

# Dedham-Westwood Water District

## Request for Qualifications

### District Counsel & Legal Services

#### I. Objective

The Dedham-Westwood Water District invites a legal firm or individual attorneys to submit qualifications and costs for services to provide general counsel legal services for the District. The successful candidate must meet or exceed the qualifications stated herein, be readily accessible to authorized staff, exceptionally experienced in all areas of municipal law, scrupulous in adhering to required standards of professional conduct and ethics and committed to rendering sound legal advice with suitable objectivity and professional detachment. Please visit the District's website at [www.dwwd.org](http://www.dwwd.org) for information on the District organization, operations, and by-laws.

#### II. District Overview

The Dedham-Westwood Water District, serves as the public water supplier for the towns of Dedham and Westwood. The District was created by the Massachusetts Legislature through Chapter 193 of the Acts of 1985. Prior to then, the water system was privately owned and operated as the Dedham Water Company since 1876. The District is responsible for the treatment and purveyance of water through an infrastructure network consisting of two (2) treatment facilities, over 200 miles of water main, four (4) water storage tanks, six (6) booster pumping stations, over 13,000 service connections and other appurtenances.

The District operates under a Board of Water Commissioners consisting of six (6) total members, three (3) of which are appointed by the Dedham Select Board and three (3) of which appointed by the Westwood Select Board. The commissioners are appointed for three (3) year staggering terms and typically meet monthly. The Board is responsible for making policy decisions as well as appointing the District Treasurer, Assistant Treasurer and Clerk on an annual basis. The Board is also responsible for hiring the Executive Director of the District, who is the Chief Executive Officer, and is responsible for carrying out the policies and direction of the Board and for managing the day-to-day operations of the District.

#### III. Minimum Qualifications

##### A. Bar Admissions

The successful candidate and all those who serve as back-up (see below) must be a member in good standing of the Massachusetts Bar and of the Federal Bar for the District of Massachusetts.

## **B. Experience**

The successful candidate must represent or have represented as general counsel for a water district or Massachusetts municipality for not less than five (5) years or possess equivalent experience. References for all municipalities currently represented or represented in the past ten (10) years by the successful candidate must be furnished.

The successful candidate also must have substantial experience in all areas of municipal law, including but not limited to: General Municipal Law, established under Massachusetts General Law and by case law; municipal finance; District by-laws and regulations; open meeting, public records, executive session, and conflicts of interest law and regulations; licensing; District Board Meeting needs including drafting and/or reviewing motions, advice and opinions on issues set to come before the Board, and assisting District staff with real estate issues including acquisitions, easements, and leases. Municipal procurement issues including bidding, contract provisions, and awarding of contracts for the construction of infrastructure, the purchase or lease-purchase of equipment and services; zoning and land use issues, special permits, and related District by-laws and regulations, and environmental issues. Representation of the District in all courts and administrative agencies and other litigation and liability claims against District (including effective collaboration with other counsel representing the District either special counsel or insurance defense counsel).

At this time, Labor Counsel services are not being sought, but successful candidates may note relevant experience.

## **C. Accessibility**

The successful candidate must commit to returning all calls and electronic correspondence from the Executive Director or authorized Staff either themselves or through a qualified back up within 24 hours of the call or electronic communication. The successful candidate must also commit, as a general rule, to responding to requests for written opinions within one week unless the circumstances of the opinion warrant a shorter or longer time frame for a response. Electronic communications such as PDF documents are preferred when appropriate. District Counsel shall specifically identify the lead-time required for attending scheduled or ad-hoc meetings; identify how quickly District Counsel can arrive in person to attend an unscheduled, urgent meeting; and identify the same for any assisting attorney(s).

#### **D. Meetings**

The District does not have expectations of the District Counsel's attendance at any specific meetings or at any regular intervals. However, the successful candidate shall be available upon request of the Board and/or District staff to be present at meetings both during and outside of regular business hours.

#### **E. Back-Up**

The successful candidate must have, within their firm or through an established relationship, at least one (1) other qualified attorney available to render advice and otherwise represent the interests of the Dedham-Westwood Water District when the successful candidate is unavailable. In this context, "qualified attorney" shall mean another lawyer who substantially meets the minimum qualifications set forth herein for the successful candidate.

#### **F. Billing**

The successful candidate must commit to providing statements for services rendered on a monthly basis. Each statement, if based on an hourly rate for services, must disclose, at a minimum, the date of the service, the identity of the lawyer or staff person performing the service, the subject matter reference for the service, a description of the service performed, the time it took to perform that function, and the hourly rate for the individual performing the function. Expense items must also be itemized.

#### **G. Deliverables**

The successful candidate shall maintain a log of all cases and make an annual written report to the Executive Director containing a statement of each case which has been settled, tried, or otherwise disposed of during the year, as well as those cases still pending.

### **IV. Fees and Expenses**

The District's budget for legal expenses for FY 2026 is \$50,000. The budget includes fees and expenses for District Counsel and special and labor counsel as necessary. Currently, the District operates under an hourly basis for District general counsel services. In the past 3 years, the District has not spent more than \$6,000 on general counsel services.

Towards this end, the Executive Director would be pleased to consider alternatives to the traditional hourly rate fee arrangement with counsel. As but one example,

responding attorneys may propose a fixed retainer for a specified scope of services, with an hourly rate for work outside the established scope of services.

Whether or not an alternative fee arrangement is proposed by the responding attorney, the attached fees and expenses response sheet must be completely filled out. Each individual / firm submitting a response is requested to detail its fee proposal for the three (3) year period.

#### V. Start Date & Term of Contract

The term of the contract will be for a one-year period, with the expectation of subsequent awards for two one-year periods. It is anticipated that the new counsel will be selected on or before April 15, 2026, with an initial term of one (1) year beginning April 15, 2026, and ending April 14, 2027. All renewal options shall be determined sixty (60) days prior to the expiration of the initial contract. The Executive Director will evaluate the legal firm/individual attorney on an annual basis.

#### VI. Insurance Requirements

The selected District Counsel and any backup counsel it uses shall purchase, furnish copies of, and maintain in full force and effect minimum insurance policies in the amounts here indicated:

##### General Liability

Bodily Injury Liability:	\$1,000,000 per occurrence
Property Damage Liability	\$ 500,000 per occurrence
(or combined single limit)	\$3,000,000 per occurrence

##### Automobile Liability

Bodily Injury Liability:	\$1,000,000 per occurrence
Property Damage Liability	\$ 500,000 per occurrence
(or combined single limit)	\$1,000,000 per occurrence

##### Workers' Compensation Insurance

Coverage for all employees in accordance with Massachusetts General Laws

##### Lawyers Professional Liability

Minimum Coverage	\$1,000,000 per occurrence
	\$3,000,000 aggregate

Prior to commencement of any work, District Counsel shall provide the District with Certificates of Insurance which include the District as an additional named insured, and which include a thirty (30) day notice of cancellation to the District.

Insurance under which the District shall be named as in "Insured" or as "Additional Interest" shall be carried with an insurance company licensed to write such insurance in the Commonwealth of Massachusetts.

The District reserves the right to modify these insurance requirements.

## VII. Format, Organization, & Documentation Requirements

All qualification packages submitted in response to this RFQ must contain the below documents (with additional pages as needed) and be fully signed and organized as follows:

- Transmittal Letter
- Form A – Request for Qualifications Form
- Form B – List of District/Municipal References
- Form C – Municipal Law Experience
- Form D – Statement of Litigation Experience
- Form E – Fees & Expenses
- Certificates of Insurance
- Licenses & Certificates (if applicable)

The District requests **five (5) copies** of the above documents as well as any additional supporting materials provided in response to this RFQ.

## VIII. Application & Submission Directions

Qualified attorneys interested in responding to this RFQ should fill out the attached forms completely, attach copies of all documents requested therein, and return the same in an envelope labeled "District Counsel & Legal Services RFQ" to:

Dedham-Westwood Water District  
ATTN: Blake Lukis  
50 Elm Street  
Dedham, MA 02026

Please provide **five (5) copies** of the RFQ response and all associated documentation on 8½" x 11" paper. All responses to this RFQ must be received at the District Office located at the above address **no later than 2:00 PM on Thursday, March 26, 2026.**

## IX. Questions

Direct all questions and inquiries to Blake Lukis, Executive Director, in writing to [Blukis@dwwd.org](mailto:Blukis@dwwd.org) by **Thursday, March 19, 2026, at 2:00 PM**. Responses to inquiries that affect all submitters will be issued as addenda.

## X. Addenda

Written addenda issued by the Dedham-Westwood Water District will be posted on the District's website (<https://www.dwwd.org/bid-announcements-2/>) by **Monday, March 23, 2026**. It shall be the responsibility of all interested parties to review said website for this information.

Interpretation, correction, or change in this RFQ will be made by addendum which will become part of the contract. The Dedham-Westwood Water District will not be held accountable for any oral communication.

## **XI. Selection Process & Reserved Rights**

In seeking District Counsel, the District is not bound by M.G.L. c.30B or by any other constraints apart from the sound judgment of its members. This process is being used to communicate the desired qualifications of District Counsel and to solicit information in an orderly fashion for rough comparative purposes. Ultimately, though, the District will select the candidate that they deem to be in the best interests of the District, in its sole discretion. Consequently, the Board, Executive Director, and the Dedham-Westwood Water District reserve the right to cancel this RFQ at any time, with or without notice, waive any irregularities in the RFQ process, waive or adjust requirements, and to accept or reject any or all packages as in the District's best interests.

**Form A – Request for Qualifications Response**  
**Form**

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Website: \_\_\_\_\_

**Please respond to each of the below questions. Attach additional pages as necessary.**

1. Please identify by name (address and phone number if different than above) the proposed District Counsel and each proposed back-up counsel. The District wants to know the specific individual attorney who will serve as Lead Counsel.
2. Please attach resumes for each attorney identified above.
3. With respect to each attorney identified, please list each Massachusetts municipality represented by the attorney within the past ten (10) years, the years of such representation, and the name, address, email, and phone number of at least one contact person in each municipality with knowledge of the attorney's representation.
4. Please describe each identified attorney's experience in the areas of municipal procurement issues including bidding, contract provisions, and awarding of.
5. Please describe your experience with real estate issues including acquisitions, easements and leases.
6. Please describe how you propose to satisfy the Accessibility requirements of the RFQ.
7. Please describe how you propose to satisfy the Back-up requirements of the RFQ.
8. Will you meet or exceed the Billing requirements of the RFQ?
9. State whether you have represented a client in the preceding three (3) years who has or had a matter pending before any officer, agency board or committee of the District.
10. Confirm that you will not, during the time of your representation of the District, represent any client in any matter in which the interests of the client are adverse to those of the District, or in any matter seeking action by any officer, agency, board or committee of the District, in accordance with MGL c. 44A, c. 268A s17.

11. Provide a general description of the firm, its history, significant changes in its makeup over the last three years (3) and its range of business.
12. Provide a list of Municipalities represented over the last 10 years (see attached sheet).
13. For the above Municipal Clients, have you or the firm:
  - A. Exceeded the municipal legal budget appropriation (general fund) in the last three (3) fiscal years (FY2023, FY2024, FY2025) and if so, by what percent?
  - B. If you have a retainer arrangement with the above clients, please note the retainer amount vs. total amount billed for the last three (3) fiscal years.
14. Provide details of any criminal investigation, regulatory or disciplinary proceedings or material litigation against your firm or members of your firm, which is either pending or has been completed in the preceding three (3) years.
15. Provide details as to the nature and amounts of your firm's professional insurance and of any claims asserted or made against such coverage in the preceding three (3) years.
16. Please describe how you / your firm will manage the transition process between the District's existing counsel and you / your firm.

*Please sign on the following page.*

By my signature, I certify that the information contained in this Request for Qualifications submission are complete and accurate, to the best of my knowledge and belief. All information submitted in response shall be valid ninety (90) days.

I hereby certify that the Submitter meets or exceeds the competency criteria set out in this RFQ. I further attest to the following assertions: (1) The Submitter is in the profession of providing District counsel and legal services to district and/or municipalities; (2) the Submitter has been in business for a minimum of five (5) years; (3) provisions of the items specified in this RFQ is consistent with the Submitter's normal lines of business; and, (4) the Submitter is incorporated, and if required licensed, to do business in Massachusetts.

Non-Collusion Statement: 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 any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Taxes Paid Certification: Pursuant to M.G.L. c. 62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am / my company is in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and vendor, and withholding and remitting child support.

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_



### **Form C – Municipal Law Experience**

*Rate your experience within the last five years in the following areas of municipal law using the scale listed below and the "Rating" column.*

1. No Experience
2. Limited Experience
3. Moderate Experience
4. Advance Experience
5. Extensive Experience

<b>Item</b>	<b>Type of Municipal Experience</b>	<b>Rating</b>
1	General Municipal Law, established under Massachusetts General Law and by case law	
2	Municipal finance	
3	District by-laws and regulations	
4	Open Meeting, public record, executive session, conflicts of interest law and regulations	
5	Board Meeting needs including drafting and reviewing motions, advice and opinions on issues set to come before the Board	
6	Real estate issues including acquisitions, easements, and leases	
7	Municipal procurement issues including bidding, contract provisions, and awarding of contracts for the construction of infrastructure, the purchase or lease-purchase of equipment and services	
8	Zoning and land use issues and special permits, Wetlands Protection Act and related District by-laws and regulations, and environmental issues	
9	Representation of the District in all courts and administrative agencies and other litigation, and liability claims against District (including effective collaboration with other counsel representing the District either special counsel or insurance defense counsel)	

**Form D – Statement of Litigation Experience**

*Rate your experience within the last five years in the following areas of municipal law using the scale listed below and the "Rating" column.*

1. No Experience
2. Limited Experience
3. Moderate Experience
4. Advance Experience
5. Extensive Experience

Item	Type of Litigation Experience	Rating
1	Trials before State Courts (District, Superior, Land Courts)	
2	Trials before Federal District Courts	
3	Appeals before Massachusetts Appeals Court	
4	Appeals before Massachusetts Supreme Judicial Court	
5	Administrative Proceedings before Massachusetts state agencies and commissions	
6	Arbitration Proceedings	
7	Mediation Proceedings	
8	Administrative Proceedings before Massachusetts Department of Environmental Protection	

### **Form E – Fees and Expenses**

*This form shall be attached to and made a part of the overall Request for Qualifications.*

*Please note the District is seeking details related to a three (3) year period.*

*Attach additional pages as required.*

1. Please list the name and hourly rate for proposed District Counsel and for each attorney intended or likely to serve as back-up.
2. If you propose to bill for services provided by paralegals, clerical staff, or other non-attorney personnel, please list by title and by hourly rate each position for whom you may bill.
3. Please provide a complete listing of all charges for expenses you intend to impose as incurred (i.e., any and all copy charges, telephone charges, fax charges, mileage charges and the like, but excluding any fees for stenographers, court fees, service fees and the like).
4. In what hourly increments do you intend to bill?
5. Do you bill out attorney time out of the office on a portal-to-portal basis or some other basis? Please describe.
6. Do you intend to propose an alternative fee arrangement? Yes\_\_\_No\_\_\_ If "yes", please attach additional sheet(s) fully describing and explaining your proposal.
7. For each city and District, describe cost containment procedures you have implemented to keep the legal budget reasonable and cost effective.