



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

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TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 19, 2018

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase orders and enter into agreements for Contract 18-RFP-06 Legal Services for Workers' Compensation Defense for the period June 1, 2018 through May 31, 2020 with the option to extend for an additional one-year period, with Dennis Noble and Associates, P.C. in an amount not to exceed \$225,000.00, and Nyhan, Bambrick, Kinzie & Lowry P.C. in an amount not to exceed \$150,000.00, Account 101-25000-612430, Requisition 1481599

Dear Sir:

Authorization is requested to issue purchase orders and enter into agreements with Dennis Noble and Associates, P.C. and Nyhan, Bambrick, Kinzie & Lowry P.C. to provide legal services for Workers' Compensation Defense on an as-needed basis for the period June 1, 2018 through May 31, 2020 with the option to extend for an additional one-year period. Services to be provided by legal counsel for Worker' Compensation claims include advice and counsel on disputed claims and litigated claims, processing of pro se settlements, and representation before arbitrators at the Illinois Workers' Compensation Commission and on appeals.

On January 31, 2018, Request for Proposal 18-RFP-06 Legal Services for Workers' Compensation Defense was advertised. One hundred and four (104) firms were notified and twenty-one (21) firms requested proposal documents. The District received a total of nine (9) responsive proposals on February 16, 2018 from the following vendors: Law Office of Angela Nardi-Quigley, Ltd.; Dennis Noble and Associates, P.C.; Heyl, Royster, Voelker & Allen, P.C.; Inman & Fitzgibbons, LTD.; Nyhan, Bambrick, Kinzie & Lowry P.C.; Odelson and Sterk, Ltd.; Power & Cronin, Ltd.; Ripes, Nelson, Baggot & Kalobratsos, P.C.; Rusin & Maciorowski, Ltd.

The proposals were evaluated by staff from the Human Resources and Procurement and Materials Management Departments. The criteria for these evaluations were outlined in Request for Proposal 18-RFP-06 and included: understanding of the project; approach to the work; technical competence; personnel effectiveness; and specialized expertise. Following the preliminary evaluation of proposals, excluding cost, all nine proposers were deemed to be finalists. Finalist interviews were conducted on March 13, 2018 and March 14, 2018. A solicitation was sent to the finalists on March 27, 2018 for an unqualified "best and final" offer. The "best and final" offers were returned to the Director of Procurement and Materials Management on April 3, 2018.

Based on the evaluation of the proposals using the criteria described above and the pricing provided in the "best and final" offer, it is recommended that contracts be awarded to two firms: Dennis Noble and Associates, P.C. and Nyhan, Bambrick, Kinzie & Lowry P.C. Both firms have attorneys on staff with extensive defense litigation experience before the Illinois Workers' Compensation Commission in Chicago and the firms demonstrated a clear understanding of the services being requested in 18-RFP-06.

The law firms will be paid based on time and expenses. Hourly rates are: Nyhan, Bambrick, Kinzie & Lowry

P.C.: Partner \$155.00, Associate \$145.00, and Paralegal/Clerk \$85.00. Dennis Noble and Associates, P.C.: Partner \$150.00, Attorney \$135.00, and Paralegal/Clerk \$70.00.

Dennis Noble of Dennis Noble and Associates, P.C. has extensive experience and success in defending the District at the Commission level as well as at the Appellate level. Nyhan, Bambrick, Kinzie & Lowry P.C. demonstrated that they have extensive experience and success representing public entities both at the Commission as well as the Appellate level.

Inasmuch as the firms Dennis Noble and Associates, P.C. and Nyhan, Bambrick, Kinzie & Lowry P.C. possess a high degree of professional skill, record of past success, competitive pricing as well as innovative strategies to help the District embrace the ongoing challenges at the Illinois Workers' Compensation Commission, it is recommended that the Director of Procurement and Materials Management be authorized to issue purchase orders and enter into agreements per Section 11.4 of the Purchasing Act, in an amount not to exceed \$225,000.00 with Dennis Noble and Associates, P.C., and in an amount not to exceed \$150,000.00 with Nyhan, Bambrick, Kinzie & Lowry P.C.. The total amount of the one-year contract extension is not to exceed \$150,000.00.

Funds for the 2018 expenditure, in the amount of \$137,500.00, are available in Account 101-25000-612430. The estimated expenditures for 2019 and 2020 are \$175,000.00 and \$62,500.00 respectively. Funds for the 2019 and 2020 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Requested, Beverly K. Sanders, Director of Human Resources, BKS:RAJ
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 19, 2018