

TOWN OF GLASTONBURY
PROFESSIONAL SERVICES PROCUREMENT NOTICE
REQUEST FOR QUALIFICATIONS
Legal Services – Town Attorney
RPGL # 2014-15

The Town of Glastonbury will be accepting proposals from qualified law firms and individual attorneys interested in providing legal services to the Town as Town Attorney and/or Alternate Town Attorney. Interested individuals and firms should request the proposal instructions and details from the Purchasing Agent, 2155 Main Street, Glastonbury, CT 06033, or via the Town's website at www.glastonbury-ct.gov.

Responses to the Proposal must be submitted to the Purchasing Agent no later than **February 27, 2014 at 11:00 AM. LATE PROPOSALS WILL NOT BE CONSIDERED.**

Mary F. Visone
Purchasing Agent

**Town of Glastonbury, CT
Request for Qualifications
Legal Services – Town Attorney
RPGL # 2014-15**

**Town of Glastonbury, CT
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Town of Glastonbury, CT
Request for Qualifications
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I. GENERAL INFORMATION

A. INTRODUCTION

The Town of Glastonbury is soliciting a Request for Qualifications (RFQ) from qualified law firms and individual attorneys interested in providing legal services to the Town as Town Attorney and/or Alternate Town Attorney. Interested parties should submit a proposal response in accordance with the requirements and directions herein.

B. BACKGROUND INFORMATION

The Town of Glastonbury has historically engaged the services of a Town Attorney and an Alternate Town Attorney and periodically conducts a Request for Qualifications. The term of the appointment is generally two (2) or three (3) years subject to final Council action following the Town Attorney selection process. The selected firm or attorney works most closely with the Town Manager, members of Town staff and the members of the Town Council on a variety of matters listed within this RFQ.

C. TERM OF SERVICE

The selected firm or individual will be expected to commence services on or about **July 1, 2014** subject to contract execution. The Town of Glastonbury reserves the right to cancel this proposal process at any time should any of the following conditions exist or as deemed in the best interest of the Town:

- Funds are not appropriated to allow continuance of this contract
- The Town, through changes in its requirements or method of operation, no longer has a need for this service
- The Town is not satisfied with the level of services provided under the contract or the contractor fails to comply with any terms and conditions outlined in the contract.

II. SCOPE OF SERVICES

A. SPECIFIC SERVICES

The Town Attorney is required to provide legal advice and counsel to the Town Manager and Town Council on a variety of matters pertaining to municipal government operations. Advice and legal support is also provided to various Town departments and boards and commissions. The delivery of legal services is coordinated through the Town Manager and may only be requested by the Town Manager and Town Council in accordance with established Council policy.

Examples of legal services include:

- Review of proposed ordinances and regulations
- Review and interpretation of state and federal laws and regulations
- Land use
- Construction and consulting agreements and services
- Land acquisition
- Representation in claims against and by the Town
- All other matters typically associated with municipal government operations
- Other services as may be directed by the Town Manager and/or Town Council.

Labor/employee relations, work associated with property foreclosures and bond counsel services are not included under this Request for Qualifications.

B. INSURANCE

The respondent shall, at its own expense and cost, obtain and keep in force during the entire duration of the Project or Work the following insurance coverage covering the respondent and all of its agents, employees, sub-contractors and other providers of services and shall name the Town and the Board of Education, its employees and agents as an Additional Insured on a primary and non-contributory basis to the respondent's Commercial General Liability and Automobile Liability policies. **These requirements shall be clearly stated in the remarks section on the respondent's Certificate of Insurance.** Insurance shall be written with insurance carriers approved in the State of Connecticut and with a minimum Best's Rating of A-. In addition, all carriers are subject to approval by the Town. Minimum limits and requirements are stated below:

1) Worker's Compensation Insurance:

- Statutory Coverage
- Employer's Liability
- \$100,000 each accident/\$500,000 disease-policy limit/\$100,000 disease each employee

2) Commercial General Liability:

- Including Premises & Operations, Products and Completed Operations, Personal and

Advertising Injury, Contractual Liability and Independent Contractors.

- Limits of Liability for Bodily Injury and Building Damage
Each Occurrence \$1,000,000
Aggregate \$2,000,000 (The Aggregate Limit shall apply separately to each job.)
- A Waiver of Subrogation shall be provided

3) Automobile Insurance:

- Including all owned, hired, borrowed and non-owned vehicles
- Limit of Liability for Bodily Injury and Building Damage:
Per Accident \$1,000,000

4) Errors and Omissions Liability or Professional Services Liability Policy

- Provide Errors and Omissions Liability or Professional Services Liability Policy for a minimum Limit of Liability \$1,000,000 each occurrence or per claim. The awarded respondent(s) will be responsible to provide written notice to the Owner 30 days prior to cancellation of any insurance policy.
- The respondent agrees to maintain continuous professional liability coverage for the entire duration of this Project, and shall provide for an Extended Reporting Period in which to report claims for seven (7) years following the conclusion of the Project.

The respondent shall provide a Certificate of Insurance as "evidence" of General Liability, Auto Liability including all owned, hired, borrowed and non-owned vehicles, statutory Worker's Compensation and Employer's Liability and Professional Services Liability coverage.

The respondent shall direct its Insurer to provide a Certificate of Insurance to the Town before any work is performed. The awarded Respondent(s) will be responsible to provide written notice to the Owner 30 days prior to cancellation of any insurance policy. The Certificate shall evidence all required coverage including the Additional Insured on the General Liability and Auto Liability policies and Waiver of Subrogation on the General Liability policy. The respondent shall provide the Town copies of any such insurance policies upon request.

Indemnification

To the fullest extent permitted by law, the respondent shall indemnify and hold harmless the Town and the Board of Education and their respective consultants, agents, and employees from and against all claims, damages, losses and expenses, direct, indirect or consequential (including but not limited to fees and charges of engineers, attorneys and other professionals and court and arbitration costs) to the extent arising out of or resulting from the performance of the respondent's work, provided that such claim, damage, loss or expense is caused in whole or in part by any negligent act or omission by the respondent, or breach of its obligations herein or by any person or organization directly or indirectly employed or engaged by the respondent to perform or furnish either of the services, or anyone for whose acts the respondent may be liable.

As to any and all claims against the Town or any of its consultants, agents or employees by any employee of respondent by any person or organization directly or indirectly employed by respondent to perform or furnish any of the work, or by anyone for whose acts respondent may be liable, the indemnification obligation stated herein shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for respondent under worker's or workman's compensation acts, disability benefit acts or other employee benefit acts.

The above insurance requirements are the Town's general requirements. Insurance requirements with the awarded respondent are subject to final negotiations.

III. SUBMISSION OF PROPOSAL

A. PROPOSAL INSTRUCTIONS

By submitting a proposal, you represent that you have thoroughly examined and become familiar with the scope of services outlined in this RFQ and you are capable of performing the work to achieve the Town's objectives. Respondents should clearly describe the specific legal services for which their proposal is submitted and any general municipal services not provided with the understanding that labor/employee relations and bond counsel are not requested under this Request for Qualifications.

All firms are required to submit a **clearly marked** original and eleven (11) copies of their proposal to Mary F. Visone, Purchasing Agent, 2155 Main Street, Glastonbury, CT by **February 27, 2014 at 11am**. All proposals will be opened publicly and recorded as received. Proposers may be present at the opening; however, there will be no public reading of Proposals. Proposals received later than the time and date specified will not be considered. The proposal must be submitted in a sealed envelope or package and the outside shall be clearly marked:

**SEALED REQUEST FOR QUALIFICATIONS
PROFESSIONAL SERVICES PROCUREMENT NOTICE
LEGAL SERVICES – TOWN ATTORNEY
RPGL-2014-15
DATE – February 27, 2014
TIME - 11:00 A.M.**

All respondents are required to submit the information detailed below. **Responses shall be organized and presented in the order listed below to assist the Town in reviewing and rating proposals.** Responses should be presented in appropriate detail to thoroughly respond to the requirements and expected services described herein and presented and clearly marked in the order within this written proposal.

- a. Table of Contents to include clear identification of the material provided by section and number.
- b. A letter of transmittal indicating the firm's interest in providing the service and any other information that would assist the Town in making a selection. This letter must be signed by a person legally authorized to bind the firm to a contract. This letter also

must affirm that the firm or their representative has made themselves knowledgeable of those matters and conditions in the Town which would influence this Proposal.

- c. Name and telephone number of person(s) to be contacted for further information or clarification.
- d. A background and qualifications statement including, name of firm/individual, capabilities, and description and history of your firm and the servicing office.
- e. Include a list of not less than three municipal client references (cities or towns) for which services similar to those outlined herein have been provided within the past five (5) years or are currently being provided. This list shall include the following information:
 1. Name of the city/town
 2. Timeframe of legal services
 3. Legal services being provided by the firm and most particularly the principal contact attorney and other attorneys which would be assigned to the Town of Glastonbury.
 4. Name, address, and telephone number of the principal contact of the city/town.

The Town reserves the right to contact these organizations regarding the services performed by the firm.

- f. List of personnel to be assigned to this project, including the principal contact attorney. Please list the number of years of experience in their current position, municipalities served and their roles in providing services. Also provide their resumes, and document the chain of command for these individuals.

Understanding of the Scope of Work. Include information that explains your firm's ability to perform, implement and administer these services, emphasizing experience with other similar municipal plans. Summarize all areas of expertise and experience including the types of services supplied to past and present clients. This information should include areas of specialization and include background and experience in such matters as: general municipal law, planning and zoning, litigation, assessment appeals, environmental law and construction contracts and services.

Labor/employee relations, work associated with property foreclosures and bond counsel services are not included under this Request for Qualifications.

- g. A detailed description of how the law firm or individual attorney will supply legal services to the Town and general approach to serving as Town Attorney including availability and responsiveness.
- h. A listing of any grievances filed, with the outcome, against the law firm or individual attorney within the past five (5) years.
- i. A detailed proposal regarding the costs and expenses involved for the provision of Town Attorney services including any retainer, hourly rates of personnel providing

these services, discounts, invoiced expenses, annual caps, and other costs involved. Please also detail any administrative costs that the firm/individual will bill the Town. For example: copier, computer research, postage, messenger, long distance phone calls. The term of appointment will be two (2) or three (3) years subject to final Council action following the Town Attorney selection process. Each firm/individual submitting a proposal is requested to detail their fee proposal on a 2 and 3 year basis. Any influence the term of agreement may have on legal fees, cost containment or any other elements of Town attorney services should be noted. Respondent may also include any alternative cost solutions they want the Town to consider.

- j. The Town Attorney is required to provide two training sessions per year to Town boards, commissions and/or staff. The proposal should detail the manner in which the law firm or individual attorney proposes to provide these legal services including the suggested topics and frequency of training. The cost, if any, for these services should be detailed. The Town will work with the selected firm to identify and agree upon specific topics for training.
- k. Describe what method of communication your firm utilizes to provide updates of pertinent information, such as new public acts, rulings and trends. For example: newsletters, electronic mailings, other.
- l. A concluding statement as to why the respondent is best qualified to meet the needs of the Town, including any other information relative to this proposal.
- m. **Proposal Response Page (ATTACHMENT A).** Respondent is required to review the Town of Glastonbury Code of Ethics adopted July 8, 2003 and effective August 1, 2003. Respondent shall acknowledge that they have reviewed the document in the area provided on the attached Ethics Acknowledgement form included on ATTACHMENT A. The selected respondent will also be required to complete and sign a Consultant Acknowledgement Form prior to award. The Code of Ethics and the Consultant Acknowledgment Form can be accessed at the Town of Glastonbury website at www.glastonbury-ct.gov . Upon entering the website click on **Bids & RFPs**, which will bring you to the links for the **Code of Ethics** and the **Consultant Acknowledgement Form**.
- n. **Signed Non-Collusion Statement (ATTACHMENT B)**

B. TOWN CONTACTS

1. All technical inquires relative to this RFQ must be directed in writing to Mr. Richard J. Johnson, Town Manager at 2155 Main Street, Glastonbury, CT 06033 or richard.johnson@glastonbury-ct.gov.
2. For administrative or procurement questions concerning this proposal, please contact Mary F. Visone, Purchasing Agent at (860) 652-7588 or purchasing@glastonbury-ct.gov .
3. All questions, answers, and/or addenda, as applicable will be posted on the Town's website. Responses to requests for more specific contract information than is

contained in the RFQ shall be limited to information that is available to all respondents and that is necessary to complete this process. The request must be received at least five (5) business days prior to the advertised response deadline. **It is the respondent's responsibility to check the website for any addenda prior to submission of any proposal.**

4. No other Glastonbury Town employee, elected official, or evaluation committee member should be contacted concerning this RFQ during the proposal process. Failure to comply with this requirement may result in disqualification.

III. EVALUATION AND SELECTION PROCESS

A. EVALUATION CRITERIA

The following factors will be considered by the Town when evaluating proposals.

- Accuracy, overall quality, thoroughness and responsiveness to the Town's requirements as summarized herein.
- Firm's overall familiarity with municipal law, including demonstrated successful performance on other municipal accounts; with particular emphasis on the qualifications and municipal experience of the attorney to serve as the principal contact and other attorney's expected to be most involved in Town matters.
- Firm's approach to assignment including firm's demonstrated understanding of the Scope of Services and of the customer's needs and objectives.
- Fee Structure
- Demonstrated flexibility, efficiency and timeliness in providing day to day service to municipal clients.

B. SELECTION PROCESS

Following the review and evaluation of proposals, the Town reserves the right to request certain additional information. The Town Manager and the Town Council will review the proposals based upon the criteria herein. Based on the review and rating of proposals, a short list of respondents will be invited to interview with the Town Selection Committee. **Respondents are advised that the Town expects to hold interviews of the top rated firms on April 22, 2014, as applicable.**

The information in this Request for Qualifications will serve as the basis for the Town Council and Town Manager review and recommendation for firm/individual interviews. Respondents are encouraged to address each of the factors thoroughly and provide additional information concerning background, experience, and qualifications for Town Attorney as deemed appropriate.

Based on the results of the interview process, the Town Manager will review the Scope of Services, proposed fee structure, and other factors with the top rated firm(s) and negotiate a specific agreement and final fee based on these discussions.

This request for qualifications does not commit the Town of Glastonbury to award a contract or to pay any costs incurred in the preparation of a proposal to this request. All proposals submitted in response to this request for qualifications become the property of the Town of Glastonbury. The Town of Glastonbury reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with the selected respondents, the right to extend the contract for an additional period, or to cancel in part or in its entirety the request for qualifications, and to waive any informality if it is in the best interests of the Town to do so.

C. TIMELINE

The following schedule is anticipated. The Town intends to adhere to this schedule as closely as possible but reserves the right to modify the schedule in the best interest of the Town as required.

Publicize RFQ	January 22, 2014
RFQ Due Date	February 27, 2014 @ 11 AM
Interviews with Top Respondents	April 22, 2014 (late afternoon or evening)
Contract Effective Date	July 1, 2014

ATTACHMENT A



TOWN OF GLASTONBURY

PROPOSAL		RPGL #	<u>2014-15</u>
DATE ADVERTISED	<u>January 22, 2014</u>	DATE/ TIME DUE	<u>February 27, 2014</u> <u>@ 11 AM</u>

DESCRIPTION Legal Services – Town Attorney

Insert this completed form in respondent's proposal

CODE OF ETHICS:

I / We have reviewed a copy of the Town of Glastonbury's Code of Ethics and agree to submit a Consultant Acknowledgement Form if I /We are selected. Yes _____ No _____ *

*Respondent is advised that effective August 1, 2003, the Town of Glastonbury cannot consider any bid or proposal where the Agent has not agreed to the above statement.

Type or Print Name of Individual	Doing Business as (Trade Name)
Signature of Individual	Street Address
Title	City, State, Zip Code
Date	Telephone Number / Fax Number
E-mail Address	SS # or TIN#

ATTACHMENT B

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NON-COLLUSION STATEMENT

The company submitting this proposal certifies that it is being submitted without any collusion, communication or agreement as to any matter relating to it with any other respondent or competitor. We understand that this proposal must be signed by an authorized agent of our company to constitute a valid proposal.

Date: _____

Name of Company: _____

Name and Title of Agent: _____

By (SIGNATURE): _____

Address: _____

Telephone Number: _____