

*Request for Proposal
for Municipal Legal Services
Central Coventry Fire District*

Pursuant to Sections 6(a)(6) and 6(b) of the Central Coventry Fire District Charter to appoint and/or employ positions deemed necessary for the efficient operation of the Central Coventry Fire District (the "**District**").

Proposals, in accordance with the specifications and directions provided herein, will be received as follows:

Ernest Pullano, President
Central Coventry Fire District Board of Directors
240 Arnold Road
Coventry, RI 02816-5646

Proposals must be received no later than **2:00 PM on DECEMBER, 13, 2022**. Proposals must be sealed and clearly marked "Proposal for Legal Services" on the exterior of the envelope.

The Fire District Board of Directors will retain a single law firm within which members will function as the Fire District Solicitor in the following designated areas of specialties:

<u>Position</u>	<u>Area of Service</u>
Fire District Solicitor	General Counsel

Central Coventry Charter Requirements

There shall be a Fire District Solicitor who shall be appointed by the Board of Directors for an indefinite term. The Board of Directors may also appoint one or more Assistant Fire District Solicitors as it may deem advisable from time to time to serve for indefinite terms. The Fire District Board of Directors shall solicit Requests for Proposals for the Fire District Solicitor at least every five (5) years commencing in January 2023.

- a. The Fire District Solicitor and any Assistant Fire District Solicitor shall be attorneys-at-law in good standing who have been admitted to the practice of law in the State of Rhode Island.
- b. The Fire District Solicitor and any Assistant Fire District Solicitor need not be required to devote full time to the duties of their office. The Board of Directors may authorize payment to the Fire District Solicitor, Assistant Fire District Solicitor or other counsel specially retained, within the limits of available appropriation.

- c. The Fire District Solicitor, with the assistance of any Assistant Fire District Solicitor, shall be attorney for the Fire District and legal advisor to the Board of Directors, and all other offices, of the Fire District. The Solicitor or any Assistant Fire District Solicitor shall appear for and protect the rights of the Fire District in all actions, suits, or proceedings, civil or criminal, brought by or against it or for or against any of its offices, departments, or agencies, and shall perform such other duties as the Board of Directors may require. Nothing herein contained shall prevent the Fire District Board of Directors from retaining special counsel in such cases or other matters as each body shall deem advisable.
- d. The Fire District Solicitor or any Assistant Fire District Solicitor shall examine and approve the forms of all ordinances and resolutions and the forms of all invitations for bids, contracts and other legal documents sent out by any office, department or agency of the Fire District.

General Position Descriptions

Fire District Solicitor

The Fire District Solicitor, with the assistance of any Assistant Fire District Solicitors, shall be the attorney for the Fire District and legal advisor to the Fire District Board of Directors, Fire District Manager, and all other offices, departments, and agencies of the Fire District. The Fire District Solicitor must have at least fifteen (15) years' experience in the general practice of law, including at least ten (10) years' active experience representing Rhode Island municipal governments.

The Fire District Solicitor or designated Assistant Fire District Solicitors shall appear for and protect the rights of the Fire District in all actions, suits, or proceedings civil or criminal brought by or against it or for or against any of its offices, departments, or agencies and shall perform such other duties as the Board of Directors may require.

The Fire District Board of Directors may retain special counsel in such cases or other matters as the Fire District Board of Directors shall deem advisable. The Fire District Solicitor shall assist and advise in this respect. The Fire District Solicitor will coordinate the transmission of cases referable to legal counsel of the Fire District's insurance carriers which may be obligated to furnish the defense of liability suits.

The Fire District Solicitor shall retain full responsibility for review of all cases that have been transferred to outside counsel. The Fire District Solicitor shall provide the Fire District Board of Directors with quarterly reports summarizing the status of all pending litigation including those cases represented by outside counsel.

The Fire District Solicitor shall examine and approve the forms of all resolutions and the forms of all invitations for bids, contracts and other legal documents sent out by any office, department, or agency of the Fire District. Legal responsibilities not assigned to an Assistant Fire District Solicitor shall be that of the Fire District Solicitor.

Attendance will be required from time to time at meetings of Fire District Board of Directors.

The Fire District Solicitor shall handle all suits brought against the Fire District, and its officials, or suits initiated by the Fire District as authorized by the Fire District Board of Directors. Actions covered by this area of responsibility are normally heard in the Superior Court of Rhode Island and would include any appeals therefrom.

Telephone communications between the Fire District Solicitor and Fire District officials will transpire on an as-needed basis and the Fire District Solicitor will be on call seven days per week in the event of an emergency. Phone calls for advice from the general public will not be entertained without the approval of the Fire District Board of Directors and/or Fire District Manager.

The Fire District Solicitor shall work directly with the Fire District's administrative staff on a wide range of municipal issues. At the request of the Fire District Solicitor, the Fire District Board of Directors President will establish a priority order for providing legal services to the administrative staff.

The Fire District Solicitor shall perform such other duties as directed by the Fire District Board of Directors. The Fire District Solicitor shall remain neutral on all political issues. The Fire District Solicitor shall continue to serve in the capacity of Fire District Solicitor until such time as he or she is replaced by the Fire District Board of Directors or after providing the Fire District Board of Directors with no less than a sixty (60) day notice of resignation.

Fire District Solicitor — Labor

The Fire District Solicitor shall serve as the Fire District's primary labor attorney, working with the Fire District's Board of Directors of Directors. Fire District's administrative staff on a wide range of labor issues, including, but not limited to: negotiation and drafting of collective bargaining agreements; negotiating and drafting of contracts for individual employees; reviewing, revising, and drafting personnel policies and procedures, including employee handbooks; representing the Fire District in grievances, mediation, and arbitrations relating to labor matters; representing the Fire District in court actions related to labor matters.

The Fire District Solicitor must have at least ten (10) years' experience in the general practice of law, including at least five (5) years of specialized experience in representing municipal governments in labor matters.

Additional Requirements

The law firm/attorney shall indemnify the Fire District of Central Coventry from all suits, actions, or claims of any kind brought on account of any injuries or damages sustained by any person in consequence of any negligence in performing this work, or on account of any act of commission by the attorney or the firm or its employees, or from any claims or amounts arising or uncovered under the law, ordinance, regulation, or decree violated by such attorney or firm. Any law firm

or attorney representing the Fire District shall be required to carry professional liability insurance of not less than \$5,000,000 per claim. Proposals must specify the coverage limits of the firm's policy and include the cover page of the firm's policy.

Any attorney or firm who submits a proposal in response to the Request for Proposal shall disclose in its proposal any disciplinary actions and malpractice claims made against any attorney of the firm within the last ten (10) years, and whether any settlement or verdict or decision was rendered.

Any party, including every attorney in the firm, submitting a response to this Request for Proposal shall be required to execute a written authorization for the release of records on file with the Disciplinary Counsel of the Rhode Island Supreme Court relative to complaints filed against the submitting attorney. This information shall not be made public; however, the Fire District Board of Directors reserves the right to question any of the information obtained from the Disciplinary Counsel during the public interview process. The Fire District shall only request information from the Disciplinary Counsel on those candidates who are to be interviewed by the Fire District Board of Directors.

Any attorney or firm who submits a proposal in response to the Request for Proposal may be required to make an oral presentation of the proposal to the Central Coventry Fire District Board of Directors upon notification of such request. The contents of the proposal submitted by all interested parties responding to this RFP may become part of a written agreement between the Fire District of Central Coventry and said attorney or firm. All submissions shall be considered public documents.

The Fire District Board of Directors reserves the right to reject any or all proposals received in response to this request or to negotiate separately in any manner necessary to serve the best interests of the Fire District. Attorneys or firms whose proposals are not accepted will be notified.

The selected attorney or firm will be prohibited from assigning, conveying, subcontracting, or otherwise transferring this agreement or its rights, title, or interest therein, or its power to execute such agreement to any other person, company, or corporation, without the consent of the Fire District Board of Directors. The attorney or firm must also provide advance notification to the Fire District Manager of times when counsel will be unavailable (vacations, professional conferences, etc.) and the name(s) of legal counsel who will handle Fire District affairs in the absence of the principal.

The selected attorney or firm shall be required to provide a detailed monthly statement, in a manner acceptable to the Fire District Manager, documenting all hours (and portions thereof) employed providing legal services on behalf of the Fire District.

The selected attorney or firm shall agree not to represent any client, or continue to represent any existing client, that may have a legal position, purpose, or interest that is adverse to the legal position, purpose, or interests of the Fire District of Central Coventry.

Application Requirements

Each applicant must respond to the following items in order for the application to be considered complete. (Please note that for purposes of this request, the term "law firm" or "firm" includes sole practitioner, partnerships, and multi-person law firm, etc.)

1. Provide a brief background of the law firm that is applying. (Date of establishment, area of practice, etc.). Also provide the resume of each candidate proposed for appointment.
2. Provide a general overview of how your firm proposes to represent the Fire District of Central Coventry. (What structure and expertise will be used?)
3. Provide background and professional references relative to the firm's expertise in the area (s) for which application is being made (where applicable):
 - Municipal law
 - Criminal Prosecution
 - Labor Law
4. If a lead attorney is to be assigned to Central Coventry as the "Fire District Solicitor," how will this person be selected? Include the individual's background and expertise in the general practice of law as well as the particular areas listed above.
5. It is important that the Fire District Solicitor representing the Fire District not have any other clients that have or would be in conflict with Fire District issues. Specify if there are any actual or potential conflicts of interest with the Fire District. Include a disclosure of clients who have had dealings with the Fire District, including all Board of Directors members. Explain how your firm would handle such conflicts. Also, set out any allowance in contract price if the Fire District has to retain other legal counsel because of a conflict of interest with your firm.
6. Present evidence of the firm's malpractice coverage meeting the requirements herein, including the policy cover page.
7. The attached sheet must be completed and submitted for every attorney of the firm, as a component of any formal response to this RFP. Failure to complete and submit this required sheet, which authorizes Disciplinary Counsel disclosure, shall be considered grounds for rejection of the tendered proposal.
8. Submit a proposed legal fee structure.
9. Please submit ten (3) complete copies of your proposal.

FIRE DISTRICT OF CENTRAL COVENTRY, RHODE ISLAND
AUTHORIZATION FOR RELEASE OF DISCIPLINARY RECORDS

I hereby provide to the Disciplinary Counsel of the Rhode Island Supreme Court my written authorization for the release of any and all records including, but not limited to, complaints, investigation reports, recommendations, and sanction actions pertaining to any complaints filed against the undersigned with the Office of the Disciplinary Counsel.

Name of Candidate: _____

Signature: _____

Bar Registration Number: _____

Date: _____