

WINCHESTER RETIREMENT BOARD

71 Mt. Vernon Street
Winchester, MA 01890

Board Members:

Stacie Ward, Ex-Officio
George F. Morrissey, Chair
Robert A. Frary, Elected Member
James B. Gray, Elected Member
William G. Zink, Appointed Member



Karen Manchuso
Administrator

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PUBLIC NOTICE

WINCHESTER RETIREMENT BOARD

REQUEST FOR PROPOSALS TO PROVIDE LEGAL SERVICES

The Winchester Retirement Board (hereinafter, “the Board”) is seeking an attorney or law firm with experience representing Massachusetts public retirement boards in all matters pertaining to the Massachusetts public employee retirement law, General Laws Chapter 32 and 840 Code of Massachusetts Regulations, as well as ancillary areas of law pertinent to public agencies, including the Massachusetts Public Records Law, the State Ethics Law, and the Massachusetts Open Meeting Law. This request for proposals is subject to and will be conducted in compliance with General Laws Chapter 32, § 23B.

The Board oversees the Winchester Retirement System, a Massachusetts governmental unit which administers the public pensions of over 820 active and retired employees and their beneficiaries. The Board manages approximately \$127 Million in System assets and employs a staff of one, in offices located at 71 Mount Vernon Street, Winchester, Massachusetts.

To be considered for selection, the attorney or law firm should possess knowledge and proficiency with General Laws Chapter 32 and 840 Code of Massachusetts Regulations, and disclosures. Attorneys should have experience with appeals filed with the Contributory Retirement Appeal Board and in all Massachusetts Courts.

In order to obtain a copy of this Request for Proposal, please visit the Retirement Webpage at <https://www.winchester.us>, or you may contact Karen Manchuso at the above contact information.

The proposal deadline is Monday, March 25, 2019, at 4:00 PM EDT; the RFP may be obtained up to the proposed deadline. PROPOSALS OR UNSOLICITED AMENDMENTS WILL NOT BE ACCEPTED AFTER THE CLOSING DATE AND TIME.

COMMONWEALTH OF MASSACHUSETTS

WINCHESTER RETIREMENT BOARD

REQUEST FOR PROPOSALS TO PROVIDE LEGAL SERVICES

Submission Deadline Date: March 25, 2019 at 4 pm

The Winchester Retirement Board (hereinafter, “the Board”) is seeking an attorney or law firm with experience representing Massachusetts public retirement boards in matters pertaining to the Massachusetts public employee retirement law, General Laws Chapter 32 and 840 Code of Massachusetts Regulations, as well as ancillary areas of law pertinent to public agencies and public employees, including the Massachusetts Public Records Law, Ethics Law, and the Massachusetts Open Meeting Law. This request for proposals is subject to and will be conducted in compliance with G.L. c. 32, § 23B.

The Board oversees the Winchester Retirement System (hereinafter, “the System”), a Massachusetts governmental unit which administers the public pensions of over 820 active and retired employees and their beneficiaries. The Board manages approximately \$127 Million in System assets and employs a staff of one in offices located at 71 Mount Vernon Street, Winchester, Massachusetts.

To be considered for selection, the attorney or law entity should possess knowledge and proficiency with General Laws Chapter 32 and 840 CMR, and with laws generally pertaining to public agencies and public employment. Attorneys should have experience with appeals filed with the Contributory Retirement Appeal Board and in all Massachusetts Courts.

Proposals may contain any information deemed responsive and relevant, and should address actual or potential conflicts of interest with the Board, its staff, and the System’s members or member units.

RESPONSES MUST INCLUDE THE FOLLOWING INFORMATION:

- I. A detailed description of the attorney or law firm’s relevant and related legal experience, including a list of Massachusetts retirement board clients, the time period during which legal services were rendered. Clients may be contacted by the Board for references.**
- II. The name, background and qualifications of the attorney(s) who will be primarily responsible for providing legal services to the Board, including details of any disciplinary findings, judgments, criminal convictions, investigations or litigation pending against the attorney or law firm.**

- III. A description of hourly fees charged for such matters as appearances, telephone calls, file review, legal research, copying, etc., including a description of expenses for which the attorney or law firm will expect reimbursement, including, but not limited to, travel related costs, and a description of the attorney or law firm's billing procedures, i.e., monthly, quarterly, etc.
- IV. Certification of professional liability insurance, if any.
- V. Pursuant to G.L. c. 32, § 23B(k)(3), an attorney or law firm submitting a proposal to the Board shall certify as follows:

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean a natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

(Signature of individual submitting bid or proposal)

(Name of business)

Criteria to be evaluated by the Board shall include Experience, Qualifications and Fee Structure. Proposals will be rated by the Board as being Highly Advantageous, Advantageous, Not Advantageous, or Unacceptable, and the Board shall consider in its evaluations: (1) the possession and demonstration of the necessary skills and abilities to perform legal services required by General Laws Chapter 32 and 840 CMR; (2) experience dealing with public pension systems and agencies; (3) an acceptable level of client satisfaction; (4) strength, stability, and longevity; and (5) competitive fee structure.

The Board will designate its choice following review and rating of proposals, and may conduct interviews. Upon selection of an attorney or law firm, the Board will negotiate a contract for legal services which cannot exceed a term of seven (7) years.

The Board reserves the right to reject proposals or parts thereof. Each proposal shall be considered in effect for a period of ninety (90) days following the submission date. The Board also reserves the right to waive any irregularities, inconsistencies, and bidding provisions, or to take whatever other action that deemed to be in the best interests of the System's members and beneficiaries, and to request clarification of information from any entity responding and to effect any agreement deemed by the Board to be in the System's best interest with one or more of the entities responding. The Board reserves the right to amend or cancel this RFP at any time. All responses and their contents will become the sole property of the Board upon receipt.

Time for Submission

An original proposal and six copies must be delivered in the same sealed package or envelope to the Winchester Retirement System, 71 Mount Vernon Street, Winchester, MA, no later than 4:00 p.m., on March 25, 2019. The proposal should be marked "Legal Services RFP". Responses received after said date and time will not be evaluated. The Board will not accept electronic submissions in response to this request for proposal.

Time for Acceptance

On Tuesday, March 26, 2019 proposals will be opened and reviewed by the Board. At the April 30, 2019 regular business meeting the Board will evaluate responses and select a minimum of two attorney's or law entities to appear at the May 21, 2019 regular board meeting for a brief 15 minute interview. The Board shall award a contract for legal services to the most advantageous proposal from a responsible and responsive proposer taking into consideration the evaluated criteria.

If there is only one responder, then the Board may vote to re-open the search or hire the sole responder if the Board feels the applicant fulfils the Board's expectations and they are able to negotiate an acceptable contract.

Technical questions regarding the submission of responses should be directed to Karen Manchuso via email only, at kmanchuso@winchester.us.