

Austin Police Retirement System

Request for Proposal for Legal Services

Issued August 18, 2016

Legal Services

A. Overview

The Board of Trustees of the Austin Police Retirement System is seeking proposals for legal services from qualified firms to perform administrative and investment legal services for a dynamic and fully diverse public retirement system.

B. Plan Profile

The Austin Police Retirement System (APRS) is a defined benefit plan, established under Texas Government Code 6243n-1 in the City of Austin serving over 1700 active officers and over 700 retirees and beneficiaries. The Plan is governed by a board of eleven trustees (“the Board”): five active elected police members; two elected retired police members; three City of Austin representatives (one City Council Member, one city manager representative, one finance director representative); and one citizen of Austin appointed by the Board. Additional information may be obtained on the System’s web site: www.ausprs.org.

Scope of Regular Work

C. Regular Scope of Work (Retainer Fee and/or Alternative Proposal) by a Qualified Legal Representative

The APRS Board seeks proposals from attorneys/law firms interested in serving as general legal counsel. The scope of services to be provided or coordinated by the firm will include, but not necessarily be limited to, the following:

1. Attend APRS Board and Committee meetings and serve as legal advisor during regular and special board meetings and committee meeting.
2. Provide legal opinions and/or advice upon request by the APRS Board and/or APRS Staff regarding general administrative and policy matters regarding benefit distributions, beneficiary issues, domestic relations orders & disability applications.
3. Analyze, counsel and advise the APRS Board and staff on applicable and relevant provisions of the Texas Constitution, Texas statutes, and relevant court rulings and of any significant changes and developments in same; and make recommendations to the APRS Board and staff regarding such matters.

4. Review, draft and negotiate investment agreements directed by the APRS Board and implement the same within APRS' Board rules and regulations, legislation, regulations and other documents upon the request of the APRS Board or staff.
5. Provide legal opinions and/or advice to members of the APRS Board and staff regarding matters involving the City or Member Associations, Open meetings compliance, Open records compliance and public record requests.
6. Provide legal opinions and/or advice to members of the APRS Board and staff regarding their fiduciary duties and obligations, and actions, procedures and steps to comply, as well as advise with regard to ethics matters for Board and staff.
7. Provide standard review and draft changes and revisions of existing policies and procedures as directed by the APRS Board and staff.
8. Provide review and analysis of legal matters as requested by the APRS Board and staff.
9. Provide a cost analysis of hourly rates for any requested services not covered by the regular retainer.

Special Studies Work

D. Special Studies Work by a Qualified Legal Representative

1. Provide a cost analysis of hourly rates for the following:
 - a. development of legislative package and related work
 - b. development of new and significant policies and procedures
 - c. IRS determination letter application and related IRS matters
 - d. litigation and pre-litigation matters
 - e. special irregular projects recognized and identified by APRS

E. Minimum Qualifications

The following are the minimum qualifications for attorney/law firm to be considered as a potential provider of services to the Austin Police Retirement System (APRS):

1. The attorney/law firm providing legal services to APRS should include a professional(s) licensed in the State of Texas.
2. The individual attorney with whom the APRS Board contracts (i.e., the primary attorney) is absolutely responsible for all APRS Board matters and must ensure that all APRS Board work is performed competently and in a timely matter. The primary attorney must thoroughly supervise all APRS Board work performed by other attorneys and staff within the respective firm, partnership or other professional association.

3. The attorney/law firm must certify that there are no ethical or legal conflicts which would disqualify them from representing the ARPS Board.
4. The attorney/law firm must possess relevant experience in providing legal services for other retirement systems, preferable other public employee retirement systems in Texas.

F. Required Information

In addition to the minimum qualifications, the attorney/law firm must give evidence of the following;

1. Accessibility and responsiveness to client requests for legal services.
2. Commitment and ability to return telephone calls or emails within 24 hours and, in most cases, commitment to return calls or emails on the same business day that the request was made.
3. Demonstrated experience and skill working with a public agency or retirement system.
4. Demonstrated communication and social skills as are necessary to work as part of a team with the ARPS Board and staff.
5. Demonstrated high level of professional skills and demeanor and thoroughness of work preparation.

G. Submission Requirements

To achieve a uniform review process and obtain the maximum degree of comparability, it is required that the proposals be organized in the following manner:

1. Title Page

Please indicate the RFP subject, the name of your organization, address, telephone number, email address, and name of contact person and date.

2. Letter of Transmittal

Limit to two pages

- a. Briefly state your organizations' expertise and understanding of the nature of work.
- b. Give names of the persons who will be authorized to make presentations for your organization, their titles, address and telephone.
- c. Briefly describe your billing policies and procedures.
- d. Describe the most recent grievances, if any, filed against your firm.

- e. Provide a list of public pension funds for which similar legal services are currently provided.
- f. Provide a description of applicable insurance coverage carried by your firm.
- g. Provide a sample legal services agreement.
- h. Provide a list of at least three references including names, titles, addresses and telephone numbers.
- i. Provide a quote for a retainer fee as described in Section C. above, and the services provided therein. The proposal should also include charges for services not included in the retainer fee.
- j. List any sanctions or reprimands your organization has received as a result of its legal practice, advice, or filings.

4. Submission

Responses should be limited to 25 pages and may be submitted electronically to Pattie Featherston, APRS Executive Director, at pfeatherston@ausprs.org.

Responses are due by close of business on Monday, September 19, 2016.

5. Selection Process

Submitted responses will be reviewed by the Staff and Trustees of the Austin Police Retirement System.

Firms will be selected and may be invited to attend a formal interview. Interviews may be conducted at the System Office, 2520 South IH 35, Suite 100, Austin, TX 78704. Candidates will be notified as soon as possible of the definitive interview date.

Subject to the successful completion of contract negotiations, the successful candidate selected by the Board of Trustees will be contracted approximately 30 days following selection.