

Request for Proposal
#1041 – 10/8/2013

Legal Services
Municipal Pension Attorney



Deadline for Submission:

October 8, 2013

1:00 P.M. Eastern Standard Time

INTRODUCTION

Overview of the Town

The Town of Vernon is soliciting proposals from qualified firms to provide legal services to its two separate defined benefit pension plans; **1)** Police pension ('Police') and **2)** Town/Board of Education pension plan ('Town'.) Interested parties should submit a proposal in accordance with the requirements and directions described herein.

The provisions for the Town of Vernon Pension plans are governed and administered by Prudential Retirement Services.

The plans provide retirement, death, and disability benefits to the Town's police officers and employees of the Town.

The general administration and the responsibility for the proper operation of the retirement system are vested in the Town's Pension Board.

QUALIFICATIONS AND PROFESSIONAL STAFF

Minimum Qualifications

- a) The law firm currently provides legal services on pension issues to other Connecticut municipalities and/or municipal pension plans.
- b) The principal attorney responsible for providing services to the plan is an attorney in good standing licensed in Connecticut and has a minimum of three years of experience representing Connecticut municipalities on pension issues.
- c) The proposal must be signed by the principal attorney and must state the name, title, address, phone number, fax and email address of a contact person authorized to provide clarification of the proposal should it be necessary.

1. Experience with Connecticut Municipal Retirement Plans

- a. Principal Attorney:
 - i. Identify the principal attorney by name and give the year such attorney became licensed to practice law in Connecticut.
 - ii. The number of years of experience with Connecticut municipal retirement plans.
 - iii. Indicate the number of Connecticut municipalities and municipal retirement plans for which the principal attorney has primary client

responsibility.

- b. Identify other attorneys employed by the law firm who will assist in providing legal services to the plans and the number of years of experience representing Connecticut municipalities and/or municipal retirement plans.

2. FIRM HISTORY AND OPERATIONS

- a. How many years has the firm been providing legal services to Connecticut municipalities on pension issues?
- b. How many Connecticut municipalities is your firm currently providing legal services to on pension-related issues?
- c. Please provide contact information for three references of current clients, preferably from local government.
- d. Please identify the location of the primary office that will provide services for the pension plans.

3. SCOPE OF SERVICES

The successful law firm will be required to perform the following legal services and to advise the town on a variety of matters pertaining to the Town's Pension plans:

- Update the town on relevant changes in the law
- Provide general legal advice regarding the administration of the Pension Plans
- Other legal services as may be required from time to time by the Pension Plans
- Revise and update Plan Documents

4. REFERENCES

- a. At least three (3) of the references must be clients who have been serviced by the principal attorney who will be assigned to the Town of Vernon.
- b. For each reference listed, include the name of the municipality, the contact person at the municipality, telephone number and the email address.

5. FEES

- a. A detailed proposal regarding the expenses involved including any retainer, hourly rates of personnel providing these services, required expenses and other costs involved.

- b. Each firm/individual submitting a proposal is requested to detail its fee proposal on a two (2) year basis.
- c. Proposals may include an hourly rate of all personnel providing these services or yearly retainer charge or both. Also indicate any expenses for which you would seek reimbursement, including travel expenses.

6. RESPONSE SUBMISSION REQUIREMENTS

Please provide the following information:

a. Overview of the Firm:

How long has the firm been in business, size of the firm, the average number of clients within the firms' portfolio, and firm's primary areas(s) of expertise; and,

b. Qualifications:

1. Describe the firm's experience in handling Pension issues.
2. Describe the qualifications of the lead person(s) that will serve as the primary contact for the Town.
3. A listing of any representation by the law firm or individual attorney in which the Town of Vernon was a party to within the last five (5) years;

7. INSURANCE

The town requires that all firms contracting for services file a certificate of insurance prior to the execution of the contract agreement showing Professional liability insurance covering errors and omissions for no less than \$2,000,000 with a provision for no more than \$100,000 deductible.

8. DURATION OF AGREEMENT

The initial contract with the selected firm(s) will be for a period of two years, commencing on or about December 1, 2013, with the possibility of two (2) additional one year extensions, subject to the recommendation of the Town Administrator.

9. TIME AND PLACE FOR SUBMISSION

Three copies of the RFQ response and any related materials must be received in the Town

Administrator's office by 1:00 P.M. on Tuesday, October 8, 2013. Eastern Standard Time. The envelope should be clearly marked as "**RFP #1041 - 10/08/2013 Legal Services Pension Attorney – Do Not Open**" and submitted to:

Dawn Maselek, Assistant Town Administrator
14 Park Place
Vernon , CT 06066

10. EVALUATION, SELECTION CRITERIA, AND PROCESS

All Proposals shall be opened and reviewed. It is the town's intention to select the Attorney with an effective starting date of December 1, 2013.

The absence of required information may render the proposal non-responsive and may be cause for rejection.

The town has sole and absolute discretion over whether interviews will be conducted to select firm(s) for contract negotiations.

This RFP does not commit the town to award a contract, to pay any costs incurred in the preparation of the firm's response or to procure or contract for services or supplies. The town reserves the right to accept or reject any or all responses received as a result of this request, to negotiate with all qualified sources or to cancel all or part of this RFP. This RFP does not constitute any form of offer to contract.

11. Acceptance of Terms and Conditions

By submitting a response to this RFP, a firm shall be deemed to have accepted all the terms, conditions, and requirements set forth in the RFP unless otherwise clearly noted and explained in its proposal. All proposals submitted in response to this RFP become the property of the Town. The selected firm must meet all municipal, state and federal AA and EEO practices and requirements. MBEs/WBEs/SBEs are encouraged to apply. The Town reserves the right to reject any of the bid proposal, in whole or part, to award any one service or group of services or all services, to negotiate with any or all companies submitting proposals, and to enter into an agreement with any firm for any services mentioned in this RFP; if it is deemed in the best interest of the Town and Board.

12. Non-Conflict of Interest Statement

It is unlawful for any officer, employee or agent of the Town to participate personally in his/her official capacity through decision, approval, disapproval, recommendation, advice

or investigation in any contract or other matter in which he/she, his/her spouse, parent, minor child, brother or sister, has a financial interest, or to which any firm, corporation, association, or other organization in which he/she has a financial interest, or in which he/she is serving as an officer, director, trustee, partner, or employee, or agent. The successful bidder agrees that during the term of the contract and for twenty four (24) months following the exit conference, the successful bidder, its employees, agents, and representatives, shall not, with or without compensation, on behalf of the successful bidder, or another person, entity, or corporation, take any action in connection or receive any benefit with any specific matter, finding or recommendation associated in any way with this project, except with the express written consent of the Town.

Proposals must be received in writing by **October 8, 2013 at 1:00 pm** and be no more than ten (10) pages in length.

No exceptions to this deadline will be allowed unless the town extends the deadline, whereupon it will notify recipients of the RFP.

Submission of proposals or any portion thereof via FAX, electronic or magnetic media **shall not be accepted**. Any firm that wishes to correct, amend or supplement their proposal must do so prior to the filing deadline and must do so by withdrawing its proposal in its entirety and submitting a complete, corrected proposal package. Modification in any other manner will not be accepted.

Proposals become the property of the Town of Vernon upon submission and will not be returned. All costs for developing proposals are entirely the responsibility of the law firm and shall not be chargeable to the Town of Vernon. The Town accepts no responsibility for lost or late delivery of proposals.

Questions about the Request for Proposal must be submitted in writing by email to Dawn Maselek, at DMaselek@vernon-ct.gov no later than **Thursday, October 3, 2013** by 5:00 p.m. and will be answered and posted by **Friday, October 4, 2013 at 1:00 pm** on the towns' website at www.vernon-ct.gov.