

CITY OF BURKBURNETT, TEXAS

REQUEST FOR PROPOSALS (RFP) Legal Services – City Attorney

Reference Information

Project Title: City Attorney/Legal Services

Proposals Due: Friday, October 10, 2025, 4 p.m. CST

Submission Location: City of Burk Burnett – 501 Sheppard Road, Burk Burnett, TX 76354

I. INTRODUCTION

The City of Burk Burnett, Texas, a home-rule municipality with a population of approximately 11,000, operates under a Council-Manager form of government. The City provides a full range of municipal services, including police and fire protection, public works, water and wastewater utilities, parks, planning and development, library, and administrative services.

The Board of Commissioners seeks proposals from qualified attorneys or law firms interested in serving as City Attorney on a contractual basis. The City Attorney will provide general legal counsel to the Board, City Manager, staff, and boards/commissions.

The selected firm or individual must be licensed in Texas, experienced in municipal law, and capable of providing timely, impartial, and proactive legal advice to support the City's governance and operations.

II. SCOPE OF SERVICES REQUIRED

The attorney/firm will be expected to provide, at a minimum:

1. 1. General Counsel Services
 - Advise the Board of Commissioners, City Manager, and staff on legal matters.
 - Attend Board meetings and other meetings as requested.
 - Draft/review ordinances, resolutions, contracts, policies, and agreements.
 - Provide legal opinions, both oral and written.
 - Advise on compliance with federal, state, and local laws, including the Texas Open Meetings Act and Public Information Act.
2. Specialized Legal Areas

- Personnel and employment law, including FLSA, FMLA, EEOC, and OSHA.
- Land use, zoning, annexation, and subdivision law.
- Economic development agreements, Chapter 380/381 provisions, and TIF/TIRZ.
- Public finance, contracts, and procurement law.
- Real estate, easements, rights-of-way, and eminent domain.
- Code enforcement, demolition, and nuisance abatement procedures.
- Guidance on elections, ethics, and conflicts of interest.

III. PROFESSIONAL CREDENTIALS

- Juris Doctorate from an accredited law school.
- Licensed and in good standing with the State Bar of Texas.
- Minimum 5 years' experience practicing municipal law preferred.
- Demonstrated experience advising Texas municipalities.

IV. PROPOSAL REQUIREMENTS

Proposals must include the following information, organized by tabbed sections:

1. Letter of Transmittal – Introduction, interest, and service commitment.
2. Firm/Attorney Qualifications – Background, municipal law experience, resumes of key personnel.
3. References – At least three (3) municipal clients (include contact information).
4. Approach & Availability – Methods of communication, response times, and meeting attendance.
5. Conflict of Interest Disclosure – Identify potential conflicts and mitigation approach.
6. Fee Proposal – Identify compensation structure (retainer plus hourly, or hourly only). Specify reimbursables.
7. Work Examples – Provide two examples of legal memos/opinions and at least one ordinance or resolution drafted.
8. Additional Information – Any other material supporting qualifications.

V. SUBMISSION REQUIREMENTS

One (1) original, four (4) copies, and one (1) electronic copy must be submitted in a sealed package labeled:

“RFP – City Attorney/Legal Services – City of Burk Burnett”

Delivered to:

City of Burk Burnett
 Attn: Lindsey McNabb-Fox
 501 Sheppard Road
 Burk Burnett, TX 76354

Faxed or emailed proposals will not be accepted. Late submissions will not be considered.

VI. EVALUATION CRITERIA

- Experience and expertise in municipal law (25 points)
- Demonstrated understanding of municipal government operations (25 points)
- Qualifications of assigned attorney(s) (20 points)
- Responsiveness and accessibility (10 points)
- References and past performance (10 points)
- Cost of services (10 points)

VII. TERMS AND CONDITIONS

Proposers shall promptly notify the City of Burk Burnett of any omission, ambiguity, inconsistency, or error that they may discover upon examination of the documents. The City assumes no responsibility for any errors or misrepresentations that result from incomplete proposals. No plea of ignorance of conditions that exist, or difficulties or conditions concerning the services to be performed, or execution of the work shall be accepted as an excuse for any failure or omission on the part of specifications documents governing the scope of work.

There is no expressed or implied obligation for the City to reimburse responding attorneys or firms for any expenses incurred in the preparation of the RFP or subsequent interviews. All costs shall be the full responsibility of the proposer.

By requesting RFP's, the City is in no way obligated to award a contract or pay expenses of the firm(s) in connection with the preparation or submission of an RFP.

All required documents are to be complete and accurate with all appropriate signatures. Packages are to be sealed and clearly identified.

The City of Burk Burnett reserves the right to reject in part or in whole all RFPs submitted, and to waive any technicalities for the best interest of the City.

The City desires to enter into an agreement that will be advantageous to both the City and the eligible attorney(s).

Proposers will be disqualified and/or their RFP rejected, among other reasons, for any of the specific reasons listed below:

- Received after the closing date and time.
- Reason for believing collusion exists among the proposers.
- Incomplete work which in the judgment of the City will prevent or hinder the prompt completion of work or having defaulted on a previous contract.
- Lack of competency as revealed by reference checks, experience and equipment, questionnaires, or qualification statements.

ADDENDA AND EXPLANATIONS

Any clarifications or interpretations of this RFP that materially affect or change its requirements will be posted by the City as addenda. If the City, in its sole discretion, determines that a clarification is required, such clarification shall be issued in writing in the form of an addenda. Sole issuing of addenda shall be vested in the Finance Department. Addenda shall be sent to all who are known to have received a copy of the RFP and posted to the City website.

Interpretations, corrections, or changes to the RFP made in any other manner are not binding upon the City and proposers shall not rely upon such interpretations, corrections, or changes. Oral explanations or instructions given are not binding.

It is the sole responsibility of the attorney(s) or firms to obtain this information and ensure that all available information has been received prior to submission. The City will not be held liable for any addenda information not received.

All such addenda issued by the City before the RFP due date, are considered to be a part of the RFP, and proposers shall acknowledge receipt of each addendum in its submission.

In addition to all other rights granted to it under Texas law, the City reserves the right:

- to waive formalities in the response process.
- to accept or reject any or all responses reserved as a result of this RFP.
- to request additional information concerning any response.
- to interview any proposer.
- to cancel or terminate in part or in its entirety, the RFP at any time.
- to waive any irregularities in any response following the response submission deadline date in order to serve the best interests of the city.
- Reserves the right to negotiate separately with any proposer whatsoever, in any manner necessary to serve the best interests of the city.
- Be the sole judge of the relative merits of the material mentioned in the respective proposal received.
- Request any firm/individual submitting a proposal to clarify its proposal during the evaluation process.
- Negotiate the services and reasonable costs with the selected firm/individual(s).
- Modify or alter any requirements herein and issue addenda or amendments to this RFP.
- Award to multiple attorneys as deemed in the best interest of the City.

CERTIFICATE OF INTERESTED PARTIES

In 2015, the Texas legislature adopted House Bill 1295, which added section 2252.908 of the Government Code and applies to all contracts entered into on or after January 1, 2016. The law states that a governmental entity may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity at the time the business entity submits the signed contract to the governmental entity. The law applies to all contracts/purchases of a governmental entity that require action or vote by the governing body of the entity.

With regard to the City of Burk Burnett, a proposer that is awarded a contract or purchase that is greater than \$50,000 is required to electronically create a Form 1295 through the Texas Ethics Commission website (<https://www.ethics.state.tx.us>) and submit a signed copy of the form to the City. Note: The City requires that any contract that goes to the Board must have a completed Form 1295. A contract, including city-issued purchase orders, will not be enforceable or legally binding until the City receives and acknowledges receipt of the properly completed Form 1295 from the firm(s).

By submitting this RFP, the attorney(s) or firm certifies and represents that the proposer has not offered, conferred, or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote, or any exercise of discussion concerning this RFP.

The proposer further certifies and represents that it has not violated any state, federal, or local law, regulation, or ordinance relating to bribery, improper influence, collusion, discrimination, or other similar crimes, and all services provided or delivered under any award shall conform hereto.

By submitting an RFP, each proposer represents and warrants that its proposal is genuine and not a sham or collusive, or made in the interest of, or on behalf of, any person not named therein, that the proposer has not directly or indirectly induced or solicited any other person to submit a sham response or any other person to refrain from submitting a proposal. Proposers also warrant that they have not in any manner colluded to secure any improper advantage over any other person submitting a proposal, or to limit the competitiveness of the process.

By submitting this proposal, the proposer certifies that to the best of their knowledge, no employee, either full or part-time, owner, official, stockholder, or member of their immediate family, is related to a member of the City of Burk Burnett Board of Commissioners, City Boards, or City Manager in violation of the Nepotism Prohibition of the Texas Government Code (Chapter 573, Gov. Code).

DISCLOSURE OF INTEREST

No public official shall have interest in this contract, in accordance with Vernon's Texas Codes Annotated,

Local Government Code Title 5, Subtitle C, Chapter 171. Proposers are required to submit with the RFP a Conflict-of-Interest Questionnaire stating that no officer or employee of the City has, or will have, during the said term of this contract, any prohibited interest as defined. The proposer understands that any existence of a prohibited interest at any time during the term of contract will render the contract voidable.

Pursuant to Chapter 176 of the Texas Local Government Code, a person, or agent of a person, who contracts or seeks to contract for the sale or purchase of property, goods, or services with municipalities must file a completed conflict of interest questionnaire which is included in this solicitation or available at www.ethics.state.tx.us. The Conflict-of-Interest questionnaire must be filed with the City no later than the seventh business day after the person or agent begins contract discussions or negotiations with the City or submits an application, response to an RFQ, correspondence, or writing related to a potential agreement. An updated conflict of interest questionnaire must be filed in accordance with Chapter 176 of the Local Government Code. An offense under Chapter 176 is a Class C misdemeanor. Updated Questionnaires must be filed in conformance with Chapter 176.

If you have any questions about compliance, please consult your own legal counsel. Compliance is the individual responsibility of each person or agent of a person who is subject to the filing requirement. An offense under Chapter 176 is a Class C misdemeanor.

By doing business or seeking to do business with the City, you acknowledge that you have been notified of the requirements of Chapter 176 of the Texas Local Government Code and that you are solely responsible for complying with these requirements.

HOUSE BILL 89

House Bill 89, effective September 1, 2017, amended the Texas Government Code to add Chapter 2270, Prohibition on contracts with companies boycotting Israel. Effective September 1, 2017, a state agency, and a political subdivision (which includes a city) may not enter a contract with a company for goods or services unless the contract contains a written verification from the company that (a) it does not boycott Israel, and (b) will not boycott Israel during the term of the contract.

“Boycott Israel” is defined to mean refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business with Israel or in an Israel-controlled territory, but does not include an action made for ordinary purposes.

“Company” is defined to mean a for-profit sole proprietorship, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

SENATE BILL 252

Senate Bill 252, effective September 1, 2017, prohibits governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization. Senate Bill 252 amended the Texas Government Code to add Chapter 2252, Prohibition on contracts with certain companies. This Bill prohibits state agencies from contracting with or investing in companies that do business with Iran or designated foreign terrorist organizations.

“Foreign terrorist organization” means an organization designated as a foreign terrorist organization by the United States Secretary of State as authorized by 8 U.S.C. Section 1189.

“Government contracts” means a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment. The term includes a contract to obtain a professional or consulting service subject to Chapter 2254.

VIII. TIMELINE

- RFP Issued: Monday, September 15, 2025
- Questions Due: 2:00 PM, Monday, September 29, 2025
- Responses Due: Friday, October 10, 2025, 4 p.m. CST
- Evaluation & Interviews: Monday, October 20 – October 24, 2025
- Anticipated Board Action: Tuesday, November 12, 2025

IX. CONTACT INFORMATION

Lindsey McNabb-Fox, Assistant City Manager
City of Burk Burnett
501 Sheppard Road
Burkburnett, TX 76354
Email: lfox@burkburnett.org

X. ATTACHMENTS

- Attachment A: Business Information Form
- Attachment B: Conflict of Interest Questionnaire
- Attachment C: HB 89 Verification Form
- Attachment D: SB 252 Certification
- Attachment E: Certificate of Proposal
- Attachment F: Non-Collusion Statement

Attachment A: Business Information Form

Name of Firm: _____

Address: _____

Telephone: _____

Email: _____

Website: _____

Federal Tax Number: _____

Number of Years in Business: _____

Number of Employees: _____

Does the firm maintain the amounts of insurance specified by the City? _____

Are there any claims pending against any insurance policies? _____

If yes, describe: _____

Has the firm been in bankruptcy, reorganization, or receivership in the last 5 years? _____

Has the proposed designated City Attorney practiced municipal law a minimum of 5 years?

Is the proposed attorney accredited and in good standing with the State Bar? _____

Business classification: Corporation Partnership Individual

If a Corporation:

Date of Incorporation: _____

State of Incorporation: _____

President's Name: _____

If a Partnership:

Date of organization: _____

Name of all Partners: _____

Attachment B: Conflict of Interest Questionnaire

CONFFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity		FORM CIQ
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>		
1 Name of vendor who has a business relationship with local governmental entity.		OFFICE USE ONLY Date Received
2 <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)		
3 Name of local government officer about whom the information is being disclosed. Name of Officer _____		
4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.		
<p>A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>		
5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.		
6 <input type="checkbox"/> Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).		
7 _____ Signature of vendor doing business with the governmental entity _____ Date _____		

Attachment C: House Bill 89 Verification

I, _____ (name),

the undersigned representative of:

Company or Business name: _____

(Hereafter referred to as company) being an adult over the age of eighteen (18) years of age, do hereby depose and verify that the company named-above, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract.

Pursuant to Section 2270.001, Texas Government Code:

1. *"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and*
2. *"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.*

DATE

SIGNATURE OF COMPANY REPRESENTATIVE

Attachment D: Senate Bill 252 Certification

I, _____ (name), the undersigned
representative of:

Company or Business name:

Do hereby depose and certify that the company named above is not identified on the Texas Comptroller's list of companies known to have contracts with, or provide supplies or services to, a foreign organization designated as Foreign Terrorist Organization by the U.S. Secretary of State. In addition, it is further certified that company shall not do business with any of these organizations while providing products or services to the City of Burk Burnett

_____ DATE _____ SIGNATURE OF COMPANY REPRESENTATIVE

Attachment E: Certificate of Proposal

The undersigned hereby submits its proposal and, by so doing, agrees to furnish services to the City in accordance with this RFP and to be bound by the terms and conditions herein.

This firm has carefully reviewed its proposal and understands and agrees that the city is not responsible for any error or omissions on the part of the proposer and that the proposer is solely responsible for such errors or omissions.

It is understood and agreed that the city reserves the right to accept or reject any or all proposals and to waive any informal or irregularity in any proposal received by the City.

The proposal includes all components, figures and dates required by this RFP.

This firm has carefully read and fully understands all of the items contained in this RFP. This firm agrees to all of the requirements of the RFP.

The City is not responsible for any costs associated with the preparation of the proposal.

Date: _____

Name of Firm: _____

Authorized Signature: _____

Print/Type Name: _____

Title: _____

Address: _____

Telephone: _____

Email: _____

Attachment E: Signature Form and Non-Collusion Statement

The undersigned affirms that they are duly authorized to execute this proposal, that this company, corporation, firm, partnership, or individual has not prepared this proposal in collusion with any other proposer, and that the contents of this proposal have not been communicated by the undersigned nor by any employer or agent to any other person engaged in this type of business prior to the official opening of this proposal.

This proposal is genuine and is not a collusive or sham solicitation. Neither the said proposer nor any of its officers, partners, owners, agent representatives, employees or parties interest has in any way, colluded, conspired, or agreed, directly or indirectly, with any other proposers, firm or person, to submit a collusive or sham response in connection with the agreement for which the attached response has been submitted or to refrain from responding in connection with such agreement, or has in any manner, directly or indirectly, sought by agreement or collusion, communication, or conference with any other proposer, firm or person to fix the price or services in the attached proposal.

Firm: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Fax Number: _____

Email address: _____

Authorized Signature: _____

Title: _____