



**Lake Minnetonka Conservation District**

**REQUESTS FOR PROPOSALS FOR  
PROSECUTION ATTORNEY LEGAL SERVICES  
2026**

**Lake Minnetonka Conservation District  
5341 Maywood Road, Suite 200  
Mound, MN 55364  
952-745-0789**

**Submission Deadline: April 1<sup>st</sup>, 2026 at 5:00 p.m.  
Posted: March 18<sup>th</sup>, 2026**

# **REQUEST FOR PROPOSALS FOR PROSECUTION ATTORNEY LEGAL SERVICES**

Submissions Due: April 1<sup>st</sup>, 2026

The Lake Minnetonka Conservations District (LMCD) is soliciting proposals for prosecution attorney services from qualified law firms. Preference will be given to those submittals demonstrating experience in this area of municipal prosecution and water resources law. The successful applicant(s) shall possess sufficient resources to ensure that the demands for the LMCD's legal needs will be met on a timely basis. The relationship would be on a consulting or contractual basis, as opposed to a staff position and the LMCD will be awarding an annual renewal of the contract. Included in this Request for Proposal (RFP) is a more detailed description of the services to be provided, an outline of the proposal requirements, a description of the proposal review process, and a description of required contract ethics.

## **1. PURPOSE**

The Lake Minnetonka Conservation District (LMCD) is requesting proposals from firms experienced in municipal prosecution and water resources law to provide prosecution services to the LMCD in 2026. Preference will be given to those submittals that demonstrate experience in these areas. As LMCD Prosecuting Attorney, the selected law firm will be expected to provide legal services as described throughout this RFP. The LMCD Prosecuting Attorney will be appointed by the LMCD Board of Directors and will work under the direction of the Executive Director.

## **2. BACKGROUND**

The LMCD was created under Minnesota State enabling legislation in 1967 and was granted a wide variety of powers under Minnesota Statutes 103B.611 to manage Lake Minnetonka. The LMCD is governed by a Board of Directors composed of one member appointed by each of the governing bodies of the municipalities surrounding the district within two counties. Those governing bodies include the cities of Deephaven, Excelsior, Greenwood, Minnetonka, Minnetonka Beach, Minnetrista, Mound, Orono, Shorewood, Spring Park, Tonka Bay, Victoria, Wayzata, and Woodland. The LMCD has 4.0 Full Time Equivalent employees.

The jurisdiction of the LMCD is considered the ordinary high-water mark for Lake Minnetonka (929.4 feet NGVD). This jurisdiction includes approximately 14,043 acres of usable water surface and 125 miles of shoreline on Lake Minnetonka.

Over the years, the LMCD has established a comprehensive Code of Ordinances unique to Lake Minnetonka. Some of these ordinances include: 1) dock placement and boat density restrictions (licensed and unlicensed sites), 2) regulation of watercraft and other craft/vehicles during the summer and winter (e.g., speed limits, watercraft for hire, rental watercraft), 3) environmental regulations, and 4) liquor regulations (for licensed watercraft for hire/charters). Activities that are permitted or licensed by the LMCD include: multiple dock and district mooring area facilities, watercraft for hire (with associated liquor, wine, or beer licenses), de-icing facilities, rental watercraft, and temporary structures or special event licenses (case-by-case basis). The LMCD partners with the Hennepin County Sheriff's

Office (working closely with the Water Patrol unit), LMCD general counsel, and municipalities in the enforcement of the LMCD regulations.

### 3. INSTRUCTIONS TO PROPOSERS

- A. All proposals must include complete information as described within this RFP and be submitted no later than April 1st, 2026 at 5:00 p.m. Submit proposals to:

David L. Krueger, Executive Director  
Lake Minnetonka Conservation District  
5341 Maywood Road, Suite 200  
Mound, MN 55364  
(952) 745-0789  
[lmcd@lmcd.org](mailto:lmcd@lmcd.org)

- B. One (1) electronic copy of the proposal must be submitted, along with two (2) hard copies mailed to the Office. The copies shall be sealed and clearly identified with the title "LMCD Prosecuting Attorney RFP."
- C. The proposer shall designate one contact person who will be the representative of the law firm to which the LMCD will respond. In order to ensure a fair review and selection process, firms submitting a proposal are requested not to contact LMCD Board members or staff regarding these proposals. Questions pertaining to the RFP should be directed to LMCD Executive Director David Krueger at 952-745-0789 or [lmcd@lmcd.org](mailto:lmcd@lmcd.org). Questions and responses may be sent to RFP participants via email under blind copy, for clarification purposes.

### 4. SCOPE OF WORK

Other than the knowledge of criminal, municipal, and riparian law, the LMCD Prosecuting Attorney will also be required to advise in a variety of areas such as: 1) the LMCD's requirements regarding state law, 2) the development and interpretation of enforcement ordinances and resolutions, 3) environmental law, riparian law 4) working closely with Hennepin County Water Patrol to ensure ordinances are being upheld.

The following list is an attempt to identify the LMCD Prosecuting Attorney's services or requirements (not all encompassing):

- Routine legal consultation on ordinance enforcement matters via telephone, emails, and personal consultations, with the LMCD Staff, and Hennepin County Water Patrol.
- Prosecution of ordinance violations in criminal courts, including appearances at arraignments, pre-trial conferences, and trials.
- Preparation of criminal complaints, evidence, witness statements, and other court documents.
- Collaboration with law enforcement (e.g., Hennepin County Sheriff's Water Patrol) for case preparation.
- Attendance at LMCD staff meetings as requested.
- Attendance at LMCD Board of Director meetings when the LMCD Board or Executive Director occasionally requests an update and reports to the LMCD Board on ongoing or completed prosecutions. (second and fourth Wednesday of each month at 7:00 p.m. and

some Work Sessions starting at 6:00 p.m. Meeting elimination or adjustments may occur due to holidays or special meetings).

## 5. PROPOSAL CONTENT

The proposal must include the following items to address the scope of work in Section 4. The proposal must be consecutively organized and should not exceed 25 pages in length. Resumes and licenses are not included in this page count.

**A. Title Page.** Include the RFP subject, name of the respondent's firm, address, telephone number, e-mail, name of contact person authorized to represent the proposer, and date.

**B. Executive Summary.** Introduce the proposal and summarize the key provisions of the proposal. Provide a statement describing why the proposer is qualified to perform this work and name the qualifications of the individual who would serve as the LMCD Attorney.

**C. Statement of Understanding.** Include a detailed statement of understanding of the LMCD Prosecuting Attorney's services to be provided. If there are services listed in this RFP that the law firm will not be able to provide, describe those services in this section.

**D. Firm Background.** Include information on the following:

- Brief history of the firm including the nature of the firm's practice.
- Number of attorneys, partners, associates, and areas of specialty.
- Provide an overview of capabilities, qualifications, training, areas of specialization of each attorney, partner, and/or associate.
- Office location(s).
- Support staff services available (clerical, paralegals, and other non-attorney staff).
- Current use of technology, capability for computerized legal research, and for sharing/editing documents electronically.
- State, whether the firm or any of the attorneys employed by the firm have ever been sued by cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar within the past five years. Please provide information about the nature of the incident, the dates of when the matter began and was concluded, and the results of the situation.
- Describe malpractice insurance coverage: carrier, limits, and exemptions and provide a copy of Malpractice/Liability Insurance Certificate in a minimum amount of \$2,000,000.
- Statement of compliance with federal and state laws pertaining to and respecting criminal rights.

**E. Attorney Qualifications.** Name the person whom you propose to designate as the LMCD lead prosecuting attorney and as alternative LMCD prosecuting attorney(s) in his or her absence. Provide the following for each:

- Certificates or licenses (including the number and date of admission to the Minnesota Bar Association).

- Description of education (including name of educational institution(s) and degrees conferred).
- Professional background and associations.
- Experience and knowledge with municipal law.
- Experience and knowledge of criminal, riparian, public waters, and protection of water resources law.

**F. LMCD/Attorney Relationship.** Provide information as follows:

- Provide a statement of how the workload of the LMCD would be accommodated and what kind of priority it would be given. Be sure to address items outlined in the scope of the services section.
- Describe your legal library and research capabilities, with specific emphasis on municipal law and water resources publications, computer links, and the firm's capability to maintain a proposed response time for legal reports and memorandums, and response to individual LMCD inquiries, projects, research, or prosecutions.
- Describe the process that would be established for monthly invoices.

**G. References.** Provide a reference list of three (3) recent (within five years) municipal or water resource clients. If these clients are not available, other major clients may be submitted. Particular attention will be given to municipal prosecution client references. Please provide contact information including address, phone number, and e-mail address.

**H. Conflict of Interest Statement.** Provide information on the following:

- List all public clients for whom the firm currently provides services on a fee or retainer basis. Indicate the services provided. Identify any potential conflicts of interest that could result from such representation and the manner in which the firm would propose to resolve such conflicts.
- For the person to be designated as LMCD Prosecuting Attorney, list all public clients that person presently represents.
- List all private clients that could potentially pose a conflict of interest with the firm's representation of LMCD including, but not limited to, board members or marina owners, understanding that the specific parties are subject to change. Describe how your firm would mitigate any potential conflict to best serve the LMCD, Lake Minnetonka, and all stakeholders.
- Identify all situations in the last five years in which the firm has been averse to public entities, either in litigation or administrative matters.
- Indicate what procedures your firm would utilize to identify and resolve conflicts of interest.

**I. Additional Information.** Any other information the proposer feels is applicable to the evaluation of the proposal, including qualifications for completing the legal services, should be included in this section. You may use this section to address aspects of the services that distinguish one firm from the other.

**J. Basis for Compensation.** Provide information on the following:

- The LMCD is requesting that all services be provided at an hourly rate. Firms shall indicate: 1) the rate of each member of the firm providing the service, i.e., attorney, paralegal, clerk, etc. and 2) the minimum increment of time billed for each service including phone calls, correspondence, and personal.
- Firms shall indicate all other costs and reimbursable expenses including travel (per mile rate), telephone, printing, copying, etc.
- Confirmation that monthly billing statements will include:
  1. Itemized dates of service.
  2. Identification of personnel and time spent providing the service.
  3. A detailed description of the service provided.
  4. An organized billing on the basis of activity and LMCD contact; and
  5. A project summary to date (if requested).
- If the firm wishes to provide an alternative method of charging legal services, describe the fees and how they would be applied to a specific service that the LMCD would request.

## **6. EVALUATION OF RFP SUBMISSIONS**

An LMCD Selection Committee including the 2026 LMCD Board Officers, two additional members of the LMCD Board of Directors, and the LMCD Executive Director will evaluate the RFP submissions based on the following criteria (not ranked in order):

- Meets all qualifications and requirements.
- Complete and clear responses.
- Breadth and relevance of the firm's experience.
- The firm and their individual attorney's professional ability to provide high-quality service with demonstrated sound judgment, integrity, and reliability.
- Demonstrated knowledge with laws and regulations governing Minnesota local governments and operating procedures.
- Demonstrated municipal law experience.
- Demonstrated public waters and water resources law (desired).
- Demonstration of workload capacity and a level of experience commensurate with the level of service required by the LMCD.
- The proposer's ability to work cooperatively with the LMCD Board of Directors, LMCD staff, members of the business community, lakeshore owners, and general public as demonstrated by positive current client references.
- The cost of providing the services (although this is not necessarily the most critical factor in evaluating a firm's RFP submittal); and
- Any supplemental information provided by the proposer.

Selected law firms will be invited to an interview to discuss their proposal and their law firm's qualifications.

## **7. AFFIRMATIVE ACTION**

The LMCD requires affirmative action and therefore, the firm selected shall not discriminate under the contract against any person in accordance with federal, state, and local regulations. The LMCD does not discriminate on the basis of race, color, national origin,

sex, religion, age, sexual orientation, disability, or any other basis protected by law in the admission or access to, or treatment or employment in, its programs, activities, or services.

## **8. TERMS AND CONDITIONS**

- A.** The LMCD reserves the right to cancel or amend the RFP at any time, determine the successful respondent, rejects any or all proposals, waives irregularities and informalities, request additional information from all respondents, and reserves the right to select the proposal which furthers the best interests of LMCD.
- B.** The LMCD will not reimburse any expenses incurred by the proposer including, but not limited to, expenses associated with the preparation and submission of the proposal, any responses, and/or attendance at any interview.
- C.** The firm shall not assign any interest in this proposal and shall not transfer any interest in the same without the prior written consent of the LMCD.
- D.** For the purposes of this service, the LMCD Prosecuting Attorney shall be deemed an independent contractor and not an employee of the LMCD. Any and all agents, servants, or employees of the firm or other persons, while engaged in the performance of any work or services required to be performed for the LMCD, shall not be considered employees of the LMCD and any and all actions which arise as a consequence of any act or omission on the part of the firm, its agents, servants, employees or other persons shall in no way be the obligation or responsibility of the LMCD. The law firm, its agents, servants, or employees shall be entitled to none of the rights, privileges, or benefits of organization employees except as otherwise may be stated herein.
- E.** No official or employee of the LMCD who exercises any responsibilities in the review, approval, or carrying out of the proposal shall participate in any decision which affects his or her direct or indirect personal or financial interest.
- F.** The LMCD Prosecuting Attorney agrees to comply with Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, and all other applicable state and federal laws relating to data privacy or confidentiality. The LMCD Prosecuting Attorney shall immediately report to the LMCD any requests from third parties for information. All data created, collected, received, stored, used, maintained, or disseminated by the LMCD Prosecuting Attorney in performing its obligations is subject to the requirements of the Act, and the LMCD Prosecuting Attorney must comply with those requirements as if it were a government entity. The LMCD agrees to promptly respond to inquiries from the LMCD Prosecuting Attorney concerning data requests. The LMCD Prosecuting Attorney agrees to hold the LMCD, its officers, and employees, harmless from any claims resulting from the LMCD Prosecuting Attorney's failure to disclose data maintained by the LMCD Prosecuting Attorney authorized for release by the LMCD or from the LMCD Prosecuting Attorney's unlawful disclosure or use of data protected under state and federal laws.
- G.** The approval of the firm selected, and the contract award will be made by the LMCD Board. The LMCD reserves the right to negotiate the final terms and conditions of the

contract to be executed. Should the LMCD and a consultant be unable to mutually agree upon the entire contract, the LMCD reserves the right to discontinue negotiations, select another consultant or reject all of the statements of proposal. Upon completion of negotiations agreeable to the LMCD and the consultant, a contract shall be executed. Once a contract is awarded, the term of contract duration shall be subject to ongoing review and evaluation by the LMCD Board and Executive Director.

**9. ANTICIPATED SCHEDULE FOR REQUEST FOR PROPOSALS**

<b>Action</b>	<b>Date</b>
Post RFP	March 18, 2026
RFP Submittal of Questions Deadline	March 25, 2026
RFP Submittal Deadline	April 1, 2026 at 5:00 pm
Selection Committee Evaluation	April 8, 2026
Proposal Interviews by Selection Committee	April 15, 2026
Approval by LMCD Board of Directors	April 22, 2026

**Exhibit A**

LMCD  
David L. Krueger, Executive Director  
5341 Maywood Road, Suite 200  
Mound, MN 55364

REQUEST FOR PROPOSAL PROSECUTING ATTORNEY LEGAL SERVICES

CONSENT FOR RELEASE OF RESPONSE DATA

\_\_\_\_\_, on behalf of

\_\_\_\_\_, hereby consents to the release of its proposal in response to the Request for Proposals for Prosecuting Attorney Legal Services and waives any claims it may have under Minnesota Statutes Section 13.08 against the LMCD for making such information public. The foregoing consent and waiver does not extend to financial statements, if any, submitted under separate confidential cover. Such information provided under separate cover may be public data but will be treated by the LMCD consistent with Minnesota Statutes Chapter 13.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date