

REQUEST FOR PROPOSAL FOR LEGAL SERVICES RFP

FOR THE PERIOD: January 1, 2024 to December 31, 2026

The Tuscaloosa Police and Firefighters Pension Board is requesting proposals for legal services as stated below:

GENERAL INFORMATION:

PURPOSE: This request for proposal (RFP) is to contract for legal services for the above specified fiscal years, with an option to renew services for an additional three (3) years. The contract will be reviewed on an annual basis. This RFP is being circulated to identify qualified attorneys who can provide services at the best rate to accommodate the Plan's needs and Board's requirements.

WHO MAY RESPOND: Only attorneys who are currently licensed, in good standing, to practice law in Alabama and maintain an office in Tuscaloosa County may respond to this RFP.

DESCRIPTION OF ENTITY: Please see the Pension website for information regarding the Plan and the Board's role: <https://www.tuscopfplan.com/>

INQUIRIES AND FOR MORE INFORMATION, PLEASE CONTACT THE BOARD CHAIR:

Battalion Chief Tony Klostermann

jkloster@tuscaloosa.com

or Eric Davis edavis@tuscaloosa.com

(205) 248-4506

SUBMISSIONS SHOULD BE DIRECTED TO:

Battalion Chief Tony Klostermann

jkloster@tuscaloosa.com

CLOSING SUBMISSION DATE: Proposals must be submitted by email no later than 4:00 PM (CST) on December 5, 2023 to Tony Klostermann: jkloster@tuscaloosa.com

NOTIFICATION OF AWARD: It is expected that a decision selecting the successful applicant will be made within four (4) weeks of the closing date for the receipt of proposals. The Board may request interviews with applicant attorneys but reserves the right not to do so. An engagement agreement for the accepted proposal will be negotiated based upon the factors described in this RFP.

SCOPE OF SERVICES: The applicant shall be readily available to perform the following legal services, as requested by the Pension Board:

1. Attend monthly Pension Board meetings, and if necessary, Board committee meetings;
2. Advise on legal issues related to claims and benefit issues;
3. Review, draft, and negotiate contracts and other agreements;

4. Work collaboratively with other Board advisers and fiduciaries;
5. Assist in annual board training;
6. Assist in issues related to legislation and plan amendments;
7. Advise on responses to subpoenas, court orders, and requests for information from third parties;
8. Defend lawsuits, administrative claims, or other legal claims;
9. Other legal services as needed.

Applicant shall be prepared to submit monthly detailed billing statements, subtotaled by project, for all services billed at an hourly rate, if any, broken down into time increments of no more than a tenth of an hour.

PROPOSAL CONTENTS: The Applicant's proposal shall, at a minimum, include the following:

1. **Legal Experience.** The Applicant should describe their relevant legal experience, including the names, addresses, contact persons, and telephone numbers of at least three clients, preferably including clients similar to the Pension Board. Experience information should include the following categories:
 - a. Experience working with, advising and/or representing boards or governmental entities;
 - b. Knowledge of Alabama and Federal laws that apply to public boards, quasi-governmental agencies or pension and/or public sector benefit plans;
 - c. Experience advising clients regarding payment of benefits, contracts, reviewing policies, legislation and resolutions.
2. **Organization, Size, Structure, and Areas of Practice.** If the Applicant is a firm, it should describe its organization, size, structure, areas of practice, and office location(s). Indicate, if appropriate, if the firm is a small or minority/owned business. If the Applicant maintains an office location in Tuscaloosa that is not its primary office, please provide details regarding that office, its staff and day to day attorney presence.
3. **Attorney Qualifications.** The Applicant should describe the qualifications of attorneys to be assigned to the representation and how they relate to requirements of this RFP. Descriptions should include:
 - a. Professional and education background of each attorney.

- b. Overall supervision to be exercised.
 - c. Prior experience of the individual attorney(s) with respect to the required experience outlined hereinabove. The firm applicant must designate the primary attorney to be assigned to the Board's work and should also only include resumes of attorneys likely to be assigned to assist in the representation. Education, position in firm, years and types of experience, and continuing professional education will be considered. At least three (3) references should be included.
4. **Fee structure.** The Applicant's proposed fees should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research, copies, and faxes.

An alternative flat fee rate can also be included with the same details. Applicant may include a monthly flat fee that would be charged to advise on routine matters that could be handled over the telephone or otherwise without extensive research or other legal work.

The Board reserves the right to negotiate with the Applicant on the structure of the billing and/or retainer fee.

EVALUATION PROCEDURE AND CRITERIA: The Board will review proposals and will be the sole decisionmaker for award of this contract. The Board may request a meeting with some qualified Applicants prior to final selection. Proposals will be reviewed in accordance with the following criteria:

- 1. Proposed approach to scope of work.
- 2. Level of experience of the individual(s) identified to work with Board.
- 3. The Applicant's experience with similar clients and legal matters.
- 4. Response from references.
- 5. Fee structure.
- 6. Interviews, if conducted.

RIGHT TO TERMINATE RFP: Should the Pension Board determine that the RFP needs to be terminated, the Board reserves the right to terminate all or part of this RFP. Notice will be provided to all applicants if such action is taken.

RIGHT TO REJECT: The Pension Board reserves the right to reject any and all proposals received in response to this RFP. Notice will be provided to all applicants if such action is taken.