

S E C R E S T
SW
W A R D L E

**Proposal to
City of Rochester Hills
for Attorney Services for the
North Oakland County Water Authority**

Submitted by:



Derk W. Beckerleg, Esq.
Secretst Wardle
Executive Partner and Managing Partner of
the Municipal Law Practice Group



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

VENDOR QUESTIONNAIRE

Date: February 3, 2015
Firm Name: Secrest Wardle
Address: 2600 Troy Center Drive
City/State/Zip Code: Troy, MI 48084
Telephone Number: 248-539-2808
Fax Number: 248-851-0369
Email Address: dbeckerleg@secrestwardle.com

Branch Offices, if any:	
Lansing Office 6639 Centurion Drive, Suite 100 Lansing, MI 48917 517-886-1224	Grand Rapids Office 2025 East Beltline S.E., Suite 600 Grand Rapids, MI 49546 616-285-0143

Firm Established:	Years in Business in State:
1912	102

Type of Organization: (Circle One)
a. Individual b. Partnership <u>c. Corporation</u> d. Joint Venture e. Other

How many years has your company been providing legal services to public sector agencies? Provide historical narrative.
Please see attached proposal



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

Describe your firm's philosophy relative to public sector public work project negotiations.

Please see attached proposal

How many clients does your company currently serve with the type of services the NOCWA is interested in securing? Explain the capacity of the services provided.

Please see attached proposal

Please provide a list of client references (minimum 5). Include name, address, phone number, contact person and briefly describe scope of services performed. Include public sector clients.

Please see attached proposal



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

Total personnel of firm:	170
Professional:	70
Non-professional:	100

Provide experience and qualifications of Lead Attorney and all other personnel to be assigned to the NOCWA. Include name and position title, total years experience with current firm and other, education, summary of pertinent experience and qualifications and other information that would assist the NOCWA in determining the qualifications of the individuals and their ability to complete the services required

Please see attached proposal

Provide your understanding of the services and any special qualifications and experience that you would bring to the City if selected.

Please see attached proposal



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

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Provide a summary of your municipal experience and qualifications in the following areas:

Contract Negotiations:

Please see attached proposal

Public Works Projects:

Please see attached proposal

Based on your prior experience what type of professional consulting services would you anticipate utilizing that would need to be subcontracted.

Please see attached proposal



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

Describe methods of communication with your clients.

Please see attached proposal

Describe your company's policy regarding errors or omissions in plans and specifications.

Please see attached proposal

Has a grievance(s) ever been filed against any of the attorneys in your firm? Please provide an explanation.

No

Have any of the attorneys in your firm been debarred? Please provide an explanation.



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

No

Are all attorneys in your firm members of the State Bar of Michigan?
Yes

When were the Lead Attorney and other personnel to be assigned to the City admitted to the State Bar of Michigan?
Derk W. Beckerleg 1982 Mark S. Roberts 1990 Vahan C. Vanerian 1993

Are all legal staff members in good standing with the State Bar of Michigan? If not, please explain.
Yes

Is a contract required? If so, please attach a copy of your standard contract.
Yes, please see attached proposal

What are your billing procedures?
Please see attached proposal



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

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Have you been involved in any litigation during the past five years? If so, provide an explanation.

No

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Proposal for Attorney Services for
City of Rochester Hills for NOCWA

SECRET WARDLE

PROPOSAL

**City of Rochester Hills
for Attorney Services for the
North Oakland County Water Authority**

SUBMITTED TO

City of Rochester Hills

**Lisa Cummins, CPPB
Purchasing Manager
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309**

Wednesday, February 4, 2015

Submitted by

Derk W. Beckerleg, Esq.
Telephone (248) 539-2808
Fax (248) 851-0369
E-Mail: dbeckerleg@secrestwardle.com

Table of Contents for
Vendor Questionnaire Proposal Attachment

Firm Information and Profile of Firm	1-2
How many years has your company been providing legal services to public sector agencies? Provide historical narrative.	2-3
Describe your firm’s philosophy relative to public sector work project negotiations.	3
How many clients does your company currently serve with the type of services the NOCWA is interested in securing? Explain the capacity of the services provided.	4-5
Please provide a list of client references (minimum 5). Include name, address, phone number, contact person and briefly describe scope of services performed. Include public sector clients.	5-7
Total personnel of firm: Professional; Non-Professional	7
Provide experience and qualifications of Lead Attorney and all other personnel to be assigned to the NOCWA. Include name and position title, total years experience with current firm and other, education, summary of pertinent experience and qualifications and other information that would assist the NOCWA in determining the qualifications of the individuals and their ability to complete the services requested.	7-11
Provide your understanding of the services and any special qualifications and experience that you would bring to the City if selected.	11-14
Provide a summary of your municipal experience and qualifications in the following areas:	
Governmental Litigation	15
Contract Negotiations	16-17
Public Works Projects	17
Based on your prior experience what type of professional consulting services would you anticipate utilizing that would need to be subcontracted.	17-18
Describe methods of communication with your clients.	18

Describe your company's policy regarding errors or omissions in plans and specifications.	19
Has a grievance(s) ever been filed against any of the attorneys in your firm? Please provide an explanation.	19
Have any of the attorneys in your firm been debarred? Please provide an explanation.	19
Are all attorneys in your firm members of the State Bar of Michigan?	19
When were the Lead Attorney and other personnel to be assigned to the City admitted to the State Bar of Michigan?	19
Are all legal staff members in good standing with the State Bar of Michigan? If not, please explain.	20
Is a contract required? If so, please attach a copy of your standard contract.	20-25
What are your billing procedures?	25-26
Have you been involved in any litigation in the past five years? If so, provide an explanation.	26
Additional Information	26-28

Firm Information and Profile of Firm

Date: February 3, 2015
Firm Name: Secret Wardle
Address: **Headquarters - Troy Office** - 2600 Troy Center Drive
City/State/Zip Code: Troy, Michigan 48084
Telephone Number: 248-539-2808
Fax Number: 248-851-0369
Email Address: dbeckerleg@secretwardle.com

Branch Offices:

Lansing Office

6639 Centurion Drive, Suite 100
Lansing, MI 48917
(517) 886-1224

Grand Rapids Office

2025 East Beltline S. E., Suite 600
Grand Rapids, MI 49546
(616) 285-0143

Firm Established: 1912 Years in Business in State: 102

Type of Organization:

- a. Individual
- b. Partnership
- c. Corporation**
- d. Joint Venture
- e. Other

Secret Wardle specializes in defense litigation and counseling for commercial, municipal, and insurance clients. Established over a century ago with a single office in Detroit, Secret Wardle has grown consistently over the years through a commitment to providing the best legal expertise available. The key to our growth and success has been an ongoing commitment to provide each and every client with exceptional value. By delivering results quickly and effectively, we have built an impressive record and developed long-standing relationships with clients who depend on us. Building on a strong foundation in the insurance defense arena, we are now one of Michigan's largest firms offering excellent legal services in a broad range of specialties.

Secret Wardle is a full-service law firm which is AV Preeminent® Peer Review Rated by Martindale-Hubbell (www.martindale.com/ratings; AV®, BV®, AV Preeminent® and BV Distinguished® are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies).

With locations across Michigan, we have been recognized for 2014 as one of the "Largest Law Firms" ranked by number of attorneys in Southeast Michigan by *Crain's Business Detroit*. Secret Wardle was recently named in *U.S. News – Best Lawyers* "Best Law Firms" 2015 in

Metropolitan Tier 1 – Detroit: Litigation-Land Use & Zoning, Litigation-Municipal, and Municipal Law; and Metropolitan Tier 2-Detroit: Commercial Litigation, Family Law, and Litigation Real Estate.

We are proud of our over 100-year tradition of providing excellent legal services to our clients. We have built our reputation by providing our clients the services they need by acknowledging the unique needs of each individual client we serve. We are cognizant of the need for economy and efficiency in providing legal services for public sector agencies. Our Firm believes in maintaining a proactive stance; identifying risks before they become issues and therefore reducing exposure to potential liability or litigation pertaining to public sector work and negotiation matters.

Secret Wardle legal staff is well-versed in direct dealings with elected and appointed officials, staffs, boards, and commissions as may be encountered with representation of the North Oakland County Water Authority. Our legal staff is well-versed in the representation of public sector agencies in contract negotiations as well as litigation and have extensive experience in dealings in a variety of applicable situations.

How many years has your company been providing legal services to public sector agencies? Provide historical narrative.

Secret Wardle has recently celebrated its 102nd anniversary of providing legal services. The Firm was founded in 1912 by Stevens Thomson Mason, whose great-uncle, Stevens T. Mason, was his namesake and also Michigan’s first and youngest governor, often referred to as “the boy governor” of Michigan.

For over 30 years, our Municipal Law Practice Group has been one of the largest, most respected, and we believe the most effective in Michigan. From our main office in Troy, Michigan, the Municipal Law Practice Group is presently managed by Executive Partner Derk Beckerleg and consists of 11 attorneys who focus on the representation of municipalities as general or special counsel. We currently represent many cities, villages, and townships and have over the years provided services to municipalities located in Wayne, Oakland, Macomb, Washtenaw, and Ingham counties. Derk Beckerleg has represented the City of Auburn Hills for over 25 years, first as its Assistant City Attorney and then as its City Attorney. The uniqueness of this Group and the quality of our attorneys has been broadly recognized in a way that no other firm providing similar services can match.

Our Firm has been ranked as having the Top-Listed Municipal Law Department in the State of Michigan by Best Lawyers in America®, a resource for locating outstanding attorneys who specialize in specific practice areas. Two of our lawyers—Derk Beckerleg and William

Hampton—have been selected in the Best Lawyers® category of Municipal Law and Municipal Litigation for 2015, and in previous years as well.

Both Mr. Beckerleg and Mr. Hampton have also been designated on the list of Michigan Super Lawyers in the area of Municipal Law. Michigan Super Lawyers is part of a nationwide publication that rates outstanding lawyers who have attained a high degree of peer recognition and professional achievement. Mr. Beckerleg and Mr. Hampton were also recently named to the list of “Top Lawyers” in the Municipal Law category by *DBusiness* magazine.

Describe your firm’s philosophy relative to public sector work project negotiations.

Secret Wardle takes a proactive stance relative to public sector work project negotiations. Derk Beckerleg has been involved in many public sector project negotiations for the City of Auburn Hills, including the building of several City buildings as well as the Auburn Hills Municipal Golf Course (Fieldstone). The Municipal Law Practice Group concentrates on municipal law. We work hard at keeping current on legal issues that affect our clients. Doing so includes not only attending seminars and presentations by the Public Corporation Section of the State Bar, the Michigan Association of Municipal Attorneys, and other groups, but participating in them as presenters.

In recognition of the level of experience, expertise, and commitment to the area of municipal law, the attorneys in the Municipal Practice Group are regularly asked to participate in other professional activities by groups such as the Michigan Municipal League (MML) and the Michigan Townships Association (MTA). Presentations by Municipal Practice Group attorneys include participation in panels on medical marijuana regulations (Oakland County Bar Association Municipal Law Committee and Michigan Association of Code Enforcement Officers), dealing with “zombie” developments (Michigan Local Government Managers Association, or MLGMA), the mechanics of the state’s constitutional convention process (MLGMA), an overview of the 2008 Planning Enabling Act (Michigan Townships Association), and a review of case law regarding challenges to local land use decisions (Institute of Continuing Legal Education, or ICLE).

Secret Wardle attorneys also regularly publish information for the wider municipal law community. The Firm publishes its own newsletter, *Community Watch*, which discusses issues of note for municipalities, for our clients and others.

It is the Firm’s philosophy to stay abreast of negotiation issues as being well-informed and recognized as leaders in the area of public sector work project negotiations allows our attorneys to act efficiently and effectively in representation of our clients.

How many clients does your company currently serve with the type of services the NOCWA is interested in securing? Explain the capacity of the services provided.

Current and Former Municipal Clients

Firm Clients:

The firm's current practice includes service to the following clients in the capacity of **General Counsel**, with parenthetical reference to the duration of our service:

City of Auburn Hills (1982 - present)
 City of Bloomfield Hills (1977 - present)
 Charter Township of Waterford (prosecutions) (2013 – present)
 City of Walled Lake (1990 – present)
 Charter Township of West Bloomfield (1984 - present)
 Charter Township of Bloomfield (1980 – present)
 Village of Bingham Farms (1988 - present)
 Village of Lake Orion (1986 - present)
 Charter Township of Independence (Michigan Tax Tribunal) (1992 - present)

The firm is serving, or has served, as **Special Counsel** for the following governmental entities and associations:

City of Alpena	Charter Township of Brighton
City of Battle Creek	Charter Township of Commerce
City of Benton Harbor	Charter Township of Delta
City of Charlotte	Charter Township of Elk Rapids
City of Dearborn	Charter Township of Milford
City of Dearborn Heights	Charter Township of Oscoda
City of Ferndale	Charter Township of Oxford
City of Frankfort	Charter Township of Plymouth
City of Inkster	Charter Township of Scio
City of Jackson	Charter Township of Springfield
City of Keego Harbor	Charter Township of Waterford
City of Lansing	Charter Township of White Lake
City of Madison Heights	Holly Township
City of Oak Park	Village of Beverly Hills
City of Orchard Lake Village	Village of Franklin
City of Pontiac	Village of Wolverine Lake
City of Rochester Hills	Oakland County Drain Commissioner

City of Romulus
City of Roseville
City of Royal Oak
City of Southfield
City of Sylvan Lake
City of Taylor
City of Westland
City of Wixom
City of Wixom Charter Revision
Commission
Charter Township of Brandon

Oakland County Executive L. Brooks Patterson
Oakland County Association of Township Supervisors
Michigan Association of Township Supervisors
Michigan Association of Clerks
Michigan Townships Association (Amicus)
Michigan Municipal League (Amicus)
St. Clair Shores TIFA
Wayne County Board of Commissioners

**Please provide a list of client references (minimum 5).
Include name, address, phone number, contact person and
briefly describe scope of services performed. Include public
sector clients.**

**References and Contacts from Current and Former Municipal
Clients**

Thomas A. Tanghe, City Manager
City of Auburn Hills
1827 N. Squirrel Road
Auburn Hills, MI 48326
(248) 370-9440
ttanghe@auburnhills.org

Lisa Hobart, Assessor
West Bloomfield Township
4550 Walnut Rd. PO Box 250130
West Bloomfield 48325
(248) 451-4851
l_hobart@wbtp.com

William Griffin, Assessor
Bloomfield Township
4200 Telegraph Road
Bloomfield Hills, MI 48303
(248) 433-7711
wgriffin@bloomfieldtp.com

Jay Cravens, City Manager
City of Bloomfield Hills
45 East Long Lake Road
Bloomfield, MI 48304
(248) 644-1520
jcravens@bloomfieldhillsmi.net

Felicia Johnson, Commission Counsel
Wayne County Commission
500 Griswold, Suite 800
Detroit, MI 48226
(313) 224-6459
fjohnson@co.wayne.mi.us

The scope of services Secret Wardle provides, or has provided, in providing General Counsel and Special Counsel legal services to the above-noted municipal clients is provided in greater detail in responses throughout the following sections of this Proposal.

Secret Wardle is aware our clients face many challenges on a daily basis. We provide realistic solutions to their legal challenges to make their lives simpler. Secret Wardle provides a creative and collaborative approach to solving our clients' legal issues inside and outside the courtroom.

Secret Wardle is committed to client advocacy. Using teams of legal specialists, we leverage the intellectual capital of our entire firm to provide extensive insight without sacrificing personal attention. Our collaborative environment enables clients to take advantage of the combined knowledge and experience of attorneys and support staff dedicated to aggressively defending their interests. Our entire approach to counseling and litigation is explicitly structured to meet our clients' needs. Whether defending a lawsuit or helping to identify, manage and eliminate legal risk, we seek the most direct solution possible, minimizing costs and time expended.

We are committed to upholding the fundamental values upon which we were founded. Integrity and dedication have been hallmarks of our Firm since its inception and are as important to our practice today as when the Firm was founded. Our commitment to fundamental values has allowed us to build an enviable record of case results. Although committed to the traditional values that have guided the Firm for over a century, we have the flexibility and expertise to stay on top of constantly changing laws and legal decisions, and to harness those changes for your benefit. In or outside of the courtroom, we have the experience, expertise, and common sense to deliver excellent legal services at a reasonable cost.

Our first objective is to understand our clients' needs and goals. Secret Wardle's extensive litigation experience allows us to quickly and economically identify methods of achieving those goals while avoiding legal pitfalls. When litigation is the only available solution, we believe it is a collaborative effort involving our clients and our attorneys. Secret Wardle's guiding principle is that each case should be resolved as quickly and efficiently as is reasonably possible. We will develop a negotiation strategy designed to produce the quickest successful resolution. If a hearing is the best solution to the problem, results cannot be guaranteed. However, our clients can rest assured that our extensive experience will serve them well.

We are distinguished by our practical and direct approach to negotiations and litigation. Our attorneys are trained to identify and focus their efforts on outcome-changing issues and events rather than protracted litigation. We believe in our clients and work constantly to satisfy their needs in an efficient and cost-effective manner.

Firm References

Regarding the following governmental client references, the Firm provides services including litigation and general counsel.

City of Bloomfield Hills
45 E. Long Lake Road
Bloomfield Hills, MI 48304
Contact: Jay Cravens, City Manager
jcravens@bloomfieldhillsmi.net
(248) 644-1520
Dates of Service: 1977 to present

Charter Township of Bloomfield
4200 Telegraph Road, P.O. Box 489
Bloomfield Hills, MI 48303-0489
Contact: Leo Savoie, Supervisor
lsavoie@bloomfieldtwp.org
(248) 433-7708
Dates of Service: 1980 to present

City of Auburn Hills
1827 N. Squirrel Road
Auburn Hills, MI 48326-2753
Contact: Thomas A. Tanghe, City Manager
ttanghe@auburnhills.org
Donald K. Grice, Assistant City Manager
dgrice@auburnhills.org
(248) 370-9400
Dates of Service: 1981 to present

Total personnel of firm:	170
Professional:	70
Non-Professional:	100

Provide experience and qualifications of Lead Attorney and all other personnel to be assigned to the NOCWA. Include name and position title, total years experience with current firm and other, education, summary of pertinent experience and qualifications and other information that would assist the NOCWA in determining the qualifications of the individuals and their ability to complete the services requested.

Lead Attorney



Derk W. Beckerleg, Executive Partner and Managing Partner (direct line: 248-539-2808; email: dbeckerleg@secrestwardle.com) of the Firm's Municipal Law Practice Group, has over 30 years of experience representing municipalities in general municipal matters and 24 years of experience handling property tax matters pending in the Michigan Tax Tribunal and appellate courts. As Managing Partner of the Municipal Law Practice Group, Mr. Beckerleg is responsible for the general oversight of the attorneys in the practice group. Mr. Beckerleg is currently the City Attorney for the City of Auburn Hills and is the Assistant City Attorney for the City of Bloomfield Hills. Mr. Beckerleg is also the Assistant Township Attorney for West Bloomfield Township.

Mr. Beckerleg, in his capacity as Auburn Hills City Attorney has represented the City of Auburn Hills in almost all its legal matters and has participated in and negotiated contracts for several City projects, including various City buildings and the City's Fieldstone Golf Course. Mr. Beckerleg has also participated in negotiations with DWSD and he assisted with the creation of NOCWA on behalf of the City.

Mr. Beckerleg has built a solid reputation for his work, including his effective handling of property tax appeals before the Michigan Tax Tribunal. He has tried several cases in the Michigan Tax Tribunal pertaining to the valuation of both real and personal property, including, but not limited to, *The Palace of Auburn Hills v City of Auburn Hills*, *Charrington Estates v City of Auburn Hills*, *Knollwood Country Club v West Bloomfield Township*, *Adelman v West Bloomfield Township*, *Lutheran Social Services v Bloomfield Township*, *Parker v West Bloomfield Township*, *Entre Building v West Bloomfield Township*, *Audette Cadillac v West Bloomfield Township*, *Burroughs v City of Farmington Hills*, and *Chambers v Bloomfield Township*, as well as several cases pertaining to special assessment matters. Mr. Beckerleg defended the assessment established for the Chrysler World Headquarters in Auburn Hills, Michigan.

Mr. Beckerleg has conducted numerous seminars on a variety of municipal topics, including the Open Meetings Act and Freedom of Information Act, the Michigan Tax Tribunal and zoning board of appeals and planning commission practices and procedures. In the summer of 2009, Mr. Beckerleg gave a presentation pertaining to the impact of foreclosures on Michigan Tax Tribunal cases at the Annual Summer Educational Conference of the Michigan Association of Municipal Attorneys and Public Law Section, State Bar of Michigan at Mackinac Island, Michigan and in 2011 Mr. Beckerleg gave a presentation on the Michigan Tax Tribunal to the same organizations at their Mackinac Island conference. In 2012, 2013, and 2014, Mr. Beckerleg taught classes on the Michigan Tax Tribunal at the Michigan Assessors Association 2012, 2013, and 2014 Continuing Education Schools. In October, 2012, Mr. Beckerleg gave a presentation entitled "Defending the Municipal Property Tax Base" to the Oakland County Association of Assessing Officers. In May, 2013, Mr. Beckerleg gave a presentation entitled

“An Overview of the Michigan Tax Tribunal in 2013” at the Michigan Municipal Treasurers Association Advanced Institute in Mount Pleasant, Michigan.

Mr. Beckerleg has been voted by his peers to the list of Michigan Super Lawyers® from 2007 thru the present. From 2011 to the present, Mr. Beckerleg has been recognized by Best Lawyers in America® as Top-Listed in the field of municipal law and in 2013 was named Detroit Area Litigation-Municipal Lawyer of the Year by the Best Lawyers in America® publication. Mr. Beckerleg has been listed from 2012 to the present as a “Top Lawyer” by Metro Detroit’s *dbusiness* magazine. Mr. Beckerleg has received an AV Preeminent® Peer Review Rating by Martindale-Hubbell www.martindale.com/ratings. In December of 2008, Mr. Beckerleg authored a *Smart Business* article entitled “Saving Your Bottom Line. An Insider’s Look at Understanding and Managing Your Property Tax”. In 2012, Mr. Beckerleg wrote a chapter entitled “Property Taxation” for the *Michigan Municipal Law* book published by the Institute of Continuing Legal Education.

Mr. Beckerleg received his Bachelor of Arts degree from Michigan State University in 1978 and his Juris Doctor from the University of Detroit Law School in 1981. He is licensed to practice law in the State of Michigan (P33628) and is a member of the State Bar of Michigan.

Principal Attorneys



Mark S. Roberts, Partner (direct line: (248) 539-2815; email: mroberts@secrestwardle.com) joined Secrest Wardle’s Municipal Practice Group in 1995. He handles general litigation matters for the firm’s municipal clients, including ordinance enforcement matters, eminent domain actions, contract claims and defending claims against the firm’s municipal clients arising from prosecutions and ordinance enforcement matters. Mr. Roberts is also the Assistant Township Attorney for Bloomfield Township and frequently attends Township Board meetings and advises and gives legal opinions to the Township Board and Administration on a myriad of legal issues including ordinance and statutory construction of the Open Meetings Act and the Freedom of Information Act. Mr. Roberts also currently provides a myriad of legal services to the City of Dearborn Heights. He serves as counsel to numerous lake improvement boards, supervising the establishment and operation of the lake boards, as well as defending claims filed against them. Mr. Roberts handles appeals in the State Circuit Court, Michigan Tax Tribunal, Court of Appeals, and the Federal Sixth Circuit. In addition, he serves as a prosecutor for a number of the firm’s municipal clients.

Mr. Roberts is comfortable in the courtroom setting and has obtained favorable outcomes in RLUIPA and Adult Entertainment/First Amendment cases for the firm’s municipal clients, as well as in land use cases involving lake front property rights or challenges to special assessment districts. In addition to litigation, he attends lake improvement board, township board, zoning board of appeals and planning commission meetings on behalf of firm clients, providing guidance on procedural and substantive issues and drafting ordinances.

Prior to entering private practice Mr. Roberts worked as a court clerk and subsequently as a staff attorney in the Oakland County Circuit Court where he became well-versed in court procedure. His experience as a litigation attorney and prosecutor, coupled with his work within the court system and familiarity with zoning theories and procedures, make him uniquely qualified to effectively handle zoning and building code enforcement actions.

Mr. Roberts graduated from Wayne State University as a History Major in 1987. He earned his law degree from The Detroit College of Law 1990 where he also served on the Detroit College of Law Review while pursuing his degree. He was admitted to the Michigan Bar in 1990 (P 44382). Prior to joining Secrest Wardle, Mr. Roberts served as the staff attorney to the Hon. David F. Breck. He is currently admitted to practice in all Michigan state courts as well as in the United States District Court, Eastern District of Michigan and the United States Sixth Circuit Court of Appeals.

Mr. Roberts has received an AV Preeminent® Peer Review Rating by Martindale-Hubbe www.martindale.com/ratings.

Mr. Roberts has served his community as a member of the Brighton Township Zoning Board of Appeals and on the Brighton Township Board of Review.

Mr. Roberts would be primarily responsible for rendering and overseeing the day-to-day provision of legal services, including attending meetings and assignment of specific tasks and projects to other members of the Firm's municipal department on an as-needed basis. In the event a task is assigned to another member of the Firm's municipal department, the name and contact information of the assigned attorney will be provided to the appropriate member of the NOCWA staff. Mr. Roberts would consult and work directly with any Firm member providing support services to NOCWA, including final review and revision of any work product.



Vahan C. Vanerian, Partner (direct line: (248) 539-2810; email: vvanerian@secrestwardle.com) has represented municipalities throughout Wayne and Oakland counties in a broad spectrum of legal matters both in the court room and council chambers for over 20 years. His municipal general counsel experience includes: zoning and land use issues, governmental contracts and agreements, intergovernmental co-operation, charter amendments, development initiatives, governmental authorities, ordinance drafting, administrative re-organizations, and Open Meetings Act/Freedom of Information Act compliance. Mr. Vanerian currently serves as City Attorney for the City of Walled Lake. He routinely provides legal services for the City of Bloomfield Hills, Bloomfield Township, and West Bloomfield Township. He has been a featured speaker on zoning and code enforcement issues at in-house ordinance officer seminars, Southeast Michigan Building Officials and Inspectors Association continuing legal education courses, and OCBA Municipal Section seminars.

His federal, circuit, and district court governmental litigation expertise includes zoning and code enforcement, criminal prosecutions, nuisance and blight abatement, demolitions, forfeitures, cost recovery, civil damage claims, and governmental liability insurance defense. Mr. Vanerian also regularly represents private clients in a wide variety of general civil and commercial litigation matters including Lanham Act Claims, false advertising, breach of contract, development/governmental approvals, recovery of business damages/lost profits, professional negligence, and tort claims. Successful litigation results obtained by Mr. Vanerian on behalf of governmental and commercial clients include:

City of Bloomfield Hills v Rosin, Oakland County Case No. 08-095775-CZ, result: Summary Disposition for Township

Red Holman Pontiac v Victory Toyota, et al, U.S. Eastern Dist. Case No. 05-72620, result: Injunction enjoining deceptive advertising

Bloomfield Twp v Daouk, et al, Oakland County Case No. 03-047808, result: verdict for Township

Bloomfield Twp v Troszak, Oakland County Case No. 07-086070, result: Summary Disposition for Township

Kaliashvili v West Bloomfield Twp, District Court Case No. 05-31899, result: Summary Disposition for Township

Mr. Vanerian received his Juris Doctor from Loyola Marymount University, Los Angeles in 1992. He earned his Bachelor of Arts Degree in Philosophy and Communications from the University of Michigan, Ann Arbor in 1987. In 1993, he was admitted to both the State Bar of Michigan and the U.S. District Court, Eastern District of Michigan. Mr. Vanerian is a member of the Oakland County Bar Association, Municipal Law Committee, Michigan Municipal League, Armenian American Bar Association, and the University of Michigan Alumni Association. Honors include U.S. District Court, Eastern District 2006 Pro Bono Certificate of Recognition.

Provide your understanding of the services and any special qualifications and experience that you would bring to the City if selected.

Secretst Wardle is quite familiar with the North Oakland County Water Authority (NOCWA) and the entities forming the Authority, i.e. Rochester Hills, Auburn Hills, Orion Township, and the Oakland County Water Resources Commission. Proposed Lead Attorney, Derk W. Beckerleg, as Auburn Hills City Attorney, has worked with attorneys representing Orion Township, Rochester Hills, and the Oakland County Water Resources Commission to help create NOCWA. Mr. Beckerleg, in his capacity representing the City of Auburn Hills, participated with these

attorneys in preparing and reviewing the Agreements and By Laws for NOCWA. Mr. Beckerleg has first-hand knowledge of the objectives to be met in forming NOCWA, the goal being to operate a water system to better deliver water while reducing costs in connection with receiving water from the Detroit Water and Sewerage Department (DWSD) to the citizens of North Oakland County. Mr. Beckerleg, as Auburn Hills City Attorney, has in the past negotiated with DWSD for water provision and rates.

Secrest Wardle attorneys in the Municipal Practice Group have considerable experience advising governing bodies, administrations, various municipal Boards, Commissions, and Authorities on compliance with Charters, Codes of Ordinances, State and Federal Statutes, and the Michigan and United States Constitutions, providing risk assessment and recommended courses of action to minimize and manage legal risk.

Our municipal attorneys also possess considerable experience drafting legislation and providing legal guidance in the legislative process. A member of our Municipal Practice Group wrote the ordinance and assisted in implementing the National Pollutant Discharge Elimination System (NPDES) program to comply with the Warren Waste Water Treatment plant's obligations under their NPDES license, Clean Water Act Regulations and spoke on enforcement at the EPA Region 5 NPDES Enforcement Seminar at the request of the EPA.

The Municipal Group has substantial experience and expertise in trial and appellate litigation involving a wide range of client issues. Our attorneys have positive relationships in the county and federal court systems. William P. Hampton, Of Counsel Senior Partner and past managing partner of the Municipal Practice Group, is a former Oakland County Circuit Court Judge. Other Firm attorneys are appointed by courts as special mediators and facilitators. In addition to the zoning and tax cases mentioned below, the Municipal Group has represented municipalities and municipal associations in a multitude of lawsuits significant to state law over the past several years, some of which are listed here:

- *Adair v People of the State of Michigan*. This is a Headlee Amendment case in which the Michigan Supreme Court (2010) ruled in favor of the local units of government, finding that the state was violating the Headlee Amendment by requiring the local units to provide extensive data requirements. Secrest Wardle argued the case on behalf of approximately 458 Michigan school districts
- *Williams v Redford Township*. The Firm was *amicus curiae* on behalf of the Oakland County Township Supervisors in this case involving governmental immunity
- *Spiek v Michigan DOT*. The Firm was *amicus curiae* on behalf of Michigan Municipal League and Michigan Townships Association in this inverse condemnation case

- *Omnipoint Holdings, Inc. v City of Southfield*. This was the successful defense of a cellular tower denial on behalf of the City of Southfield
- *Mich. Coalition for Responsible Gun Owners v City of Ferndale*. The Firm was *amicus curiae* for the Michigan Municipal League in this case involving state preemption of local ordinance prohibiting guns on municipal property

Utilities

The Firm's Municipal Group attorneys have extensive experience in a broad spectrum of legal issues relative to both public and private utilities including easement acquisition, use of public right of ways, drafting cost recovery ordinances, damages to municipal utilities, and regulation of utility structures.

Environmental Law

Our Firm has extensive experience and expertise in the complex area of environmental regulation and compliance. The Firm's experience includes consulting and representing municipal clients in a broad spectrum of environmental protection and regulatory matters (e.g. wetlands, woodlands, storm water, soil erosion, etc.). We routinely represent municipal clients in enforcement, abatement, and re-mediation proceedings and actions involving compliance and implementation of state regulatory requirements.

The Municipal Law Practice Group has also successfully represented community interests before Michigan administrative agencies, including the Michigan Public Service Commission and the Department of Natural Resources and Environment Hearing Division.

County Governance

In the matter of Mark A. Hackel, Macomb County Executive v. Macomb County Commission, Secretst Wardle filed an amicus brief in the Michigan Court of Appeals on behalf of the Wayne County Commission. The brief argued that any ruling by the Court of Appeals in that case should be limited to Macomb County because the Charter Counties Act treated Wayne and Macomb Counties differently; and because each County has its own independent and unique County Charter.

Charter Interpretation

The Municipal Group has extensive experience in providing opinions to our municipal clients with respect to matters pertaining to municipal charters and the Municipal Group has provided assistance to its municipal clients in amending and revising municipal charters.

Open Meetings Act (OMA)

Attorneys in the Municipal Practice Group are familiar with the attention that must be given to presenting the facets of complex legal issues not only in closed meetings but also in open meetings, which may be attended by a variety of individuals. We are adept at guiding our clients as they traverse controversial issues and resolving any resultant opposing views and opinions. We pride ourselves on our ability to quickly mediate conflict to the satisfaction of all parties involved in these situations.

Knowing that OMA laws and regulations affect the day-to-day business of our municipal clients, the members of the Municipal Group are well-versed in the statutory provisions and significant case law surrounding this topic. We advise and assist our clients in navigating this sensitive area of law on a regular day-to-day basis, and have successfully defended our clients in many court challenges and appeals regarding OMA matters.

All attorneys in Secret Wardle's Municipal Practice Group are well-versed in direct dealings with elected and appointed officials, staffs, boards, commissions and citizens and have extensive experience in these dealings, even in the most difficult of a variety of situations involving not only hot issues involving strenuous opposition but also in mediating conflict arising as a result of strong personalities which are often a component of groups of individuals attending open meetings.

Parliamentary procedure

Secret Wardle Municipal Practice Group attorneys are well-familiar with conducting meetings within the scope of parliamentary procedure. Our attorneys understand these rules of order lend themselves to effectively conducting meetings to resolve debates and reach group decisions while maintaining decorum. Our attorneys are familiar with Roberts Rules of Order when advising our municipal clients.

Other Specifications

Our Firm possesses extensive experience in researching and drafting ordinances and resolutions; ordinances and resolutions are prepared in clear, concise language for ease in interpretation and assimilation to local and state mandates. Additionally, all legal opinions are thoroughly supported with evidence of research performed in their preparation; accuracy, clarity and concise delivery of legal opinions is the standard the Municipal Practice Group sets forth to achieve.

Provide a summary of your municipal experience and qualifications in the following areas:

Governmental Litigation

Secret Wardle's Governmental Litigation Practice Group is made up of attorneys who have extensive experience defending litigation against governmental agencies, such as municipalities, counties, school districts, universities, and state agencies, in both state and federal courts. The members of this group have successfully represented governmental agencies in a wide range of civil litigation matters that include the following issues:

- Police misconduct
- Emergency medical services
- Teachers, school administrators & school districts
- Civil rights (42 USC §§ 1983 and 1985)
- Governmental immunity
- Sewer liability
- First Amendment claims
- Public roadway & sidewalks
- Public buildings
- Public hospitals
- Governmental vehicle accidents

Contract Negotiations:

Secret Wardle's Commercial Practice Group attorneys represent commercial and business clients in state and federal courts, administrative agencies, and arbitration forums. We have litigated business and commercial disputes involving:

- Commissions
- Construction
- Contracts
- Partnership and LLC issues
- Property tax assessments
- Real estate
- Securities
- Shareholder derivative matters
- The Consumer Protection Act
- The Uniform Commercial Code
- Warranties

The Commercial Practice Group is committed to solving our clients' business disputes in the most efficient and cost-effective manner through litigation avoidance, negotiation, alternative dispute resolution, arbitration and trial. This Practice Group has resolved a \$7 million lawsuit alleging a breach of a contract for \$26,000, after only one meeting between counsel and the parties.

Governmental cooperation, consolidation and restructuring

The Municipal Group has drafted many intra-governmental agreements between its municipal clients and other municipal entities to further the goals of governmental cooperation and consolidation.

Agreements

We are involved on a continual basis in the negotiation and administration of contracts for our municipal clients on a wide variety of subjects, including contracts with persons and entities providing goods and/or services to the community; intergovernmental agreements; development and maintenance agreements with developers; contracts with architects and general contractors; and, permits for right-of-way use. We have also prepared agreements with waste hauling companies for our municipalities.

Eminent Domain/Condemnation

We are regularly involved in all aspects of eminent domain/condemnation on behalf of our clients, including negotiations with property owners; preparation of good faith offers and resolutions; conducting condemnation litigation in the circuit court; and, pursuing those cases in the Court of Appeals and Michigan Supreme Court. Secret Wardle successfully represented the City of Novi before the Michigan Supreme Court in the case of *City of Novi v Adell*, in which the Court issued a key ruling in favor of municipalities' use of eminent domain for public purposes.

Economic Development

For many years we have worked with communities in the establishment and implementation of statutory tools utilized to sustain and promote economic development, including Downtown Development Authorities (DDAs), Economic Development Corporations (EDCs), Tax Increment Finance Authorities (TIFAs), Brownfield Redevelopment Authorities, tax abatements, and others. More recently, the Firm has been assisting several municipalities in their consideration of the establishment of Corridor Improvement Authorities (CIAs) and Commercial Rehabilitation Districts (CRDs) under legislation that has become effective in the last several years.

Public Works Projects:

Public Works Infrastructure Installation and Finance

Our Municipal Group possesses extensive experience with public works projects, including the review of bid solicitations and issues arising following the selection process; contract preparation and/or review; assisting in land/easement acquisition (including eminent domain actions); and, the legal work needed for the finance of infrastructure improvements (including the establishment of special assessment districts), as well as intergovernmental and shared services agreements (water, sewer, police, fire, library, etc.).

Overlay Districts

The Municipal Practice Group's expertise and experience includes handling legal issues relative to overlay districts including Downtown Development and Historic Districts. Specifically, the Firm's Municipal attorneys have advised clients regarding legal requirements and procedures required to create and dissolve overlay districts and their corresponding governing bodies, drafting of required ordinances, state law requirements and the interplay between the governing bodies for the district and parent municipality.

Governmental liability and immunity

Williams v Redford Township. The Firm was *amicus curiae* on behalf of the Oakland County Township Supervisors in this case involving governmental immunity

Based on your prior experience what type of professional consulting services would you anticipate utilizing that would need to be subcontracted.

Secrest Wardle does not anticipate subcontracting professional consulting services in the representation of the North Oakland County Water Authority. The attorneys assigned to represent the City have the resources of the entire Firm at their disposal. In concert with the expertise of the professionals employed by the Water Authority, our attorneys collectively possess experience handling a variety of matters and are well-versed in representation of entities from individuals to small businesses to large corporations and municipalities, providing a full range of legal services. Secrest Wardle's 20 Practice Groups are comprised of attorneys with years of expertise pertaining to a multitude of areas of the law. Our Practice Groups are as follows, while many of our attorneys concentrate in niche areas of the law falling under these broad categories:

- Alternative Dispute Resolution
- Appellate
- Commercial and Business Law
- Construction
- Drug and Medical Device
- Employment
- Environmental and Toxic Tort
- Family Law
- General Negligence
- Governmental Litigation
- Insurance Coverage
- Intellectual Property/Advertising Injury
- Malpractice/Professional Liability
- Motor Vehicle Litigation
- Municipal
- Premises Liability
- Probate/Estate Planning
- Product Liability
- Property, Fire and Casualty
- Real Estate

Describe methods of communication with your clients.

As part of the duties of serving as counsel for matters concerning the North Oakland County Water Authority, Secrest Wardle has an open-door policy for addressing legal questions and concerns that may arise at any time. While our regular business hours at each office location are from 8:30 a.m. to 5:00 p.m., the Firm provides cell phone contact information to promptly reach our attorneys when such issues may occur (Derk Beckerleg's cell – (248) 515-9933). Our Firm is available for your legal needs, 24/7/365. Each of our attorneys are equipped with a cell phone with internet access for a more expedient and economic means of communication when a face-to-face meeting is not necessary. In the unlikely event an attorney assigned as a principal contact

for NOCWA cannot be reached, provisions would always be put in place for another attorney to act in their absence.

Describe your company's policy regarding errors or omissions in plans and specifications.

The Firm is well-versed in defending errors or omissions in plans and specifications. For over 25 years, Secrest Wardle has been an industry leader in defending professionals, in a wide range of disciplines, against claims that there has been a failure to comply with applicable standards of practice. Claims that professionals in other disciplines have violated applicable standards, giving rise to error and omissions claims, are within the expertise of the Secrest Wardle Professional Liability Practice Group.

Secrest Wardle carries a professional liability policy which includes \$4 million per occurrence and \$4 million aggregate. A copy of the Certificate of Liability Insurance is available upon request.

Has a grievance(s) ever been filed against any of the attorneys in your firm? Please provide an explanation.

No.

Have any of the attorneys in your firm been debarred? Please provide an explanation.

No.

Are all attorneys in your firm members of the State Bar of Michigan?

Yes.

When were the Lead Attorney and other personnel to be assigned to the City admitted to the State Bar of Michigan?

Derk W. Becklerleg – 1982

Mark S. Roberts – 1990

Vahan C. Vanerian – 1993

Are all legal staff members in good standing with the State Bar of Michigan? If not, please explain.

Yes. All Secrest Wardle legal staff possess a valid license to practice law within the State of Michigan as evidenced within their individual biographies, as well as Certificates of Good Standing.

Is a contract required? If so, please attach a copy of your standard contract.

Professional Services (Retainer) Agreement

Dear

Thank you for retaining Secrest, Wardle, Lynch, Hampton, Truex and Morley as your attorneys. This letter will confirm the scope and terms of our engagement, and advise you regarding our fees and billing practices.

Scope of Representation

We are pleased to have the opportunity to represent you in connection with [NAME OF CASE OR DESCRIPTION OF MATTER]. This letter will also apply to any other legal matters for which we have agreed to represent you in the future, except for matters for which we decide a separate engagement agreement will be necessary.

Fees and Billing Procedures

We will not require a retainer for this matter. However, we reserve the right to require a retainer for this matter if the work requirements increase beyond our current expectations.

Pursuant to our usual practice, we will bill you monthly for services rendered, expenses incurred and incidental in-house services provided. Our fees are charged on an hourly basis, based upon the hourly rates of the attorneys and legal assistants working on your matter, and reflect their experience and expertise. Time is accounted for in one-tenth hour segments. It is our expectation that the current matter will be serviced primarily by me and (a partner, a senior

litigation attorney, an associate) but other firm personnel may also provide services as we deem appropriate. Presently, my rate is \$150 per hour, Mr. Vanerian and Mr. Roberts' rate is \$150 per hour and the legal assistant/paralegal's rate is \$90 per hour. A complete billing rate schedule is available to you upon request. For your information, time for which fee charges apply includes, but is not limited to, telephone calls, correspondence, meetings, legal analysis and research, review and drafting of documents, interviewing witnesses, discovery proceedings (such as depositions and interrogatories), pleadings, motions, court appearances, conferences and travel.

Generally, each invoice will include both our fees and our charges for any expenses incurred, and in-house incidental services provided with respect to your matter. These expenses and services include investigative expenses, service of process, travel expense, long distance telephone charges, facsimile charges, postage, filing fees, messenger service, court reporter services, expert witness fees, filing or search services, document reproduction, document collation and binding, computer research time, staff overtime on specific rush projects, and all other out-of-pocket expenses. We will require that you advance the cost of larger expenses or pay such expenses directly to our vendor. The Firm charges for photocopying at the rate of .20 per page, facsimile transmissions at the rate of \$1.50 per page for outgoing transmissions only and \$35.00 per hour for major document processing projects. Charges for computer-assisted research are at the vendor's standard base rate.

Our bills are due and payable upon receipt. If you have questions regarding the amounts or descriptions set forth on a bill, please raise them immediately. Time often dims memories as to details, and review of older records is time consuming and costly. If no objection is made within thirty (30) days, we will assume that you have agreed to the statement amount. Please call me immediately if at any time you have any question about an invoice or if you anticipate that you will be unable to pay an invoice promptly.

Please be advised if you fail to pay an invoice timely, we have the right to immediately withdraw from our representation of you. It is the policy of our Firm that we will perform no further legal services for you if you become delinquent in the payment of our bills.

It is also a material condition of the Firm's representation that you agree that you and your authorized agents, officers or representatives will be available to the Firm to assist in factual inquiries and factual

determinations, Court determinations, transactions and other matters regarding the matters for which the Firm has been retained. The Firm reserves the right to terminate its representation if you do not adequately cooperate with the Firm to accomplish the objectives with regard to which the Firm has been retained.

Late Payment Charge

Invoices that are not paid within thirty (30) days are assessed a late payment charge at the rate of 1.5% per month (*i.e.*, an 18% annual percentage rate) on the unpaid balance. Monthly late payment charges are retroactive to the dates of the statements on which the charges for services and/or other charges first appeared. All late charges are posted to each client's accounts as of the last day of the month. The purpose of the late payment charge is to encourage prompt payment of our invoices, thus reducing our billing and collection costs.

All payments received are first applied to charges for expenses incurred and in-house incidental services provided, next to fees and last to late charges. Within each of these three categories, payments are applied to the oldest balances first. Installment payments are not contemplated unless specific arrangements are made in advance.

Referrals To Experts And Professionals

The Firm may refer you to professionals, expert witnesses, consultants and other service providers or product vendors ("Professionals"). You are free to select Professionals other than those recommended by the Firm. We do not guarantee the performance of Professionals and it is understood that you agree to hold the Firm harmless for any act or omission (including negligence) of any such Professionals, including any Professional recommended to you by the Firm. You agree to be responsible for the payment of all fees and costs incurred by such Professionals. We will direct the Professionals to contract directly with you, and to make direct payment arrangements with you.

No Guarantee of Outcome or Estimates

We do not guarantee the outcome or disposition of any matter with respect to which we are representing you, and you agree to pay our fees and other charges regardless of any outcome unless we have a specific written agreement with you to the contrary.

While we cannot guarantee a successful conclusion of this matter, the attorneys of this Firm will use their best efforts on your behalf. It is understood that the Firm will not settle or compromise this matter without your consent.

From time to time you may wish to ask us for budgetary estimates of the fees and charges for the work we will perform for you. We will be happy to provide you with such budgetary estimates, but they will be just estimates. We cannot guarantee estimated amounts because business and personal transactions often involve unexpected complications that take time and effort to resolve. Likewise, litigation often involves unexpected difficulties of facts and law. We cannot anticipate the number, length or complexity of negotiations, conferences, motions, depositions, interrogatories and other discovery matters, or the length of trial. We will, however, do our best to provide you with an accurate estimate of the average number of events and average time for such activities if you request that information. Unfortunately, these and other matters make the cost and outcome of any legal matter unpredictable.

Fee Dispute/Binding Arbitration

Any claim or controversy arising out of or relating to our engagement, this agreement, or our performance or non-performance of services shall be determined by binding arbitration before the American Arbitration Association.

The arbitration shall utilize the then prevailing commercial arbitration rules of the American Arbitration Association, except that discovery may be taken in that arbitration pursuant to the Michigan Rules of Civil Procedure. The claims or controversies subject to this provision shall include, without limitation, any claim of professional negligence or malpractice. The arbitration shall be held in the Metropolitan Detroit area, unless we mutually select another venue, and judgment may be entered upon the arbitrator's award by any court having jurisdiction.

Should you refuse or neglect to appear or participate in the arbitration proceedings, the arbitrator is empowered to decide the claim or controversy in accordance with the evidence presented. You should realize that by accepting the arbitration provision, YOU WILL WAIVE YOUR RIGHT TO A JURY TRIAL AND THE RIGHT, EXCEPT UNDER LIMITED CIRCUMSTANCES, TO APPEAL THE ARBITRATOR'S DECISION.

Retention of Files

At the conclusion of this matter, you may have the contents of your file. The Firm may, however, retain a copy of any attorney notes, motions and briefs, or work product, at its expense, that the Firm deems necessary to retain. If you choose to leave all or part of the file in the Firm's possession, the Firm has your authority to destroy the file within two (2) years without further notice to you.

This Letter Constitutes An Agreement

Please review this letter carefully since it will be a binding fee agreement when signed by both of us; it may only be modified by a subsequent written agreement between us. You may, of course, discuss its terms with other counsel if you so desire.

To indicate your understanding of and agreement to these terms, please execute the enclosed copy of this letter and return it to me for our records. The original is for your files.

Thank you again for retaining Secrest, Wardle, Lynch, Hampton, Truex and Morley as your attorneys. We appreciate the confidence which you have placed in our Firm and look forward to a mutually satisfactory relationship. Please feel free to call me if you have any questions.

Sincerely,
SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX AND MORLEY

By: _____
[ATTORNEY'S NAME]
A Professional Corporation

I confirm that I have read, understand and agree to the terms and conditions expressed in the above letter.

Dated:

By:

[NAME]
[TITLE] _____
[COMPANY NAME] _____

Exceptions

The only exception to the terms and conditions pertains to the amount of Commercial General Liability Insurance. Whereas the requirement under the General Terms and Conditions is for \$3 million aggregate coverage, the Firm maintains \$2 million under that particular policy. However, that coverage is backstopped by a \$6 million umbrella coverage policy that provides the same subjects of coverage as the Commercial General Liability Insurance policy but providing \$6 million of additional coverage. As such, the Firm meets this requirement through its Umbrella policy.

What are your billing procedures?

Hourly Rate

Secrest Wardle would propose the following straight hourly rate plus costs:

Lead Attorney (Executive Partner):	\$150 per hour plus costs
Assigned Attorneys (Partners):	\$150 per hour plus costs
Paralegals:	\$ 90 per hour plus costs

Costs would consist of mileage, court filing fees, overnight mail services, long distance telephone charges, facsimile and copy charges.

Billing Requirements

Detailed monthly billing statements would be provided, specifying the attorney, paralegal or law clerk performing the service, the date performed, description and time expended for each service, and an itemization of expenses to be reimbursed, such as:

- Mileage @ .57 cents per mile (or current IRS rate)
- Overnight mail services (actual cost)
- Advanced costs: long distance telephone charges, facsimile (\$1.50 per page), copy charges (@ .20 cents per page/\$1.00 per page for color copies or actual cost if using a copy service)

Expenses would be billed at cost, without an add-on multiplier or administrative fee. This method would be applied to all types of services provided. We do not charge for administrative tasks performed by secretarial staff (e.g., file maintenance, invoicing, verifying date/time/location of events, etc.).

Secret Wardle is open to discussing and likely capable of accommodating other billing methods. Accordingly, if it is determined at any point in this process that the City of Rochester Hills' preference is for, or its needs may be better served by way of such a proposal, we would appreciate an opportunity to supplement our proposal in a manner to address same.

Have you been involved in any litigation in the past five years? If so, provide an explanation.

The attorneys proposed to represent NOCWA have not been involved in any litigation.

Additional Information

Legal and Professional Associations

Secret Wardle and its members belong to the following legal and professional associations:

- American Arbitration Association
- American Bar Association
- American College of Trial Lawyers
- American Intellectual Property Law Association
- Armenian American Bar Association
- Association of Defense Trial Counsel
- Association of General Contractors of Greater Detroit and Michigan
- Bond Buyer, list of Municipal Bond Attorneys (Red Book)
- Brother Rice Warrior Bar Association
- Building Owners and Managers Association of West Michigan
- Chaldean American Bar Association
- Defense Research Institute
- Detroit Bar Association
- Eaton County Bar Association
- Federal Bar Association
- Grand Rapids Bar Association
- Ingham County Bar Association
- Insurance Institute of Michigan
- Livingston County Bar Association
- Macomb County Bar Association
- Michigan Association of Municipal Attorneys
- Michigan Association of School Boards
- Michigan Defense Trial Counsel
- Michigan Judges Association
- Michigan Municipal League

National Association of Telecommunications Officials and Advisors
National College of District Attorneys
National School Board Association, Council of School Attorneys
National Society of Professional Insurance Investigators
Oakland County Bar Association
Public Corporations Section of the State Bar of Michigan
Rotary Club of Mt. Clemens
St. Clair County Bar Association
State Bar of Michigan
State Bar of Ohio
Who's Who in American Law
Women's Lawyers Association of Michigan

About Secrest Wardle

Secrest Wardle has been named to *Fortune* magazine's list of "Top Ranked Law Firms for 2014". Nineteen of our attorneys have been named to the Michigan *Super Lawyers* and *Rising Stars* lists for 2015 in *SuperLawyers* magazine. Additionally, five of our Senior and Executive Partners have been selected to the list of Michigan "Top Lawyers" for 2014 as published in *dbusiness* magazine.

We are proud of our designation to the *Detroit Free Press* list of "Top Workplaces," for 2013 and 2014 based upon the feedback of our employees. Recently, in celebration of the third anniversary of Secrest Wardle's relocation of its headquarters to Troy, Michigan, employees were invited to attend a Firm-sponsored Tiger's Game Day which included pre-game festivities for all employees at Comerica Park.

Secrest Wardle is also proud to give back to the community. Each Friday, the Firm sponsors a "Casual Day" to raise funds for a multitude of both local and national charitable organizations. Employees may make a donation to wear casual attire on Fridays. Employees submit ideas for different charitable organizations to support each week. The Firm raised over \$11,300 in 2014. Secrest Wardle supported Gleaners Food Bank during the 2014 holiday season, providing funds for local families in need. Also in 2014, Secrest Wardle participated in sponsorship of Troy Lights of Hope – a Troy Kiwanis Foundation Community Project showcasing the City of Troy as a thriving business community as well as an appealing community in which to raise a family.

For more information regarding Secrest Wardle please feel free to visit our website at www.secrestwardle.com. A comprehensive view of the Firm may be obtained, including access to our newsletters, webinars, white papers, and press releases.



Proposal for Attorney Services for City of Rochester Hills for NOCWA



Troy · 248-851-9500
Grand Rapids · 616-285-0143
Lansing · 517-886-1224
www.secretwardle.com





City of Rochester Hills
 Request for Proposals for
 Attorney Services for the North Oakland
 County Water Authority
 RFP-RH-15-006

COST PROPOSAL

<p>Provide a complete Cost Proposal including hourly rates for all personnel. Clearly define <u>all relative direct and indirect costs and hourly minimums</u>. Cost proposal shall be inclusive of five (5) years.</p>	
<p>General Hourly Rates Per Category:</p>	
Staff Category	Unit Price
Principal/Lead Attorney	\$ 150 /Hour
Associate Attorneys	\$ 150 /Hour
Paralegals	\$ 90 /Hour
Other:	
	\$ N/A /Hour
	\$ N/A /Hour
	\$ N/A /Hour
Subcontracted Category	Unit Price
	\$ N/A /Hour
	\$ N/A /Hour
	\$ N/A /Hour
<p>Additional Administrative Overhead for Subcontracted Services: <u> N/A </u> %</p>	
<p>What is the percentage of increase for subsequent years of this contract in all categories, including subcontracted services:</p>	
2016	<u> 0 </u> % No increase is proposed for the first three year term.
2017	<u> 0 </u> %
2018	<u> 0 </u> %
2019	<u> 0 </u> %
<p>Identify all direct and indirect costs, including any and all minimums relative to hourly rates and other cost categories.</p>	
<p>Please see attached proposal</p>	



City of Rochester Hills
 Request for Proposals for
 Attorney Services for the North Oakland
 County Water Authority
 RFP-RH-15-006

Reimbursable Expenses:	
Overnight Mail Charges	\$ At cost with no add on multiplier or adm fee
Transportation Charges	\$.57 per mile per IRS rate
Copies	\$.20 per page / \$1.00 for color copies
Other:	
	\$ Court filing fees at cost
	\$ /
	\$ Please see attached proposal

Do you charge an administrative overhead? Please explain.

No

List any exceptions/alternates to the specifications contained in this Request for Proposal.

None, unless requested specifically from NOCWA.

The undersigned hereby declares that he/she has carefully examined the general conditions and specifications and will provide labor and employment attorney services as described herein for the prices set forth in this proposal. Any changes to the specifications and its impact on the final cost will be discussed and mutually agreed upon before the delivery of the services.

It is understood that all proposed prices shall remain in effect for at least one hundred twenty (120) days from the date of the proposal opening to allow for the award and that, if chosen the successful vendor, the prices will remain firm through invoice.

The proposer affirms that he/she is duly authorized to execute this proposal, that this company, corporation, firm, partnership or individual has not prepared this proposal in collusion with any



City of Rochester Hills
Request for Proposals for
Attorney Services for the North Oakland
County Water Authority
RFP-RH-15-006

other proposer and that the contents of this proposal as to prices, terms or conditions have not been communicated by the undersigned, nor by any employee or agent, to any competitor, and will not be, prior to the award and the proposer has full authority to execute any resulting contract awarded as the result of, or on the basis of the proposal.

By submission of a response, the Proposer agrees that at the time of submittal, he/she: (1) has no interest (including financial benefit, commission, finder's fee, or any other remuneration) and shall not acquire any interest, either direct or indirect, that would conflict in any manner or degree with the performance of Proposer's services, or (2) benefit from an award resulting in a "Conflict of Interest." A "Conflict of Interest" shall include holding or retaining membership, or employment, on a board, elected office, department, division or bureau, or committee sanctioned by and/or governed by the City of Rochester Hills. Proposers shall identify any interests, and the individuals involved, on separate paper with the response and shall understand that the City, at its discretion may reject their proposal.

The undersigned certifies on behalf of the Proposer that the Proposer is not an "Iran Linked Business," as defined in the Iran Economic Sanctions Act of the State of Michigan, 2012 PA 517.

Representative's Name: Derk W. Beckerleg

Title: Executive Partner, Managing Partner of the Municipal Law Practice Group

Signature: 