and the Board shall have the exclusive ability to terminate the engagement during the pendency of the matter.
- b. **Hold Harmless.** Selected Contractor agrees to indemnify, defend and save harmless the City of Virginia Beach and its officials, agents, employees, and volunteers from and against any and all claims for damages arising out of Contractor's performance on behalf of the City.

SUBMITTAL OF PROPOSALS; DEADLINE

An original and six (6) copies of the Statement of Qualifications should be submitted to the Office of the City Attorney at the address on page 1 no later than **3:00 p.m. on May 15, 2024**. Statements of Qualification received after this time will not be considered and will be returned to the offeror. All proposals must contain a telephone and an e-mail address.

From the Statements of Qualifications submitted, one or more firms determined to be fully qualified and suited to act as Contractor may, in the sole discretion of the City Attorney, be chosen for interviews. If the City Attorney elects to conduct interviews, the City Attorney will schedule such interviews with the shortlisted firms.

QUESTIONS:

It is the responsibility of the individual or firm to inquire about and clarify any aspect of this Request for Statements of Qualification. Questions should be directed to City Attorney Mark D. Stiles at mstiles@vb.gov. Substantive questions and answers will be documented in letter form and will be sent by electronic mail to those interested parties who provide an e-mail address.