

TOWN OF WILTON  
Request for Proposal  
Legal Services

The Town of Wilton is seeking proposals from qualified applicants to serve as Town Attorney on a contractual basis under appointment by the Board of Selectmen. The Town Attorney will provide legal advice to municipal officials, town employees, board and commissions, and will represent them in court as may be required. The attorney will also prepare and review contracts, deeds, leases, ordinances, etc., and reserve and provide opinions for the Town on a variety of subjects. The attorney may be asked to attend Board of Selectmen or other meetings and hearings and will be expected to provide legal assistance in a prompt and efficient manner.

The successful candidate will be licensed to practice law in the State of Maine and will demonstrate substantial training and experience in all areas of municipal law including land use, labor and personnel relations, finance, civil and criminal litigation, real estate, risk management and environment.

Interested parties may request a Request for Proposals (RFP) from the Town Manager's office located at the Town Office, 158 Weld Rd, Wilton ME 04294. Proposals are due by May 12, 2025.

Sincerely,

Maria Greeley  
Town Manager

## REQUEST FOR PROPOSAL

### Legal Services for the Town of Wilton

The Town of Wilton, Maine, hereby solicits proposals from individual attorneys and/or law firms to represent the Town as its Town Attorney. The Attorney and/or firm selected by the Town would serve as legal counsel to the Board of Selectmen, the Town Manager, all town departments and various town boards, committees, agencies, and commissions when approved by the Town Manager for a contract term beginning as soon as possible. Term of contract shall be negotiable.

The Town of Wilton's selection will be based on its evaluation of the written proposal, the attorney and/or firm's qualifications and experience, client references, the areas of legal services with which the attorney and/or firm are willing to provide, an oral presentation (if requested) and the overall fee structure. The Town may consider engaging more than one firm for services should responses demonstrate strength in one or more areas outlined in this request.

Proposals must be received by the Town Manager, Wilton Town Office, by 2:00 PM, on or before May 12, 2025. Proposals must be sealed and clearly marked, "Legal Services for the Town of Wilton". Respondents must submit an original proposal and six (6) copies.

The Town reserves the right to accept or reject any or all proposals for any reason, to negotiate with any attorney, law firms, or business and to select one or more of the attorneys and/or law firms deemed to have submitted a proposal which in the judgment of the Wilton Board of Selectmen is in the best interest of the inhabitants of the Town of Wilton. The Town of Wilton specifically reserves the right to accept more than one proposal and may select more than one attorney and/or law firm to serve as a legal counsel to the Town of Wilton.

#### Introduction

The Town of Wilton has a Town Meeting / Selectmen / Town Manager form of government. The population of the Town is approximately 2,859. The annual budget is approximately \$5,600,000 (including general government operations). Legal services are approximately \$20,000 annually. The Town has a moderately well-developed Personnel Policy.

#### General Requirement of the Proposal

1. The Attorney and/or law firm submitting a proposal must be in good standing and licensed to practice law before all courts and administrative agencies of the State of Maine and before the United States District Court for the District of Maine.
2. The proposal must identify the principal attorneys within the firm who would be providing legal services to the Town and identify those areas of legal work described in appendix A, attached hereto, which each such attorney would be providing. Resumes shall be submitted for each such attorney who would be providing services to the Town. The attorney and/or law firm making a proposal must describe the attorney and/or law firm's expertise in providing the services described in Appendix A and must list clients and references with addresses and phone

numbers who may be contacted by the Town of Wilton in connection with the proposal.

3. Attached to this request for Proposal is Appendix A, which describes various areas of legal work, which should be provided to the Town of Wilton. Each applicant must place an "X" on the line next to each of those areas of legal work in which the applicant is willing and able to provide legal counsel to the Town of Wilton. After Appendix A has been so completed, it must be returned with the Proposal of the applicant. Unless the applicant indicates that the Proposal may only be accepted if the applicant is selected to represent the Town in every area designated by the applicant, the Town reserves the right, at its discretion, to appoint the applicant to represent the Town in one or more or all of the areas designated by the applicant. In addition, even if an applicant is selected to represent the Town with regard to one or more or all of the areas of legal work designated by the applicant, the Town reserves the right, at their discretion, to appoint another attorney and/or law firm to represent the Town with regard to such designated area of legal work from time to time if the Board of Selectmen deems such action to be in the best interest of the Town.
4. Any attorney or firm who submits a proposal in response to this Request may be required to make an oral presentation of the proposal upon notification of such request by the Town Manager of Wilton.
5. The attorney or firm that is selected by the Town of Wilton may be required to sign a contract and additional terms and provisions may be included in the contract. The contents of the proposal submitted by the applicant and this Request for Proposal, will be part of any such contract awarded.
6. Any attorney or firm selected by the Town of Wilton will be prohibited from assigning, transferring, conveying, or otherwise disposing of its contract for legal service with the Town or their rights, title or interest therein of its power to execute such agreement to any other person, company, partnership or corporation without the previous consent and approval in writing of the Town Manager of Wilton.
7. Each applicant must an address of the offices of the attorneys who would provide services to the Town of Wilton and their proximity in miles and driving time to the Wilton Town Office. The applicant must indicate their availability to provide services in the evening hours between approximately 6:00 p.m. and 10:00 p.m.
8. The attorney and/or legal firm selected as a result of this Proposal shall indemnify the Town of Wilton from all suits, actions, or claims of any kind brought on account of any injuries or damages sustained by any person resulting from any act or omission by the attorney or the firm or its employees which constitutes negligence or malpractice. The applicant shall be required to carry professional liability insurance, and the application must specify the carrier and the coverage limits. Any coverage limits less than \$1,000,000 must be fully explained. The successful applicant or applicants shall provide and maintain a certificate of current insurance coverage to the Town.
9. Each applicant submitting a proposal to the Town of Wilton shall state that the proposal is made without any connection with any other applicant making any proposal for the same service.

10. Each applicant must state the compensation that will be required for the services of the applicant. The Town of Wilton will entertain proposals for payment on an hourly basis, on a lump sum retainer basis, or any combination thereof. Itemized bills including the date, time and description of service and department requesting service will be required to be submitted before each payment will be made by the Town of Wilton. Such bills shall be submitted on a basis no more frequently than monthly.

Billing for services shall be explained in detail including all support services such as: paralegal, clerical, supplies, mileage, research through West Law or other equivalent services, and other expenses. Applicants shall identify whether they have a toll-free telephone number.

Applicants shall also list any services that will be provided free of charge such as attendance at annual or special town meetings and/or educational forums on various topics.
11. The agreement between the Town of Wilton and any applicant who is selected shall provide that either party may terminate the contract, with or without cause, upon fourteen (14) days advance written notice to the other party, provided that the Town of Wilton may terminate the contract and provided that any work or services which are in progress but are not completed as of the date of termination shall be continued by such attorney until such work is completed, if the Town so wishes.
12. The Town of Wilton will not be responsible for any expenses incurred by an applicant in preparing and submitting a proposal.
13. Each applicant must agree to keep a complete record of all actions, suits, proceedings and other matters handled by the attorney for the Town, including written opinions on legal matters, and to deliver such records, documents and property of every description in his/her possession, belonging to his/her office or to the Town, to his/her successor, who shall give him/her duplicate receipts therefore, one of which he/she shall file with the office of the Wilton Town Clerks office.
14. The Town prefers to conduct business using e-mail and other electronic media, when reasonable within the confines of confidentiality and other business constraints. To that end, it is frequently important for the Town to be able to receive digital copies of ordinances, policies, contracts and other documentation that are readable by the Town's official software (Microsoft Office products). Should the applicant not generate original documentation using this software, the applicant shall explain how the transmittance of documents will not lose their formatting (e.g. — bold, italic, ~~striketrough~~, underline fonts).
15. The Town expects each applicant to demonstrate how it will manage casework for the Town of Wilton. Each applicant shall identify their response time to questions and assistance (e.g. verbal response within 1-hour, written response within 24 hours).
16. The Town is interested in developing and implementing practices that promote litigation prevention through proactive and educational methods. Each applicant shall identify' their thoughts and proposed approach toward providing proactive legal services, which will minimize claims and expensive litigation.

## APPENDIX A

The areas of legal work to be provided by the Wilton Town Attorney shall include the following items. While this list is representative of the areas of work required, it is not exhaustive, and the applicant acknowledges and agrees to perform work in other areas as may be requested by Town Officials. Please place an "X" next to each item, which the applicant agrees to perform and write the name of the principal attorney who will be responsible for providing such service next to each such item.

1. Police and law enforcement practices.
2. Fire and fire prevention practices.
3. Road, bridge, sidewalk construction and maintenance practices.
4. Animal Control and Enforcement.
5. Compliance with enforcement of State and Federal environmental laws.
6. Eminent domain proceedings.
7. Deeds, easements, and contracts pertaining to real estate and title opinions
8. Labor and personnel matters including hiring, disciplinary proceedings, termination, personnel policies and employment contracts.
9. Tax assessment and lien practices.
10. Collection of unpaid taxes, fines, loans or other monies owed to the Town.
11. Maintenance and regulation of recreation areas including parks.
12. Municipal bond counsel.
13. Drafting of municipal ordinances and related amendments.
14. Preparation of contracts and agreements to which the Town is a party.
15. Advice regarding insurance coverage and insurance claims.
16. Attendance at Board of Selectmen meetings, Planning Board meetings, Appeals Board meetings, and other related committee meetings when so requested for the purpose of giving legal advice when requested by its members. It is acknowledged that such meetings occur predominantly in the evening hours.
17. Prepare, when authorized by the Board of Selectmen, all charged and complaints against, and appear in the appropriate court in the prosecution of, every person charged with a violation of a Town ordinance or law enforced by the Town.
18. Defend municipal officials, including the Board of Selectmen, the Planning Board, the Appeals Board, the Town Manager, Town employees or any other municipal board or committee in the prosecution of a violation of any law or regulation or in any claim.
19. Represent the Town of Wilton and any of its municipal officials in any other general litigation.
20. Provide general legal advice, oral or written, to the Town Manager and the Board of Selectmen or its committees or any Town Official, when requested and approved by the Town Manager, upon legal questions arising in the conduct of Town business.
21. Provide legal advice regarding renewal of or interpretation of cable television contract
22. Solid waste collection and disposal.
23. Education law.
24. Discrimination claims.
25. Other areas of expertise not covered in items 1-24.

## APPENDIX B

### Proposal Form

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In order to facilitate comparison of competing proposals, the Town respectfully requests applicants to complete the following form. Please feel free to attach additional sheets where the information requested is more extensive than the space provided.

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#### Contact Information

Name of firm:

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Mailing address:

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Physical address:

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Telephone:

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Fax:

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E-mail address:

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Web site address:

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Name of lawyer proposed as Town Attorney:

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Estimated percentage of time he/she spends on municipal legal affairs:  
\_\_\_\_\_ %

#### Electronic Business

Can your firm provide ordinances and documents in Microsoft Office application formats? \_\_\_\_\_  
If not, explain compatibility:

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Can your firm transmit documents over the Internet using e-mail?

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Does your firm use e-mail in the regular conduct of your business?

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Professional Liability Insurance

Insurance Carrier:

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Limits:

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