

**CITY OF DOVER, DELAWARE**  
**REQUEST FOR QUALIFICATIONS**  
**FOR**  
**CITY SOLICITOR**  
**RFQ NUMBER 25-0020CM**



**March 2025**

**Prepared By:**

**City of Dover**  
**CITY MANAGER'S OFFICE**  
**15 LOCKERMAN PLAZA**  
**Dover, DE 19901**  
**(302) 736-7005**

**SECTION IFQ**  
**INVITATION FOR REQUEST OF QUALIFICATIONS**

**RFQ NUMBER: 25-0020CM**

Sealed submissions, three (3) paper copies and one (1) electronic copy, along with a completed FOIA form will be received by the City of Dover, Procurement Office, 710 William Street, Dover, DE 19904 no later than **2:00 pm** on April 9, 2025, for the **CITY SOLICITOR REQUEST FOR QUALIFICATIONS** at which time the proposals will be opened.

**I. NAME OF SOLICITING GOVERNMENT**

**City of Dover, Delaware**  
**City Hall – The Plaza**  
**P.O. Box 475**  
**Dover, Delaware 19903-0475**

**II. PURPOSE OF REQUEST**

- A. The City of Dover is issuing a Request for Qualifications (RFQ) to identify and retain a City Solicitor to represent the City. As a Charter position, the City Solicitor is the Chief legal counsel to the City, which includes the City Council, Mayor, the City Manager, various City departments, and various City Boards and Commissions. The successful candidate will be hired as an independent contractor of the City. This is an exciting opportunity to work on a variety of important issues facing “the Capital of the First State” as it continues to maintain its charm consistent with the needs of its residents, property owners, businesses, and visitors. Alternatively, The City Council is interested in exploring the option of an in-house City Solicitor as a City employee rather than an independent contractor. If you prefer this scenario, please submit a resume and City of Dover employment application to the City Clerk at [cityclerk@dover.de.us](mailto:cityclerk@dover.de.us) , if in house candidates are applicable interviews will take place in executive session with City Council.
- B. The City invites written proposals from qualified Delaware Attorney at Law, either individuals or firms which are interested in providing services, as outlined below from the City Charter.
- C. Code of the City of Dover – Charter; Part 1 – Charter and Related Laws; Subpart A – Charter; Article V. Miscellaneous Provisions; Section #54 – City Solicitor
- D. At the annual meeting the council shall elect a city solicitor for the term of one year or until their successor has been duly chosen and qualified. The city solicitor may be removed during their term by a vote of three-fourths of the members elected to the council.
- E. The city solicitor shall be an attorney at law who shall have practiced in the State of Delaware for at least five (5) years. The city solicitor shall be the chief legal adviser of and attorney for the city. It shall be the city solicitor's duty, either personally or by such assistants as they may designate, to attend meetings of the council; to give advice in writing, when so requested, to the council or the city manager; to prosecute or defend, as the case may be, all suits or cases to which the city may be a party; to prosecute for all

offenses against the ordinances of the city and for such offenses against the laws of the state as may be required of them by law; to prepare all contracts, bonds and other instruments in writing in which the city is concerned, and to endorse on each their approval of the form and correctness thereof; and to perform such other duties of a legal nature as the council may by ordinance require. In addition to the duties imposed upon the solicitor by this Charter or required of the city solicitor by ordinance or resolution of the council they shall perform any duties imposed upon the chief legal officers of municipalities by law.

- F. At the annual meeting the council shall elect a deputy city solicitor for the term of one year or until their successor has been duly chosen and qualified. The deputy city solicitor shall be an attorney-at-law entitled to practice law in the State of Delaware and shall serve in such manner as shall be determined by the city solicitor to be necessary and proper.” The Solicitor shall make recommendations of qualified individuals and shall provide resumes and qualifications for appointment to the Council for consideration as Deputy Solicitor.

### III. SCOPE OF WORK

- A. The City Solicitor is selected by and is elected by the City Council of the City of Dover (“Council”), The Solicitor shall report to the Council President. The Solicitor serves at the pleasure of the Council for an annual appointment for a period of one year commencing after the annual City meeting.
- B. The proposer shall be a member in good standing of the Delaware Bar and be licensed to practice law before all state Courts in the State of Delaware and the Federal District having jurisdiction over Delaware (or eligible to be admitted to practice before the Federal District Court as soon as practicable).
- C. The candidate shall have a minimum of five (5) years of legal experience and be licensed to practice law in Delaware. The City Solicitor shall serve as an independent contractor of the City.
- D. The City Solicitor should have adequate familiarity with many of the types of matters in the City Charter ([https://library.municode.com/de/dover/codes/code\\_of\\_ordinances?nodeId=PTICHRELA](https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTICHRELA)) and City Code ([https://library.municode.com/de/dover/codes/code\\_of\\_ordinances?nodeId=COORDODE](https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=COORDODE)), as well as matters addressed in the Delaware Code including those applicable to municipalities (e.g., Title 22 of the Delaware Code, <https://delcode.delaware.gov/title22/index.html>). Such matters may involve public infrastructure and property, city services, licensing, zoning, planning and development, personnel and employment, municipal borrowing, public records, election law, ethical standards, and litigation. It is preferable, but not required, that the selected candidate be familiar with and/or have expertise in all these matters.
- E. The City Solicitor will manage all the legal activities and representation of the City. The City Solicitor may utilize other resources in his or her firm and, in consultation with the Council President and/or City Manager, will retain and manage outside counsel/attorneys that may be required to represent the city in a variety of matters. The Deputy Solicitor shall be authorized to act on behalf of the Solicitor, with the approval of the Council, as necessary.

- F. Be familiar with litigation procedures, land use law, real estate law, personnel and labor law, regulatory and election law, and expertise as it relates to city financial activities such as borrowing, bonds, etc., and other areas as needed.
- G. Attend City Council Meetings that are typically the second and last Monday of each month, and as Council of the Whole for Committee meetings the second and last Tuesday of the Month. This will include prior review and comment on all legal and legislative matters to come before the Council, including drafting resolutions, motions, ordinances, and other documents for further action, as well as assisting with reviewing the agenda prior to being published. Special meetings are scheduled as needed. Attendance may be required at all meetings of the City Council. The Planning Commission typically meets on the first Monday of each month. Participation by the Solicitor may be required.
- H. The City Solicitor should have direct litigation experience and/or should have worked in coordination with litigators on some litigation, whether that is court and/or administrative agency litigation. An otherwise strong candidate with an absence of direct litigation experience will not be excluded from consideration.
- I. The City Solicitor and all counsel utilized on behalf of the City or any of its entities must have no conflict of interest with the business of the city and shall take all measures to avoid the appearance of a conflict of interest.
- J. The City Solicitor is expected to be knowledgeable of Chapter 100, Title 29 of the Delaware Code, Freedom of Information Act (FOIA), and the ability to interpret and provide guidance on FOIA compliance
- K. Be available to review proposed site and subdivision plans that are submitted to the city for review. The proposer shall utilize all current planning and inspection requirements to provide a thorough review of the submission and return to the city within thirty (30) days of receiving said plans.
- L. The proposer shall be available to perform building permit review for any submission deemed necessary by the city. This review shall take all current codes applicable to provide a thorough review of the submission. This review shall be completed within seven (7) calendar days of receipt.
- M. The proposer shall be available for any ordinance revision or creation deemed necessary by the city. This could include presentations to City Council which could include public interaction.
- N. The City reserves the right to reject any and all responses to this RFQ.
- O. The City Solicitor will also advise the City Manager regularly and continuously on all relevant matters pertaining to City activities. This includes but is not limited to the review of all contracts, all proposed ordinances, State and federal regulatory activities, code interpretation, all leases, and other ongoing matters. Regarding all matters in which the City Solicitor is involved, the City Solicitor (and any other resources authorized to be used and managed by the City Solicitor) must provide a high-quality work product in a timely manner.
- P. Absent a waiver, the City Solicitor and all counsel utilized on behalf of the City or any of its entities must have no conflict of interest with the business of the city and shall take all measures to avoid the appearance of a conflict of interest.

#### IV. REQUIRED CONTENT OF PROPOSAL

- A. Attorney and Attorney's Firm Identification. The following questionnaire has been provided by the City of Dover. Please complete **Three (3) paper copies and one (1) electronic copy are to be submitted in the order outlined below.** Illustrated brochure(s) and professional records may be attached and submitted to augment the data included in this questionnaire. Attach additional sheets as required or desired.
1. Attorney and Attorney's Firm Name
  2. Established Year
  3. Former Firm Name(s), if any, and years in business
  4. Home office business address and telephone number
  5. Branch office business address and telephone numbers
  6. Associates and Principals: Name, Title, Specialties (Attach Resumes)
  7. Total personnel of firm:
    - Professional
    - Non-Professional
    - Other
  8. Key personnel to be involved in the provision of these services: Name, Title, Specialties, Degree, Registration (Professional Licensure), Years of Experience (Attach Resumes)
  9. What outside Associates and Consultants does your firm normally work with? Include:
    - Name and address
    - Specific service
    - Name of last joint project
  10. Is it anticipated that your firm will contract any aspect of the work outlined in the scope of work? (If so, please discuss the nature and extent of the anticipated sub-contracting, including the use of local businesses.)
  11. Please provide examples of municipalities or government entities that your firm has supported with similar services. Include the following:
    - Client
    - Contact person and phone number
    - Services provided
  12. Discuss how your firm will respond quickly to City needs. How will you maintain close effective communications with City staff?
  13. Provide a discussion of your firm's familiarity with typical problems which might arise with this type of service.
  14. Please indicate if you are aware of any personal or organizational conflicts of interests.

15. Provide additional information which you feel may be pertinent to the provision of these services, but not specifically required elsewhere in the RFQ.

16. Each individual that will be working on this project shall have his / her own City of Dover business license or prove they can obtain within thirty (30) days.

B. Statement of Understanding. State your understanding of the scope of services presented in the RFQ and your role in accomplishing the scope of services.

**V. COMPENSATION**

A. The proposal should clearly state the lump sum, including hourly rate, retainers, etc.

**VII. INQUIRIES**

A. We understand and respect that some candidates/firms require that any questions regarding the opportunity be handled with confidentiality due to their work status (e.g., current engagements with state, local, or federal government; current partner, associate or other position with a law firm; current position within academia or non-profit organization; retired or semi-retired work status).

B. If you are in that situation, please contact the Procurement Manager at (302) 736-7795 with any questions.

C. RFQ will be made available to interested parties which will also have time to ask and receive responses to questions for clarification if desired through Procurement at [doverwhse@dover.de.us](mailto:doverwhse@dover.de.us).

**VIII. SELECTION CRITERIA**

A. In order to ascertain which proposal best meets the needs of the City, proposals will be independently evaluated, according to the following criteria:

|   | Factor   | Point Range |
|---|--|-------------|
| A | Experience: Demonstrated experience with similar services minimum of 5 years of legal experience and licensed to practice in the State of Delaware.  | 0 to 20     |
| B | Familiarity with the City Charter and Delaware Code  | 0 to 10     |
| C | Staff: Qualifications and utilization of the firm's employees assigned to the provision of these services, the City will take into account any consultant experience in providing these services | 0 to 15     |
| D | Costs: Hourly rate costs of all staff members  | 0 to 35     |
| E | Service Ability: Firm's ability to provide full spectrum of legal services.  | 0 to 15     |

**END OF SECTION**



**CONSENT FOR DISCLOSURE UNDER  
THE FREEDOM OF INFORMATION ACT (FOIA)**

**REQUESTS FOR PROPOSAL AND INVITATIONS TO BID**

From time to time, the City of Dover receives requests under the Freedom of Information Act (FOIA) for information submitted in response to Requests for Proposals and Invitations to Bid. This information shall be provided to those who request it under FOIA; however, in accordance with 29 Del. C. §10002(1)(2), trade secrets and commercial or financial information obtained from a person which is of a privileged or confidential nature are not deemed public records.

Please indicate your preference regarding the disclosure, under FOIA, of the information that you are submitting by checking the appropriate box and providing the information below. Please note that prior to issue of a purchase order or full execution of a contract, only the names of vendor(s) and bid tabulations will be released for Invitations to Bid, and only the names of vendor(s) and information deemed necessary for City Council to make an informed decision on award approval will be released for Requests for Proposals.

- I consent to the disclosure of all information included in this submission.
- This submission includes trade secrets and commercial or financial information which is of a privileged or confidential nature that is exempt from disclosure under 29 Del. C. §10002(1)(2). In accordance with 29 Del. C. §6923(j)(4) and §6924(j)(3), I have isolated and identified in writing the confidential portions of the submitted proposal/bid and attached a statement that explains and supports my claim that the proposal/bid items identified as confidential contain trade secrets or other proprietary data and I am prepared to defend against disclosure. I understand that any items not so identified are subject to disclosure.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Company Name: \_\_\_\_\_

Email Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

RFP/Bid No. \_\_\_\_\_

For additional information, please contact: City of Dover - City Clerk's Office  
P.O. Box 475  
Dover, DE 19903  
[cityclerk@dover.de.us](mailto:cityclerk@dover.de.us)  
Phone (302) 736-7008; FAX: (302) 736-5068

*Please note that this form is a public record and will be provided to those who request information regarding Requests for Proposals and Invitations to Bid under FOIA.*

## **APPENDIX A**

### Recruitment Process and Schedule



# RECRUITMENT PROCESS AND SCHEDULE

- Due to recent FOIA opinions by the Attorney General's office, recruitment, review of RFQ submissions, and selection process of a new City Solicitor as an independent contractor must be conducted in an open public meeting.
- Council subcommittee members will review the RFQ's and in-house employment submissions to confirm eligibility based on the RFQ requirements.

## Proposed Schedule

- RFQ will be made available to interested parties which will also have time to ask and receive responses to questions for clarification if desired through the Procurement website for all vendors to access.
- RFQ submissions are due Wednesday, April 9, 2025, by 2:00 P.M.
- The City Manager will prepare an executive summary or cover memo of key points and qualifications of each applicant to present to the Council for short- listing.
- City Council will interview each selected submission/applicant and ask each the same set of questions for uniformity in the selection process. A review of submission packages (shortlist) will occur at a regular or special meeting of the Legislative, Finance and Administration Committee of the Council.
- Interviews (in person, phone or virtual) occur later that month at a special meeting (to be determined).
- As part of the interview process, an evaluation will be provided by City staff to provide additional feedback to the Council for their decision-making process. A satisfactory background check is required of all applicants.
- It is expected that the new City Solicitor will begin their services with the City by June 2025.