

**REQUEST FOR PROPOSALS FOR LEGAL SERVICES
ROCKINGHAM COUNTY**

07-01-2020 to 06-30-2023 Three (3) Year Term

You are hereby invited to submit proposals for Legal Services, as specified in the attachments of this Request for Proposal.

The information necessary to complete the proposal is listed below and in the attachment of this invitation.

Questions on the technical specifications and bidding procedures of the Request for Proposal should be directed to **Brenda Santos at 603-679-9350**.

Proposal Instructions: Four (4) copies of the proposal should be submitted in a **sealed envelope** marked **RFP – LEGAL SERVICES** to:

Rockingham County Commissioners
119 North Road
Brentwood, NH 03833

Proposals must be submitted to the above address **no later than 3:00 p.m. on Monday, April 27, 2020** to be eligible for consideration.

If proposals are being sent via FedEx, UPS, or other mail carrier, please ensure that the mailing envelope/package is clearly marked RFP – LEGAL SERVICES. Envelopes/packages not marked with the name of the proposal may be misidentified as regular mail and will be rejected. Other forms of submission (fax or email) will be rejected. Proposals received after the deadline will be rejected.

An electronic version of your proposal, via CD or flash drive, included inside your sealed bid is welcomed.

Proposal Openings: Proposals will be opened publicly at a regular scheduled meeting of the Board of Rockingham County Commissioners in the Maureen Barrows Conference Room of the Rockingham County Rehabilitation and Nursing Center, 117 North Road, Brentwood, NH, on **Wednesday, April 29, 2020 at 8:30 am**. Proposals will be taken under advisement at that time and will be awarded as soon as a complete review and comparison of the proposals received has been made by the Board of Commissioners.

Proposal Award: The proposal(s) will be formally awarded and announced publicly at a regular scheduled meeting of the Board of Rockingham County Commissioners held in the Maureen Barrows Conference Room located in the Rockingham County Rehabilitation and Nursing Center, 117 North Road, Brentwood, NH. Formal notification of proposal award to all proposers will occur immediately thereafter. Information on the award will also be available on the RFP/Bidding section of the County's website at: www.RockinghamCountyNH.org

RFP Prices: RFP prices are to remain in effect for a period of 60 days from opening date of the proposal and are to remain firm once proposal is awarded to the successful proposer(s).

Performance Clause: In the event that the successful awarded proposer/Rockingham County should default in the observance of the stipulations set forth in this Request for Proposal and any attachments

thereto and such default is not corrected within 30 days of written notice from either party, the successful awarded proposer/ Rockingham County shall have the option of canceling the proposal.

Contractual Obligations: In the event that contracts for the supply of materials, equipment, or services are required under the bid, the Board of Rockingham County Commissioners reserves the right to review said contracts and amend to comply with county legal requirements prior to signing by the appointed representative of the Board of Rockingham County Commissioners. All contracts entered into by Rockingham County are required to contain Non-Appropriation and Indemnification clauses. Sample language is provided below.

Non-Appropriation

Rockingham County is obligated to pay only such contract amounts that can lawfully be made from funds budgeted and appropriated for that purpose during Rockingham County's then current fiscal year, subject to annual approval by the Rockingham County Delegation. Should Rockingham County fail to budget, appropriate, or otherwise make available funds to make payments under this contract, such contract shall be deemed terminated at the end of the then current term. Rockingham County agrees to deliver prompt notification after any decision to non-appropriation is made, but failure to give such notice will not extend the term beyond such Original or Renewal Term.

Indemnification

To the fullest extent permitted by law, (ORGANIZATION) shall protect, indemnify, save, defend and hold harmless Rockingham County, including its officials, agents, volunteers and employees, ("Indemnified Parties"), from and against any and all liabilities, obligations, claims, damages, penalties, causes of action, costs, interest and expenses, including but not limited to reasonable attorney and paralegal fees, which Indemnified Parties may become obligated or suffer by reason of any accident, bodily injury, personal injury, death of person, or loss of or damage to property, arising indirectly or directly under, out of, in connection with, or as a result of this Contract or the activities of (ORGANIZATION) or its agents, employees, contractors or subcontractors, and even if caused in whole or in part by any negligent or intentional act or omission of Indemnified Parties.

In addition, and regardless of respective fault, (ORGANIZATION) shall defend, indemnify and hold harmless the Indemnified Parties for any costs, expenses and liabilities arising out of a claim, charge or determination that (ORGANIZATION) officers, employees, contractors, subcontractors or agents are employees of the Indemnified Parties, including but not limited to claims or charges for benefits, wages, fees, penalties, withholdings, damages or taxes brought in connection with laws governing workers compensation, unemployment compensation, social security, Medicare, state or federal taxation, and/or any other similar obligation associated with an employment relationship.

(ORGANIZATION'S) obligations to defend, indemnify and hold harmless the Indemnified Parties hereunder shall survive the term of this Contract.

Rockingham County shall not be required to defend or indemnify (ORGANIZATION) or its agents, employees, contractors or subcontractors or any professional service provider.

Insurance Requirements

The provider shall maintain at all times during the life of this contract the following insurance coverage. The provider must also require its subcontractors to maintain such coverage. Any request for modification of the coverage requirements must be submitted in writing with the proposal, and will be evaluated accordingly.

Workers Compensation Insurance: The provider shall carry workers compensation insurance as required by the State of New Hampshire.

Comprehensive General Liability Insurance: The provider shall maintain comprehensive general liability insurance policy, which includes coverage for contractual liability, in an amount of no less than \$1,000,000 per occurrence.

Motor Vehicle Insurance: The provider shall carry motor vehicle insurance to include bodily injury, property damage, and uninsured motorist, coverage in an amount of no less than \$1,000,000 combined single limit per accident.

Provider shall provide an insurance certificate confirming the above insurance coverage. The insurance certificate and the underlying insurance coverage shall be issued by a carrier authorized to do business in the State of New Hampshire and having A.M. Best Company rating of "A" or better.

The provider shall have professional insurance/errors and omissions insurance with limits of not less than \$1,000,000 each occurrence.

The provider shall file certificates with Rockingham County showing that the above insurance has been purchased.

A 30-day notice is required for cancellation and /or material change of coverage, sent directly to the Rockingham County Commissioners Office at 119 North Road, Brentwood, N.H. 03833.

NOTE:

The Board of Rockingham County Commissioners reserves the right to accept or reject any and all proposals or parts thereof, to accept the proposal which they deem to be in the best interest of Rockingham County and to waive any bid formality.

Sincerely,

Rockingham County Board of Commissioners

Enclosed: Attachment I

ATTACHMENT I

I. GENERAL

The County of Rockingham, New Hampshire (the "County") is inviting attorneys lawfully engaged in the practice of law in New Hampshire to submit proposals for providing to the County legal counsel and services for civil matters. Interested attorneys should respond to this request on or before the time due for submission.

II. BACKGROUND

A three (3) member Board of Commissioners governs the County. The County has a number of departments, including the Sheriff, House of Corrections, Nursing Home, Engineering and Maintenance, Finance, Human Resources, County Attorney, Register of Deeds, and Treasurer. The County Attorney is responsible for prosecuting criminal matters on behalf of the County.

III. CRITERIA FOR SELECTION

The Selection of a firm to provide legal counsel and services for civil matters will be based on the following criteria:

- A. Qualifications and credentials of the attorney and staff;
- B. Qualifications and credentials of the firm in which the attorney works;
- C. Demonstrated experience in the areas set forth in scope of services of this proposal;
- D. Ability to provide timely and cost-effective legal and non-legal services to the County;
- E. Size and structure of the firm;
- F. Fee structure; and
- G. Potential conflicts of interest.

IV. SCOPE OF SERVICES

Services will include, but not be limited to, the following matters:

- A. Advising the County on Civil Matters: statutory construction and interpretation, drafting and reviewing contracts, real estate transactions, eminent domain, financing, bankruptcy and creditors' rights.
- B. Civil Litigation: practice before all state and federal courts and administrative agencies in New Hampshire.
- C. Regulatory compliance: advising the County on compliance with all applicable state and federal laws.

V. LIMITATIONS

This Request for Proposal ("RFP") does not commit the County to award a contract or to pay any costs incurred in the preparation of a response to this request, or to procure or contract for services.

The County reserves the right to accept or reject any or all RFPs received as a result of this request, or to cancel in part or in its entirety this request, as may be in the best interest of the County.

VI. CONTENT OF SUBMITTAL

In order to facilitate evaluation of the qualifications and experience, the following information must be included in the proposal:

- A. Experience and Past Performance. The proposal should describe the experience of the attorney in handling civil matters.
- B. Qualifications and Key Personnel. The proposal should identify and describe the qualifications of key personnel and team members to be involved in handling matters on behalf of the County.
- C. Fee Structure. The proposal should set forth the hourly rate of each attorney or non-attorney member of the firm who will be performing work for the County. Hourly rate for consultation services as outlined, guaranteed through **June 30, 2023**.
- D. Capacity, Organization and Management Approach. The proposal should demonstrate the Attorney's capacity to successfully apply and commit itself to handling matters on behalf of the County and to providing advice and completing required services in a timely manner.
- E. Other descriptive or explanatory information. The proposal should set forth any additional information about the attorney and the firm, which would be helpful in evaluating their qualifications and credentials.



Rockingham County Commissioners Office

*Please complete the requested information below and **return with your bid** – this must be legible to be eligible for consideration.*

RFP Product/Equipment or Service you are submitting proposal for:

LEGAL SERVICES ROCKINGHAM COUNTY 07/01/2020 to 06/30/2023
(Three (3) year term)

Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Bidding Representative Name: _____

Email Address: _____

Phone #: _____ Fax #: _____

Tax ID #: _____

Follow-up information will be available via our website:

www.rockinghamcountynh.org

RFP/Bidding 2020 Results

119 North Road, Brentwood, New Hampshire 03833
Brenda Santos, Senior Executive Assistant-Commissioners Office
Phone 603-679-9350 Fax 603-679-9354 email address bsantos2