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## **REQUEST FOR INFORMATION OUTSIDE LEGAL SERVICES**

### **I. Purpose and Objective**

The Purpose of this Request for Information (RFI) is to acquire information from law firms interested in providing Outside Legal Services to the Workers' Compensation Rating and Inspection Bureau of Massachusetts (WCRIBMA).

The WCRIBMA is interested in understanding the availability, experience capability and costs for qualified law firms to provide legal services described in this RFI to the WCRIBMA, with particular emphasis on Massachusetts workers' compensation insurance rate filings and advisory filings, including hearings before the Division of Insurance (DOI) and related appeals to the courts of the Commonwealth of Massachusetts. We will use the information received in response to this RFI to make a determination regarding how best to proceed to obtain the required legal services.

Our objective is to:

- Seek general information about the availability and level of experience of law firms that may be well qualified to provide the services described above.
- Develop a general understanding of law firm capabilities.
- Obtain feedback regarding the feasibility of representation and costs.

Law firms interested in participating in a possible future procurement opportunity are encouraged to respond to this RFI.

### **II. Background**

The WCRIBMA is a private, non-profit unincorporated association of insurers that is licensed by the DOI as a rating organization for workers' compensation insurance in Massachusetts. In that capacity, the WCRIBMA collects policy, claims and aggregate financial data from all insurers licensed to sell workers' compensation insurance in Massachusetts. The WCRIBMA files rates, classifications and rating plans on behalf of its member insurers. In addition, the WCRIBMA also serves the following roles:

- Administers the Assigned Risk Pool and is responsible for reinsuring all risks assigned to it under Massachusetts law.
- Acts as the workers' compensation statistical agent for the DOI.
- Acts as the coverage verification entity for the Department of Industrial Accidents.

Additional information on the WCRIBMA can be found on our website at [www.wcribma.org](http://www.wcribma.org).

The WCRIBMA retains outside counsel to work in conjunction with our General Counsel on issues pertaining to the above-described functions as well as provide advice on complicated or specialized matters on an “as needed” basis.

### **III. Content of Response**

In order to facilitate review of the responses, law firms are encouraged to respond to all questions in this document

Responses should be received at the following address:

Virginia A. McCarthy  
Vice President & General Counsel  
Workers' Compensating Rating and Inspection of Massachusetts  
101 Arch Street – Suite 500  
Boston, MA 02110-1103

**Or** by electronic submission to: [vmccarthy@wcribma.org](mailto:vmccarthy@wcribma.org). Questions may be directed to Ms. McCarthy by e-mail or by telephone: 617-646-7550.

### **IV. Key Dates**

- Request for Information (RFI) Issued: January 2, 2019
- Request for Clarifications Due: January 14, 2019
- Response Due: February 1, 2019

### **V. Law Firm Contact Information**

- Name of Law Firm
- Location
- Contact Name
- Title
- Email Address
- Phone Number

## **VI. Questions**

In responding to this RFI, please provide answers to the following questions in the exact order as listed below.

### **A. Qualifications and Experience**

1. Provide a description of your firm and qualifications, including your firm's (a) legal and industry experience in the Massachusetts workers' compensation insurance regulatory environment; and (b) technical experience particularly in rate filings and proceedings before the DOI and appellate tribunals.
2. Identify the attorney(s) expected to represent the WCRIBMA and provide (a) a current resume; (b) detailed description of legal experience related to the relevant legal services to be performed; and (c) summary of experience before Massachusetts Courts and administrative bodies, particularly the DOI.
3. Provide a list of the firm's office locations and the number of staff located in each office.
4. Specify any governmental entity, agency or political subdivision in the Commonwealth of Massachusetts that the firm represents or has represented in the last five (5) years including the time period of representation and the nature of the work performed.
5. Indicate whether the firm's existing arrangements, relationships, associations, employment or other contracts may cause a conflict of interest or the appearance of a conflict of interest if the firm is retained as outside counsel for the WCRIBMA.

### **B. Costs and Fees**

1. Does your firm typically offer work on an hourly basis or flat-fee?
2. Please include the current fees or hourly billing rates charged by the attorneys and paralegals in your firm.
3. Describe any non-traditional fee arrangements your firm has offered or is willing to consider.

## **VII. General**

Indicate what information about the legal services to be provided you would need to see in a potential Request for Proposal (RFP) to help you effectively prepare a response.