

# **REQUEST FOR PROPOSALS FOR THE PROVISION OF MUNICIPAL LEGAL SERVICES**

September 1, 2021

The Town of Lancaster, through its Board of Selectmen, hereby solicits proposals for the provision of general and specialized Massachusetts municipal legal services for a one year term effective January 1, 2022. The Town reserves the right to reject any and all proposals at its sole discretion, and to further negotiate the details of the proposals of one or more semi-finalists. It also reserves the right to renew the service agreement at the end of the initial term, and to renew it for an indefinite number of one year terms, at the mutual agreement of both parties.

Notification of this Request for Proposals was made in the September 2021 edition of *The Beacon*, a monthly publication of the Massachusetts Municipal Association (MMA). This RFP was also directly distributed to a number of municipal law firms that regularly advertise in that and other publications of the MMA.

The Board of Selectmen shall accept proposals submitted to its office located in the Prescott Building, 701 Main Street Lancaster, MA 01523 until 4:00 P.M. on Monday, November 8, 2021.

## **Proposal Submission Requirements:**

*Interested firms are required to submit two copies of their proposals which must contain all of the following information:*

- Qualifications of the firm in all relevant areas of Massachusetts law.
- Description of the specific kinds of legal issues (if any) that the firm refers to other firms; including why and to what firms.
- Listing of all current and past (last three years) Massachusetts municipal clients, including points of contact.
- Listing of major court cases won and lost by the firm, and a description of the most significant ones.
- Listing and description of any relevant Massachusetts case law made by the firm.
- Résumé of the primary attorney who would be assigned to Lancaster, would coordinate all legal services.

- Résumé of the partner who would be advising the primary attorney assigned to Lancaster (if applicable).
- Résumés of any other attorneys within the firm who specialize in particular areas of relevant Massachusetts law (e.g., land use, labor, environmental, etc.), who would be available to counsel Lancaster if and when needed.
- Description of the extent of the primary attorney's availability and ability to respond to the needs of Lancaster both day and night, seven days a week; how would after hours emergency contact be made; and who would provide back-up when the primary attorney is not available for extended periods of time (e.g., vacation, illness, etc.).
- Description of experience staying within the annual legal budget appropriations of municipal clients, including how firm monitors and controls the prioritization of tasks and use of time to stay within allocated budgets; and how often does the cost of the firm's services exceed the available funds budgeted for legal services, and why.
- Description of the support staff that would be available to the primary attorney assigned to Lancaster.
- Listing of all applicable fees and expenses as categorized below.

### **Fees and Expenses:**

#### **Fixed Retainer:**

*Provide a single dollar figure, which shall be billed in twelve (12) monthly installments, and shall include all of the following services:*

- Weekly attendance at several board meetings held in succession one night per week (currently Mondays) from 6:00 to 9:00 P.M., including travel to and from the meetings;  
**Meetings are currently held via Zoom**
- Quarterly Litigation Reports describing in detail the status of all ongoing, pending, and potential litigation cases where the Town is the defendant or the plaintiff;
- Attendance at two Town Meetings per year (May & October), which are usually (but not always) concluded in one session lasting anywhere from four to eight hours each, including travel to and from the meetings;

#### **Hourly Fees:** \*

*Provide a per hour dollar figure for each category of attorney listed below, which shall be applicable to all time and services not explicitly covered by the Retainer and Other Expenses, including court appearances:*

- Primary attorney assigned to Lancaster
- Other attorneys (labor, land use, etc.)
- Overseeing partner

Other Expenses:

*Identify and provide the dollar figure or percentage markup for all other expenses that may be charged to Lancaster, including those listed below if applicable:*

- Travel for all other reasons not provided for in the retainer
- Local and long distance telephone calls, including faxes
- Copying and Postage
- Court/Registry Research
- On-line Research
- Secretarial
- Overhead
- Other Costs
- Etc.

\* All monthly invoices must include significant detail as to the nature of the billable costs, and be broken down by date/time, board, department, issue, etc.