City of Fort Smith
City Administrator

MEMORANDUM

TO: Honorable Mayor and Members of the Board of Directors

CC: Maggie Rice, Deputy City Administrator

FROM: Jeff Dingman, Acting City Administrator

DATE: November 18, 2025

SUBJECT: General Legal Services agreement for 2026

SUMMARY

Attached for your consideration is a resolution authorizing a contract for general legal services for 2026. Section 2-112 of the municipal code requires the board to approve a contract for legal services prior to the first of each calendar year.

Proposals from Professional Service Providers were solicited earlier this year. Daily & Woods was the only firm to submit a proposal for general legal services.

The Daily & Woods firm has provided legal services to the city since 1968 and has been the designated City Attorney since 1973. The proposed contract with Daily & Woods for legal services in 2026 and information about the attorneys at the firm is attached. The hourly rate schedule is the same as 2025 rates, with the hourly attorney rate at $200/hr and the hourly paralegal rate at $70/hr.

The contract is similar to that used in previous years, including reference to the city's participation in the Arkansas Municipal League's Legal Defense Program, which continues. Daily & Woods also works as needed in support of the AML program.

Staff recommends approval of the attached resolution. Please contact me if there are any questions regarding this agenda item.

ATTACHMENTS

1. 20251202 Resolution - 2026 Legal Services Agmt Approval.pdf
2. 20251124 2026 Legal Services Agreement.pdf
3. 20251021 DW Statement of Quals for 2026.pdf

bid documents, resolutions and ordinances; planning department advice; development applications; rezonings; comprehensive plan amendments; variances; site plans; the preparation and handling of hearings or trials involving or affecting the City or its governing body or employees; the presentation of any requested seminars for the City's police department; attendance at regular and specially called meetings of the City's governing body and any other meetings where attendance is requested; leases and real estate matters, including, but not limited to, issues involving eminent domain; enforcement of cleanup liens; advising when requested on finance and purchasing issues; matters regarding Arkansas' Freedom of Information Act; solid waste; code enforcement; building department; employment and personnel issues; and, when requested, prosecuting on behalf of the City in District or Circuit Court. The City participates in the Arkansas Municipal League legal defense fund ("fund") and reserves the right to assign to the fund requests for services provided by the fund.

SECTION TWO

City and Attorney accept the compensation schedule as outlined in Exhibit "1" to this Agreement.

SECTION THREE

As compensation in full for all services to be rendered by Attorney under and pursuant to this Agreement, City shall pay to Attorney for Attorneys' services such compensation as is set forth in detail in the letter attached hereto as Exhibit "1" and incorporated herein by reference.

SECTION FOUR

This Agreement shall terminate on December 31, 2026. This Agreement may also be terminated at any time after date of execution of this Agreement after written notice from either

EXHIBIT "1" TO
LEGAL SERVICES AGREEMENT

2026 Billing Rate: $200.00 per hour – Attorney Services

2026 Billing Rate: $70.00 per hour – Paralegal Services

1. Except as provided in 2 below, compensation for services shall be on a time spent basis at the rates indicated. Time shall be kept in increments of .1 per hour. Monthly bills shall be presented generally in the attached form, and the City may reasonable request additional separate billings by project or other categories as to which separately maintained and billed time would be convenient for the City. Additionally, all actual expenses incurred, e.g., copying, postage, long distance phone calls, travel, etc., are to be reimbursed to Daily & Woods, P.L.L.C., by the City.

2. Compensation for legal services provided by attorney on City bond issues will be negotiated through the City's selected bond counsel for the individual bond issue. Compensation for legal services provided by attorney to protect the interests of the City in bond issues requested by third parties (i.e., industrial development revenue bond issues) will be negotiated by attorney directly with and paid by the third party requester.