



TOWNSHIP OF BLACK RIVER-MATHESON
REQUEST FOR PROPOSAL (RFP)
MUNICIPAL LEGAL SERVICES
RFP #ADM2025-003

THE CORPORATION OF THE TOWNSHIP OF BLACK RIVER-MATHESON



Invites

REQUEST FOR PROPOSALS

RFP NUMBER ADM2025-003

to provide the service of municipal Legal Services for the
Township of Black River-Matheson

Sealed Proposals, clearly marked
“Sealed Proposal – Municipal Legal Services – Do Not Open”
will be received by the undersigned
until 2:00PM
on March 4th, 2025
and opened at below address at 2:15PM on March 4th, 2025.

Lowest or any Proposal not necessarily accepted.

The Corporation of the Township of Black River-Matheson
Township Office
P.O. Box 601, 367 Fourth Ave.
Matheson, ON P0K 1N0
hlei@twpbrm.ca
705-273-2313



TOWNSHIP OF BLACK RIVER-MATHESON REQUEST FOR PROPOSAL

I. INTRODUCTION

Notice of Invitation – The Corporation of the Township of Black River-Matheson (hereafter referred to as “Township”) through this Request for Proposal (hereafter abbreviated as “RFP”) extends an invitation to qualified contractors to submit a proposal to provide Municipal Legal Services.

There is no expressed or implied obligation for the Township to reimburse responding contractors or any third parties for any expenses incurred in preparing proposals in response to this request.

Proposal Submission – Prospective contractors should submit detailed Proposals on or before March 4, 2025, at 2:00 PM EST. eastern time with opening of proposals at 2:15pm on March 4th, 2025. Faxed or e-mailed Proposals will not be accepted. Proposals should be mailed, couriered or hand delivered to:

Township of Black River-Matheson

Attention:

Town Manager, Hong Ji Lei

P.O. Box 601

367 Fourth Ave.

Matheson, ON P0K 1N0

“MUNICIPAL LEGAL SERVICES - SEALED PROPOSAL – DO NOT
OPEN”

Proposal cover letters should designate who can answer questions concerning the submitted proposals. An officer empowered to bind the contractor submitting the proposal must sign the proposal.

By responding to this RFP, the contractor is agreeing to the terms, conditions and requirements set forth herein, unless expressly noted in writing.

1. **Proposal Format:** One original hard copy and seven printed copies. Electronic submissions are not accepted unless explicitly permitted in an addendum. of each proposal should be submitted in the format outlined in Section V, “Proposal Format.”
2. **Questions:** Any questions should be submitted by email before February 28th, 2025 eastern time, to the Town Manager, Hong Ji Lei hlei@twpbrm.ca. Questions received later will not be answered and all addenda issued during the time of bidding shall be incorporated into the final contract.



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This RFP is not to be construed as creating a contractual relationship between the Township and any contractor submitting a response to this RFP. The Township shall incur no financial obligation or liability to any contractor, solely based on the contractor having responded to this RFP. All costs associated with preparation of a response to this RFP are to be borne solely by the respondent.

The RFP is not intended to create a public bidding process, and the Proposal with the lowest quoted fees will not necessarily be accepted, nor will any reason for the rejection of any proposal be indicated.

The Township reserves the right to privately negotiate with any contractor.

The Township reserves the right to not accept any Proposal, to modify the scope with one or more of the respondents, and to waive any and all requirements should the Township deem it to be in its best interest. The Township reserves the right to terminate the contract at its discretion with 30 days' written notice.

Contractors submitting a proposal in response to this RFP may be required to give oral presentations to the Council of the Township of Black River-Matheson. The Township's request for an oral presentation shall in no way constitute acceptance of a proposal or imply that an agreement is pending. The Township reserves the right to award the opportunity to provide the services specified herein on initial proposal submissions without oral presentations.

Each Proposer is responsible for ensuring it has the information required to make a responsible Proposal that allows it to execute the Contract if it is awarded the Contract.

Proposals must be held firm and cannot be withdrawn for thirty (30) calendar days after the opening date.

Services shall commence upon the issuance and reception of a Notice to Proceed ("NTP") letter and shall remain in effect until the Services acquired in conjunction with this Solicitation are no longer required or the agreed upon term expires. The term of the contract shall correspond with the term of Council.

Contract terms and conditions will be negotiated upon selection of the winning Proposer for this RFP. The successful Proposer shall be allowed ten (10) calendar days from the date of the Notice to Proceed ("NTP") letter to execute and return the Contract along with all required documents to the Designated Official.

- 3. Indemnification and Insurance:** Prior to the commencement of any work, the Proponent must furnish to the Township, at the Proponent's expense, valid and current certificate(s) of insurance satisfactory to the Township, as set out below. In the event that the certificate(s) of insurance is/are not satisfactory, the Township



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may require the Proponent to provide a certified copy of the policy which must remain valid for the duration of the contract.

All insurance policies of the Contractor shall be underwritten by an insurer licenced to conduct business in the Province of Ontario and shall include a waiver of subrogation against The Corporation of the Township of Black River-Matheson, its and their respective successors, assigns, elected officials, directors, agents and employees.

The certificate(s) for the coverage and amounts listed below are to be provided and shall apply as primary (not in excess of) existing insurance of the municipality:

\$2,000,000 – Commercial General Liability policy containing:

- A “Cross Liability” clause or endorsement;
- An endorsement certifying that the Corporation of the Township of Black River-Matheson is added as an additional insured;
- An endorsement to the effect that the policy or policies will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Township;
- Products and complete operations coverage.

\$2,000,000 – Professional Liability policy containing:

- Coverage for all errors and omissions made by the professional in the rendering of, or failure to render, professional services in connection with the Contract.
- An endorsement to the effect that the policy or policies will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Township;
- Shall remain in effect for twelve (12) months preceding the contract for services/

WSIB

To the extent that the *Workplace Safety and Insurance Act S.O 1997 c. 16, Schedule A, as amended*, applies to the Deliverables, and whether a Contract refers to manufactured items or to work, the Supplier warrants and agrees that it has complied and will comply with applicable workplace safety and insurance laws and regulations if the work is performed on Black River-Matheson Township premises and further will comply with any and all other applicable laws and regulations if the work is performed on Black River-Matheson Township premises and further will comply with any and all other applicable laws, codes, regulations, rules and orders, including but not limited to all requirements of law governing occupational health and safety.



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ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT (AODA)

Prior to the commencement of any work under this Contract, the Proponent shall furnish evidence of compliance with the requirements of the Accessibility for Ontarians with Disabilities Act, 2005.

The Proponent shall submit to the Township of Black River-Matheson upon request, as required from time to time, documentation describing its training policies, practices and procedures, and a summary of the contents of training, together with a record of the dates on which training was provided and the individuals to whom training was provided. The Township of Black River-Matheson reserves the right to require the Proponent to amend its training policies, practices and procedures if the Township deems the same is not in compliance with the requirements of Regulation.

For further details, go to www.AcessON.ca and www.mcass.gov.on.ca (click on “Accessibility for Ontarians with Disabilities”)

- 4 Failure to Perform:** If, in the opinion of the Township, the successful respondent, hereafter referred to as “Contractor,” refuses to begin work, improperly performs said work, or neglects to follow generally acceptable professional standards, then Council may notify the Contractor to discontinue all work under the Contract. If, at any time, the Township believes work is being unnecessarily delayed and will not be finished within a reasonable time, then Council may notify the Contractor to discontinue all work under the Contract.
- 5 Schedule of Deliverables:** An itemized accounting of fees associated with providing Municipal Legal Services, in Canadian dollars, is requested.
- 6 Federal and Provincial Regulations:** The Contractor shall comply with all federal, provincial and local rules and regulations regarding delivery of services to be rendered.
- 7 Labour, Materials and Equipment** shall be supplied by the Contractor. Unless otherwise provided in this Solicitation, the Contractor shall furnish the following, including, but not limited to, all labour; material; equipment; adequate supervision; and coordination for satisfactory Contract performance.
- 8 Personnel:** The Contractor will be responsible for complying with all federal, provincial and local laws related to minimum wage, social security, non-discrimination, AODA, worker’s compensation.
- 9 Council Meetings:** The Contractor must be available to attend municipal Council meetings when required. The Contractor must be prepared to answer any questions and/or provide oral presentation(s), with accompanying handouts or power-point, if requested by Council and/or an authorized Township representative.



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- 10** **Fraud or Bribery:** Should the Contractor, any of his/her agents give or offer any gratuity to - or attempt to - bribe any member of the awarding body, officer or servant of the Township of Black River-Matheson, or to commit fraud against the Township of Black River-Matheson, the Township shall be at liberty to declare the RFP void forthwith.

II. NATURE OF SERVICES REQUESTED

- 11.** **Scope of Work:** The legal services which will be required of the municipal solicitor will include the following:

(Proponents must confirm compliance with the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50 and disclose any potential conflicts of interest.)

- Attend and provide knowledgeable legal advice to the Town Manager and at council meetings as requested
 - Degree of availability for quick responses through cell phone and email and provide timely responses to inquiries of the Town Manager in order to meet established deadlines
 - At times and as requested, draft resolutions for council approval, with the assistance of the Town Manager, Clerk or other delegated staff
 - Assist the Town Manager with the interpretation of regulations, legislation, and applicable bylaws
 - To aid in negotiations with the Town Manager or solely on behalf of the municipality
 - Draft and review agreements between the municipality and other entities as requested
 - Represent the municipality as needed in court proceedings
- 12.** The Township acknowledges the volume of work is unpredictable and as such do not guarantee that there will be a particular volume of work for the selected Proponent. Thus, any required services will be done on an as-needed basis.

Any interpretation of or modification to the Proposal Documents will be made by Addendum in writing. Any Addendum will be posted on the Township's website and forwarded to each Proposer in writing. Each Proposer shall confirm prior to submitting its Proposal that it has received all Addenda. After February 28th, 2025 questions cannot be answered. All addenda issued during the time of bidding shall be incorporated into the final contract.

- 13.** **Status of the Contractor:** The Contractor is engaged as an independent contractor for the sole purpose of performing the work described in the RFP and the Contract. Neither the Contractor nor any of its personnel is engaged as an employee, servant or agent of the Township of Black River-Matheson.



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14. **Township Responsibilities:** The Township will make personnel available during regular work hours and schedules for inquiries from respective Township personnel and make available any documents required for review, in accordance with policies and legislation, including the Municipal Freedom of Information and Protection of Privacy Act.
15. **Findings and Observations:** The Contractor shall provide all findings and observations in both a verbal presentation and in its written reports. The Contractor may be required to attend Council meeting(s) in-person to report the findings of an investigation.
16. **Time Frame:** The Township is expecting that said services shall commence as soon as practicable after the awarding of a contract.
17. **Instances of Fraud:** There has not been any instance of known fraud, but over recent years and months the Township has experienced a relatively large turnover in personnel responsible for the finances of the Township.

III. EVALUATION/SELECTION PROCESS

18. **Minimum Qualifications:** Minimum requirements by a Solicitor or Legal Firm for submission of a proposal in response to the RFP shall include the following:
 - a) Shall hold a license to practice law in Ontario and be an active member of the bar in good standing.
 - b) Demonstrate advanced knowledge in local government in Ontario.
 - c) Vast knowledge of the Municipal Act, 2001
 - d) Municipal Land Use Law
 - e) Public Contracts Law
 - f) Buying and selling of municipal real estate and/or property
 - g) Government ethics, MFIPPA and conflict of interest laws
 - h) A complete understanding of the relationship between the Township and its Solicitor; including the point of contact between both.

The Proposer shall disclose whether any of the services will be subcontracted and, if so, a description of how the Proposer selects the subcontractors and what the obligations are of the Proposer and the subcontractor(s) and the identity of the subcontractor(s).
19. **Evaluation Process:** Township Staff shall review the responses to this Solicitation for compliance with the requirements and the Township Council shall provide an objective evaluation of all the Respondents.
20. **Selection Criteria:** All submissions must be in compliance with the requirements set out in this RFP in order to be considered for evaluation. Evaluation of proposals and selection of a contractor shall be at the sole discretion of Township Council. Criteria will be scored on a scale of “0” to “100” by each council member



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with the maximum number of points available for each criterion as noted below. The maximum number of points to be scored under this process is 100 points per council member. Scoring is based on a point total per council member and not a percentage. The highest-ranking Respondent will be determined by using a combination of the Respondent's total scores for criteria listed. Selection will not be based solely on lowest price. The Township will put each Proposal through a process of evaluation to determine the Respondent's responsiveness to the Township's needs. The Township reserves the right to interview any, all, or none of the respondents to obtain additional insight or clarification that may be needed in order to adequately evaluate a proposal.

21. Criteria to be considered:

CRITERIA	MAXIMUM POINTS
Qualifications and Experience	25
Service Delivery Plan	20
Demonstrated Knowledge of Applicable Legislation	10
Competency: Municipal Law	10
Price/Cost Proposal	20
References	15
Total Evaluation Score:	100

The appointment of the successful consultant shall be in accordance with a selection process as outlined, with Council authorizing final selection as per the Township Procurement Policy.

The following selection process will apply:

- (i) Scrutiny of the bid submissions relative to compliance with the requirements of the RFP.
- (ii) Elimination of bids from proponents where the proponent, or its principals, have been, or are currently involved in litigation with the Township of Black River-Matheson other than a claim for property damages or personal injury, where that litigation impacts upon the ability of the parties to further engage in reasonable business relations.

The selected Proponent will be required to sign a contractual agreement with the Township of Black River-Matheson which acknowledges that the Proponent has full knowledge of and agrees with the general specifications, conditions and requirements of the Request for Proposal. It is anticipated that the contract will be awarded towards the end of March, early April, 2025.

The Township reserves the right to not award the contract to the lowest or to any proponent/bidder/applicant.



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22. **Oral Presentations:** Respondents may be invited to provide an oral presentation as a part of the evaluation process for this Solicitation. In this eventuality, Township Council will schedule interviews with selected Respondents only. Notice of assigned presentation times will be communicated in advance to the Respondent but may be given short notice of appearance. The purpose of the presentation will be to clarify the Response and ensure a mutual understanding of the scope of work. Verbal exchanges between the presenter(s) and Township Council during presentations are intended only for purposes of providing clarification in response to questions from Council.
23. **Negotiations:** The Township may award a Contract based on initial offers received without discussion. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint.

Notwithstanding the foregoing, if the Township and said Proposer(s) cannot reach an agreement on a Contract, the Township reserves the right to terminate negotiations and may, at the Council's discretion, begin negotiations with the next highest scoring responsible and responsive Proposer. This process may continue until an Agreement acceptable to the Township has been executed or all proposals are rejected. No Proposer shall have any rights against the Township arising from such negotiations or termination thereof.

Any Proposer recommended for negotiations may be required to provide to the Township:

Information concerning any prior or pending litigation, either civil or criminal, involving a governmental agency or which may affect the performance of services to be rendered herein, in which the Proposer, any of its employees or Subcontractors is or has been involved within the last three (3) years.

Acceptance of RFP Terms. Once the proposal due date has passed, a proposal submitted in response to this RFP shall constitute a binding offer. A submission in response to this RFP acknowledges acceptance by the Qualified Contractor of all terms and conditions of participation in this procurement as set forth in this RFP. The Qualified Contractor, by signing the proposal letter, certifies that it accepts all of the terms and conditions of participation in this procurement as set forth in this RFP, in full, without reservations, limitations, assumptions, restrictions, caveats, or any other type of Qualification, except for those exceptions to the Agreement noted in writing and submitted within a Qualified Contractor's Proposal. Further, the cover letter to any issued addenda to this RFP must be signed and returned with the proposal.



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IV: REFERENCES

Client 1

Name: _____ **Phone:** _____ **Email:** _____

Scope of Work: _____

Contract \$ Amount: _____ **Term:** _____

Client 2

Name: _____ **Phone:** _____ **Email:** _____

Scope of Work: _____

Contract \$ Amount: _____ **Term:** _____

Client 3

Name: _____ **Phone:** _____ **Email:** _____

Scope of Work: _____

Contract \$ Amount: _____ **Term:** _____



V. **PROPOSAL FORMAT**

IT IS THE RESPONSIBILITY OF THE RESPONDENT TO ENSURE THAT THE PROPOSAL BEING SUBMITTED IS TIMELY, COMPLETE, INCLUSIVE OF ADDRESSING ALL THE REQUIREMENTS AND EVALUATION CRITERIA HEREIN.

PLEASE READ THE ENTIRE SOLICITATION BEFORE SUBMITTING A PROPOSAL.

24. **General Instructions:** Respondents should carefully follow the format and instructions outlined throughout this section, observing format requirements where indicated. All materials (except for plans and schematics, if any) are to be submitted on 8 1/2" X 11" papers, paginated and separated by tabs to identify each required section. Neatly typed and double sided with normal margins and spacing. All documents and information must be fully completed and signed as required.
25. **Copies:** Submit an original Proposal, be sure to clearly mark "Original" as such. Seven (7) complete copies of the original Proposal are requested. Each copy of the proposal will be distributed to the Township Council after Staff has reviewed the original proposal for compliance with this Solicitation. Township staff will provide each council member with information concerning this review.
26. **Submission:** Proposals are to be submitted in a sealed envelope bearing the name of the Respondent company along with their address and title "**MUNICIPAL LEGAL SERVICES SEALED PROPOSAL – DO NOT OPEN**" no later than the time and date specified on page 1 of this Solicitation.

PROPOSALS RECEIVED AFTER THIS TIME WILL NOT BE OPENED FOR CONSIDERATION AND NO TIME EXTENSIONS WILL BE PERMITTED. THEY WILL BE RETURNED TO THE PROPOSER UNOPENED.

27. **Proposal Format:** The proposal must be in the following format. Failure to include responses to items #1 through #5 below may result in the Proposer being deemed non-responsive and resulting in the Proposal not being considered.

Each required Item below should be separated by a physical tab/divider to ensure all necessary documents are not overlooked.

28. **LABEL EACH SECTION AS NUMBERED BELOW**

1. **Cover Page Form.** A cover page shall be submitted as part of the Solicitation. The cover page shall include the company name, the person authorized by law to render the services and his/her title. In addition, the Respondent shall include the mailing address,



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phone number, and e-mail address. The Respondent shall identify one person of authority who will receive all notifications and will be contacted directly by the Township as needed in reference to this Solicitation. (see Submission Form below)

2. **References.** Respondent must provide at least three (3) references from work they've completed within the last five (5) years, preferably from government agencies related to contracts of similar scope as described in this Solicitation. A contact name, phone number and e-mail address should be included for each reference. Experience will NOT be considered unless complete reference data is provided.
3. **Licensing/Certifications.** Provide copies of all licenses and/or certification applicable to the Services outlined in the Solicitation.
4. **Qualifications & Experience.** The Respondent shall provide a narrative description (relevant experience, qualifications & past performance) of the company and the Service. Included as part of the narrative shall be the following information:
 - An explanation of why the Respondent is the best qualified to perform the Contract and demonstrate its qualifications including an item-by-item disclosure outlining how the contractor meets or exceeds the requirements of this Solicitation.
 - A schedule of proposed services. The schedule should include the Respondent's understanding of the work, their role and tasks associated with the issues they may face.
 - The team should be led by a qualified, experienced and licensed Solicitor.
 - An organization chart and résumés of key staff members and sub-contractors, if any, assigned to the Contract to meet the requirements of these Solicitation documents.
 - The résumé shall concentrate on the person's experience and qualifications as it relates to the requirements for the Service. Information on résumés shall contain comprehensive data that is easily verifiable.
5. **Methodology & Approach to the Services.** Proposer's approach methodology to providing the services requested in this Solicitation should address the following:
 - Overall protocol planned for handling of matters referred to the Municipal Lawyer as described under sections 11-12, Scope of Work.
 - Availability and ability to meet timelines and deadlines



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SUBMISSION FORM

Contractor/Firm: _____

Address: _____

Telephone: _____ Email: _____

Contact Person: _____ Position: _____

Description of Work:

The contractor will be required to provide all materials and labour necessary to complete all work required to provide Municipal Legal Services for the Corporation of the Township of Black River-Matheson's financial records for the year ending Dec. 31, 2018, to the year ending Dec. 31, 2024 inclusive.

Location: Corporation of the Township of Black River-Matheson, 367 Fourth Ave., Matheson, ON, P0K 1N0

A complete package providing all of the information requested in the RFP and following the layout described in section 28 therein must be included with this submission.

The Contractor is required to provide the Township with proof of insurance in the amount of \$2,000,000, and is responsible for all issues relating to WSIB, insurance, etc. for their employees with relation to this contract.

By signing below, I acknowledge that I have read and understand this Request for Proposal ADM2025-003 and I agree to abide by the terms and conditions contained herein.

Authorized Signature: _____ (I have authority to bind the corporation)

Name: _____ (Please Print or Type)

Date: _____

Witness: _____

Date: _____

*Note that this submission is not transferable and any alteration of the Company name entered hereon will be cause for considering the proposal irregular and subsequent rejection of the RFP