TO: Board of Trustees

FROM: Fire Chief, Kevin Nunn

RE: Legal Representation

During the past year, we have considered review of various legal documents. Initially, this started with the contract between Erda and North Tooele Fire District. We have spoken with several local districts in Utah and found a variety of ways they handle their legal consults. Hourly fees are the most popular demand simply because of low usage. To comply with our Purchasing Policy, I contacted three agencies to perform legal representation (expected expenditures would be more than $2,000, but less than $25,000).

These are their hourly rates that they submitted:

Fabian VanCott - $270/hour

Smith Hartvigsen - $235/hour

Hayes, Godfrey and Bell - $205/hour

Within each proposal, they provided the following: firm background, qualifications/expertise, methods of providing legal service, and attorney profiles. In performing our evaluations, we found fairly equivalent levels of expertise as all represent Fire Departments or Special Districts at some level. We believe Fabian VanCott to be the most qualified to represent our District primarily because we’ve worked with their firm in the past. In addition, Rachel Andersen submitted the proposal and noted that she would be our attorney. The other two organizations indicated we would be sent to junior attorneys. Rachel also noted that she routinely prepares, reviews, edits and updates District contracts and policies.

Due to the fact that this counters our standard practice of choosing the lowest bid, we wanted to give some justification to the Board of Trustees. We believe that Fabian VanCott would be the best choice for legal counsel within our District.

Sincerely,

Kevin Nunn