FAIRHAVEN SELECT BOARD
Meeting Minutes
October 15, 2026

Present: Andrew Romano, Natalie A. Mello, Pam Kuechler, Andrew Saunders, Richard F. Trapilo and Keith R. Hickey

FAIRHAVEN TOWN CLERK
RCVD 2026 OCT 27 AM10:03

Mr. Romano opened the Select Board meeting at 2:00pm

LEGAL FIRM INTERVIEWS

Mr. Romano reviewed the process the Board would follow and next steps once the interviews are completed. The applicants were not provided the questions in advance and Mr. Romano advised the Board that the meeting is not broadcast live and will be replayed. He asked anyone participating on zoom to change to a full name to ensure those watching are residents or not part of one of the firms interviewing. Fairhaven TV was asked to move anonymous participants, without a full name, to the waiting room until the participant changed to a full name.

Each firm will come in at their allotted time. Ten questions were prepared (***Attachment A***) and each Board Member was given two questions at random on their blotters. The questions were numbered and the interviews proceeded from question 1 to 10.

1. KP Law: Attorneys Lauren Goldberg and Carolyn Murray present
2. Mead, Talerman and Costa: Attorneys Adam Costa, Elizabeth Lydon, Kate Feodoroff and Jane Medeiros Friedman present
3. The Law Office of Christina Simpson: Attorney Christina Simpson present via Zoom
4. Harrington Heep: Attorneys Heather White and Donna Brewer present

KP Law (KP)

Atty Goldberg and Atty Murray introduced themselves, reviewed their background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

Mead, Talerman and Costa (MTC)

Atty Costa, Atty Lydon, Atty Feodoroff and Atty Friedman introduced themselves, reviewed their background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

The Law Office of Christina Simpson

Atty Simpson attended via Zoom and introduced herself, reviewed her background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

Harrington Heep (HH)

Atty White and Atty Brewer introduced themselves, reviewed their background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

Discussion ensued about the process, next steps, follow-up questions and each member's preliminary ranking based on the interviews. Mr. Hickey distributed a packet to each member containing a copy of the RFP, a rate summary and each individual firm's rate submission (***Attachment B***). He advised the Board that all fees submitted can be negotiated.

Discussion ensued about the hourly rates, flat fees, policy for contacting legal under a flat fee structure, office hours, overall cost and value and balancing the Town's financial position. Concerns were raised about what services were included in the flat fee and the difference of $60,000 between MTC and HH. The consensus of the Board was to review the submissions, compare the proposals and send questions to Mr. Hickey for the firms.

Mr. Hickey was asked to reach out to the firms to clarify the flat fee services included, provide the Board with the last three years of legal costs and the Board will send any additional questions for the firms to Mr. Hickey by noon on Tuesday, October 20, 2026. The October 26, 2026 agenda will have continued deliberation and potential selection of Town General and/or Labor Counsel.

NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting will be on **Monday, October 26, 2026** at 6:30pm.

The Select Board adjourned at 5:50pm

ATTACHMENTS

A. Town Counsel Interview Questions
B. Copy of Legal RFP, Rate Summary and individual firm rate submissions

Respectfully submitted on behalf of the Select Board Clerk (ah)

Accepted on October 26, 2026

Attachment A

Town Counsel Interview Questions

A. Municipal law experience and qualifications

1. Could you please give us a very brief overview of your firm's experience with municipal law and how your experience can benefit the Town of Fairhaven
2. In your opinion, what are the greatest legal challenges or issues currently facing Massachusetts municipalities?
3. How will you ensure timely access to experienced attorneys and provide consistent, practical advice to the Town Administrator, Select Board, and authorized department heads?

B. Understanding the Town's needs

4. Based on your review of the Town's needs, what do you believe are the most significant legal challenges facing a community such as Fairhaven?
5. How would you familiarize yourself with Fairhaven's bylaws, policies, contracts, organizational structure, and prior legal opinions to ensure continuity of representation?

C. Advice, judgment, and risk management

6. When appropriate, do you offer practical alternatives and recommendations, rather than simply identifying legal obstacles?

D. Conflicts of interest and professional independence

7. How would you manage competing interests or disagreements among Town boards and officials while maintaining appropriate professional independence?

E. Litigation and dispute resolution

8. What experience does your firm have with employment disputes, collective bargaining, land-use litigation, public records matters, and disputes involving municipal boards?

F. Working with the Town Administrator and Select Board

9. How do you ensure that legal advice is consistent across departments and boards while respecting confidentiality and applicable legal restrictions?

G. Fees, efficiency, and accountability

10. What distinguishes your firm from the other firms being considered, and why are you the best choice to represent Fairhaven?

CHAIR FINAL – Do you have any final comments or questions for the Board?

Town of Fairhaven
Massachusetts
40 Center Street
Fairhaven, MA 02719
Tel: (508) 979-4023
Fax: (508) 979-4079

Attachment B

Requests for Proposals: Legal Services, (Town Counsel) General and Labor

For the period of November 1, 2026 through June 30, 2029

August 2026

Inquiries and Proposals should be directed to:

Keith R. Hickey, Town Administrator Town of Fairhaven
40 Center Street
Fairhaven MA 02719
khickey@fairhaven-ma.gov | 508-979-4107

I. General Information

a. Purpose- This request for proposals (RFP) is to contract legal services to be provided to the Town of Fairhaven (the Town) for the period of November 1, 2026 through June 30, 2029.

b. Who May Respond- Only attorneys who are currently licensed to practice law in Massachusetts and maintain an office in Massachusetts, or law firms including such attorneys, may respond to this RFP. Firms may submit a proposal to be considered for general counsel, labor counsel, or both.

c. Instructions on Proposal Submission

i. **Closing Submission Date**: Proposals must be submitted no later than 4:00 pm on Monday, September 21, 2026.

ii. **Inquiries-** Inquiries concerning this RFP should be addressed as indicated above. Phone and email inquiries are permitted.

iii. **Conditions of Proposal-** All costs incurred in the preparation of the proposal responding to this RFP will be the responsibility of the offeror and will not be reimbursed by the Town.

iv. **Instruction to Prospective Respondents-** Proposals should be addressed as directed above. Please submit in a sealed envelope clearly marked in with the following information:

Request for Proposal
Date
Sealed Proposal for Legal Services

It is the responsibility of the offeror to ensure that the proposal is received by the Town by the date and time specified above. Consideration of late proposals is at the discretion of the Select Board

v. **Right to Reject-** the Town reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposals will be drafted based upon the factors described in this RFP.

vi. **Notification of Award-** It is expected that a decision selecting the successful firm will be made within four (4) weeks of the closing date for receipt of the proposals. It is expected that the contract shall be for a period of November 1, 2026 through June 30, 2029.

d. **Description of Entity-** Fairhaven is located on the shore of Buzzards Bay and offers beautiful beaches, shopping and dining. Fairhaven features the most magnificent European-style public buildings. Surrounding towns are Acushnet, Mattapoisett and the City of New Bedford.

II. **Scope of Services-** The Offeror shall be readily available to perform the following legal services, as requested by the Select Board, the Town Administrator, or their designee:

1. Review, Draft, and negotiate contracts and leases
2. Advise on legal matters related to municipal government
3. Defend lawsuits, administrative claims, or other legal claims
4. Be available to attend Town Meetings as scheduled
5. Be available to attend Select Board meetings, *if needed*
6. Other legal services as needed

Offeror shall be prepared to submit a detailed billing statement for all services billed at an hourly rate, broken down into time increments of no less than a quarter hour. Offeror shall also include summaries of work performed and time spent on services performed, and by which attorney or staff member.

III. **Proposal Contents-** The Offeror, in its proposal, shall, at a minimum, include the following:

a. **Legal Experience-** The Offeror should describe its legal experience, including the names, addresses, contact persons, and telephone numbers of at least three clients, preferably clients similar to the Town. Experience should include some municipal government work and other governmental affairs experience.

b. **Organization, Size, Structure, and Areas of Practice-** If the offeror is a firm, it should describe its organization, size, structure, areas of practice, and office location(s).

c. **Attorney Qualifications-** the Offeror should describe the qualifications of the attorneys to be assigned for Fairhaven, and identify the lead counsel for Fairhaven. Descriptions should include:

i. Professional and Educational background of each attorney

ii. Prior experience of the individual attorney(s) with respect to the required experience listed in the RFP. Only include attorney(s) likely to be assigned to the representation.

d. **Price-** the Offeror's price should include information about the hourly billing rates of each attorney or other legal staff who is expected to work on the representation and charges for expenses, if any, such as legal research, copies, and faxes. The Town reserves the right to negotiate with the offeror on the structure of billing and/or any retainer fee. Offerors are strongly encouraged to submit a separate price proposal for an annual lump sum for general services, excluding litigation, and an annual lump sum for general services including litigation services.

IV. Proposal Evaluation

a. **Submission of Proposals-** All proposals should include one (1) original and two (2) copies.

b. **Evaluation Procedure and Criteria-** the Town's Select Board, in conjunction with the Town Administrator, will review all proposals. The Select Board and or the Town Administrator may request a meeting with qualified Offerors. Proposals will be reviewed in accordance with the following criteria:

1. Proposed approach to scope of work
2. Level of experience of the individual(s) identified to work with the Town
3. The Offeror's experience with similar clients and legal matters
4. Response from references
5. Cost
6. Interviews

c. **Exemption-** Contracts with labor relations representatives, lawyers or certified public accountants are exempt from Procurement through M.G.L. c. 30B, See M.G.L. c. 30B, § 1(b)(15). The Town reserves the right to negotiate with the offeror on the structure of billing and or any retainer fee, and all other aspects of the selection process if determined by the Town to be in the Town's best interest.

Price Proposal Form

Firm Name: _____

Required Submissions:	**FY27**	**FY28**	**FY29**
Hourly Rate for Lead Counsel	____/hr	____/hr	____/hr
Hourly Rate for Associates	____/hr	____/hr	____/hr
Hourly Rate for Paralegals	____/hr	____/hr	____/hr

(Separate forms can be completed if the rate is different for general counsel versus labor counsel)

(Optional) Submissions, Annual Lump Sum:	**FY27**	**FY28**	**FY29**
General Counsel Only	_____/yr	_____/yr	_____/yr
General Counsel and Litigation Included	_____/yr	_____/yr	_____/yr
General Counsel and Labor Included	_____/yr	_____/yr	_____/yr
General Counsel, Labor, and Litigation Included	_____/yr	_____/yr	_____/yr

(Optional) Additional Price Considerations:

_____

_____

_____

_____

_____

_____ _____ _____

Signature Title Date

Contracts with labor relations representatives, lawyers or certified public accountants are exempt from Procurement through M.G.L. c. 30B, See M.G.L. c. 30B, § 1(b)(15). The Town reserves the right to negotiate with the offeror on the structure of billing and or any retainer fee.

Submission Checklist
(Does not need to be submitted; the checklist is intended to assist respondents.)

- **Price Proposal Form**

- **List of Municipal References**

- **Written Proposal that includes:**
  - Organization, Size, Structure, and Areas of Practice
  - Level of qualifications and experience of all individual(s) identified to work with the Town
  - Proposed approach to scope of work
  - Experience with similar clients and legal matters

Town of Fairhaven
Legal Services RFP Results
September 21, 2026

Harrington Heep

Required Submissions:	**FY27**	**FY28**	**FY29**
Hourly Rate for Lead Counsel	$225/hr.	$225/hr.	$225/hr.
Hourly Rate for Associates	$225/hr.	$225/hr.	$225/hr.
Hourly Rate for Paralegals	$150/hr.	$150/hr.	$150/hr.

(Separate forms can be completed if the rate is different for general counsel versus labor counsel)

(Optional) Submissions, Annual Lump Sum:	**FY27**	**FY28**	**FY29**
General Counsel Only	/yr.	/yr.	/yr.
General Counsel and Litigation Included	/yr.	/yr.	/yr.
General Counsel and Labor Included	$240,000/yr.	$240,000/yr.	$240,000/yr.
General Counsel, Labor, and Litigation Included	/yr.	/yr.	/yr.

Proposal suggests a 6-month and year-end review to make sure the fee is fair to both parties.

(Optional) Additional Price Considerations:

Travel Rate			
Hourly Rate for Lead Counsel	$ 150	$ 150	$ 150
Hourly Rate for Paralegals	$ 75	$ 75	$ 75

Firm Name: Mead, Talerman and Costa

Required Submissions:	**FY27**	**FY28**	**FY29**
Hourly Rate for Lead Counsel	$225/hr.	$225/hr.	$225/hr.
Hourly Rate for Associates	/hr.	/hr.	/hr.

Hourly Rate for Paralegals (Included in counsel hourly fee)

Proposal # 2

(Optional) Submissions, Annual Lump Sum:	**FY27**	**FY28**	**FY29**
General Counsel Only	180,000/yr.	180,000/yr.	180,000/yr.
General Counsel and Litigation Included	Included	/yr.	/yr.
General Counsel and Labor Included	Included	/yr.	/yr.
General Counsel, Labor, and Litigation Included	Included	/yr.	/yr.

Includes all general and labor services, as well as general litigation (but not labor litigation which would be billed hourly).

Proposal # 3

(Optional) Submissions, Annual Lump Sum:	**FY27**	**FY28**	**FY29**
General Counsel Only	$132,000/yr.	132,000/yr.	132,000/yr.
General Counsel and Litigation Included	$225/hr.	$225/hr.	$225/hr.
General Counsel and Labor Included	$225/hr.	$225/hr.	$225/hr.
General Counsel, Labor, and Litigation Included	$225/hr.	$225/hr.	$225/hr.
Includes all nonlitigation services			
Labor Litigation Costs are:	$225/hr.	$225/hr.	$225/hr.

Includes all general and labor services. (All litigation, general and labor, would be billed hourly.)

Town of Fairhaven
Legal Services RFP Results
September 21, 2026

Firm Name: KP Law

Required Submissions:	**FY27**	**FY28**	**FY29**
Hourly Rate for Lead Counsel	$285/hr.	$295/hr.	$305/hr.
Hourly Rate for Associates	/hr.	/hr.	/hr.
Hourly Rate for Paralegals	1/2 of counsel rate	1/2 of counsel rate	1/2 of counsel rate

Proposal # 2

(Optional) Submissions, Annual Lump Sum:	**FY27**	**FY28**	**FY29**
General Counsel Only			
General Counsel and Litigation Included			
General Counsel and Labor Included	$168,000/yr.	$168,000/yr.	$168,000/yr.
General Counsel, Labor, and Litigation Included			

Does not include the following specialty services:

"Specialty Legal Services" rates reflect the high demand for such services and the intensity of the work required to provide such services.

- Comprehensive permit matters, including hearings, and similar matters paid for by third parties such as host community agreement negotiations and the like, and including any administrative or court appeals ($385/hour if fees are not paid by municipality; or $355/hour if paid by the municipality);
- Comprehensive general or zoning bylaw revision or review and comprehensive form of government charter or special act adoption or amendment services ($340);
- Election recounts ($340);
- Cable television licensing ($340);
- Employment Investigations ($340); and
- Bond counsel work (fees calculated based upon "standard" factors in the field).

Firm Name: The Law Office of Christina Simpson, Esq.

	FY27	**FY28**	**FY29**
Hourly Rate for Lead Counsel	$350/hr.	$375/hr.	$400/hr.
Hourly Rate for Associates	$250/hr.	$250/hr.	$250/hr.
Hourly Rate for Paralegals	$125/hr.	$125/hr.	$125/hr.

PROPOSAL FOR TOWN COUNSEL LEGAL SERVICES

TOWN OF FAIRHAVEN

Submitted by:

MEAD, TALERMAN & COSTA, LLC

30 Green Street
Newburyport, Massachusetts 01950

730 Main Street, Suite 1F
Millis, Massachusetts 02054

227 Union Street, Unit 606
New Bedford, Massachusetts 02740

September 16, 2026

FEE PROPOSALS
TOWN OF FAIRHAVEN
TOWN COUNSEL

Our experienced administrative staff generates monthly invoices for each of our clients. Each invoice details the work performed, the hourly rate, if applicable, and by whom the work was performed. Invoices including expenses are similarly detailed. Our staff can create individualized sub-billing categories to fit the bookkeeping and organizational needs of the Town.

We propose three (3) fee structures for your consideration, as follows:

Proposal No. 1
Flat Fee

1. The Firm proposes **a flat monthly fee of $15,000.00,** which shall include **substantially all general municipal and all non-litigation labor services work** performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.

2. The flat fee includes all representation and legal opinions for general and land use matters as well as preparation for and attendance at Annual and/or Special Town Meetings, as necessary, and three (3) board hearings or meetings per month. Attendance at additional meetings per month will be billed at the firm's hourly rate of $225.00 per hour.

3. The flat fee includes defense and prosecution of all customary land use litigation; mediation and arbitration relating to zoning, planning, board of health and conservation matters; as well as litigation relating to the enforcement of general and zoning by-laws. Excluded litigation will be billed at the firm's hourly rate of $225.00 per hour.

4. The flat fee includes all opinions, negotiations and contracts relating to labor and employment matters, but excludes any litigation or adversarial proceedings relating to the same.

5. The flat fee includes all reviews of municipal contracts and assistance with procurement issues.

6. The flat fee includes representation of the Town on all significant licensing matters handled by the Select Board, including liquor licensing.

7. The flat fee does not include representation at routine hearings before the Appellate Tax Board that can be, and are typically, undertaken without counsel; but does include all Appellate Tax Board hearings on more substantial matters that do routinely require the assistance of counsel. Nor does the flat fee include prosecution

of tax titles or negotiation of cable services agreements, as these specialized items are generally handled by special counsel with related expertise.

8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G. For such matters, the firm will bill at the rate of $225.00 per hour.

9. The firm does not charge for work performed by paralegals and support staff.

10. The flat fee also includes one monthly set of "office hours" at Town Hall, as may be directed by the Town, as well as two (2) training seminars per year.

11. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. Filing fees, the cost of bulk copying and extraordinary mailing fees (e.g. certified mailings, overnight mailings), recording costs and costs for other similar items are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.

12. For matters subject to hourly billing, the firm bills in increments of one-tenth (1/10) of an hour. Substantive telephone calls and conferences and receipt, review and drafting of correspondence and e-mails are billed at a minimum rate of two-tenths (2/10) of an hour. For matters billed hourly, travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

Proposal No. 2
Partial Flat Fee

1. The Firm proposes **a flat monthly fee of $11,000.00**, which shall include **substantially all non-litigation legal services** performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.

2. The flat fee includes all representation and legal opinions for general and land use matters as well as preparation for and attendance at Annual and/or Special Town Meetings, as necessary, and three (3) board hearings or meetings per month. Attendance at additional meetings per month will be billed at the firm's hourly rate of $225.00 per hour.

3. The flat fee does not include prosecution or defense of litigation, mediation and arbitration, whether in Massachusetts courts or before administrative agencies. Such matters will be billed at the firm's hourly rate of $225.00 per hour.

4. The flat fee does not include matters relating to labor and employment. Such matters will be billed at the firm's hourly rate of $225.00 per hour.

5. The flat fee includes all reviews of municipal contracts and assistance with procurement issues.

6. The flat fee includes representation of the Town on all significant licensing matters handled by the Select Board, including liquor licensing.

7. The flat fee does not include negotiation of cable services agreements, which is a specialized item generally handled by special counsel with related expertise.

8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G. For such matters, the firm will bill at the rate of $225.00 per hour.

9. The firm does not charge for work performed by paralegals and support staff.

10. The flat fee also includes one monthly set of "office hours" at Town Hall, as may be directed by the Town, as well as two (2) training seminars per year.

11. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. Filing fees, the cost of bulk copying and extraordinary mailing fees (e.g. certified mailings, overnight mailings), recording costs and costs for other similar items are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.

12. For matters subject to hourly billing, the firm bills in increments of one-tenth (1/10) of an hour. Substantive telephone calls and conferences and receipt, review and drafting of correspondence and e-mails are billed at a minimum rate of two-tenths (2/10) of an hour. For matters billed hourly, travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

Proposal No. 3
Hourly Rate

1. The Firm proposes **an hourly rate of $225.00 per hour**, which shall include substantially all legal work performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.

2. Where applicable, legal fees will be paid by permit applicants under G.L. c. 44, § 53G; and billed separately.

3. At the request of the Town, the firm is available to conduct "office hours" at Town Hall, at the hourly rate.

4. The firm does not charge for work performed by paralegals and support staff.

5. The firm will provide one (1) training seminar per year, at no charge to the Town.

6. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. Filing fees, the cost of bulk copying and extraordinary mailing fees (e.g. certified mailings, overnight mailings), recording costs and costs for other similar items are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.

7. The firm bills in increments of one-tenth (1/10) of an hour. Substantive telephone calls and conferences and receipt, review and drafting of correspondence and e-mails are billed at a minimum rate of two-tenths (2/10) of an hour. It is the firm's practice NOT to charge for insubstantial telephone conversations or insubstantial e-mail exchanges with Town officials. Travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

PRICE PROPOSAL FORM

Firm Name: Harrington Heep LLP

Required Submissions:	**FY27**	**FY28**	**FY29**
Hourly Rate for Attorneys	225/hr	225/hr	225/hr
Hourly Rate for Paralegals	150/hr	150 /hr	150/hr

We agree not to raise our rates for FY28 and FY29 other than for an annual adjustment to reflect inflation, calculated using the Bureau of Labor Statistics' annual inflation rate. The rate is the same for general and labor counsel services.

(Optional) Submissions, Annual Lump Sum:

In lieu of an hourly-rate arrangement, we are also happy to engage in a discussion concerning a flat fee/retainer agreement.

We estimate that such a fee would be $20,000 per month, based on the size of your town and your current FY27 legal budget. If selected as Town and Labor Counsel, we would propose a collaborative review of your prior fiscal year legal expenditures (as reflected by prior Town Counsel's billings), to ensure that this number is equitable and adjust or fine tune this number based on discussion and that additional information. We would further propose a six-month and year-end review of this arrangement, to ensure the number agreed-upon in initial discussion remains fair and transparent for both parties.

Ultimately, flat fee arrangements best serve both parties by working together to select a fee that reflects cost-effective representation, adds value, and ensures monthly predictability in Town Counsel billings.

The flat fee includes representation on the following matters:

- All representation and legal opinions for general municipal matters, which includes, but is not limited to the following:
  - Municipal Finance
  - Town Bylaws and Regulations;
  - Open Meeting Law, Public Records Law, and State Ethics Law;
  - Procurement, contracts, and real estate matters;
  - Affordable Housing
  - Community Preservation Act;
  - Wetlands regulations, Oil and Hazardous Waste Contamination and other environmental matters;
  - Election Law and procedures; and
  - Licensing, including marijuana and liquor.
- All representation and legal opinions for land use matters, which includes zoning, planning, board of health and conservation;
- Labor and employment matters, excluding litigation or investigation of complaints;
- Preparation for and attendance at all Town Meeting and Special Town Meetings;

- Attendance at two public body meetings per month. Attendance at additional meetings per month will be billed at the Hourly Rate; and
- Two training sessions per year of approximately 1 to 2 hours each on a topic of the Town Administrator's choosing.

The flat fee does not include the following matters, which shall be billed at the Hourly Rate specified below, unless otherwise listed:

- All litigation, arbitration, and mediation;
- Labor and employment investigations and litigation;
- Matters for which fees are required to be paid by permit applicants under G.L. c.44, § 53G;
- Matters for which a fee may be collected from end users or other parties, such as legal review of sewer, water, or roadway projects involving betterments; and work on Development Agreements, PILOT Agreements, or similar contracts where legal fees are paid by the developer.
- Comprehensive reviews of general or zoning bylaws or form of government (e.g., charter);
- Negotiation of cable license renewals; and
- Significant bulk copying and extraordinary mailing fees (certified mailings or overnight or rushed mailings), recording costs, and costs for other similar items, which shall be billed on a direct cost basis.

Matters not included within the flat fee shall be billed at the Hourly Rate, recorded in tenths of an hour and billed monthly:

All Attorneys (Partners, Counsel, Associates)	$225 per hour
Law Clerks and Paralegals	$150 per hour
Office Staff	No charge
Clerical or administrative personnel	No charge

(Optional) Additional Price Considerations:

Hourly billings are recorded in tenths of an hour (0.1) and billed monthly.

All expenses and disbursements (filing and outside photocopying fees, certified and express mail) are billed at cost without any mark-up. There is no charge for telephone calls, in-house photocopying, faxes, or regular postage. Nor do we bill for overhead charges or on-line research expenses. Out-of-the-ordinary copying projects or fees will be subject to approval by the Town. The firm also charges mileage at the rate set by IRS guidelines, as periodically amended. We bill attorney time that must be conducted out of the office at our regular rates when the attorney performs legal work.

We will bill travel time as follows:

Attorneys	$150.00 per hour
Law Clerks and Paralegals	$75.00 per hour
Office Staff	No charge

To minimize costs, all travel time and mileage are calculated on the lesser of (1) portal to portal; or (2) from our office in Wellesley to location.

wide variety of matters of interest, including, for example, the Open Meeting Law, Public Records Law, Public Procurement and Contracting, as well as specialized trainings such as the municipal finance aspects of the Community Preservation Act and preparation for handling a G.L. c.40B matter. We also prepare subject matter education cards including real estate acquisitions, municipal finance, and how to run a public hearing. See ***Exhibit 5*** for examples of these materials.

FEE PROPOSAL

We offer three fee models, Hourly Legal Services, Fixed Fee and Fixed Fee Plus, as described below. The firm is committed to providing exceptional legal services at an affordable price. Our goal, of course, is to develop a billing structure that meets the Town's needs for the short and long terms, and if selected to represent the Town, we commit to working out the particulars of the fee arrangement in a manner that serves the Town well. As we have not previously worked with the Town, we are unaware of actual annual legal expenditures and, if the Town would like to pursue the Fixed Fee or Fixed Fee Plus models, we will work with the Town to ensure that the monthly and annual amounts are appropriate.

Each of the following fee structures includes four annual training seminars:

A. ***Hourly Legal Services***: Legal services provided at a rate of $285/hour, with Specialty Legal Services at the rates set forth in ***Exhibit 6***. If reappointed, hourly legal services rates will annually increase by $10.00 per hour.

B. ***Fixed Fee***: Legal services provided at the annual rate of $168,000 ($14,000/month) for all Town Counsel services, excluding Specialty Legal Services listed in ***Exhibit 6***, and the following, which will be billed at the rate for Hourly Legal Services:

- Labor and employment;
- Litigation and other adversarial matters;
- Real estate transactions;
- Meetings and/or office hours in excess of six hours (unrelated to Specialty Legal Services matters);
- Drafting decisions, permits or orders (unrelated to Specialty Legal Services matters);
- Construction and building committee issues and related litigation; and
- Special projects.

C. ***Fixed Fee Plus***: All Town Counsel services provided at a fixed annual rate to be negotiated, including an initial portion of any litigation or adversarial matter, and only

excluding the Specialty Legal Services listed in Exhibit 6, and the following, which will be billed at the rate for Hourly Legal Services:

- Labor and employment;
- Each litigation or adversarial matter ***after*** fees for that matter exceed the negotiated portion covered by the Fixed Fee Plus arrangement, regardless of the fiscal year in which such fees were incurred; and
- Specialty Legal Services in ***Exhibit 6.***

General Billing Details

We bill in 1/10th hour increments. Up to four annual education seminars are included with each fee model, free of charge. If appointed as Town Counsel, we would also, at no charge, work collaboratively with the Town Administrator and Select Board to outline and implement a transition process.

We bill paralegal work at one-half the attorney rate. We do not charge for client work performed by any other non-legal staff. Mileage for travel is charged at the rate allowed by the Internal Revenue Code, and we bill travel time on a portal-to-portal basis from our Boston office, or such closer location actually travelled. Costs for stenographers, recording fees, and deposition and transcript fees, outside photocopying and postage, telephone use or other out-of-pocket disbursements on Town matters are charged at cost without mark-up. We will seek prior authorization from the Town Administrator for any single expense/disbursement exceeding $500.00.

Please be informed that the firm has Professional Liability Insurance in the amount of $5,000,000, and a copy of the Certificate of Insurance is attached as ***Exhibit 7.***

TRANSITION FROM CURRENT LEGAL COUNSEL

We have had many successful experiences transitioning new municipalities to the firm, and are happy to provide appropriate references in that regard. In matters where the firm is asked to take over from previous counsel, we are, of course, available to work collaboratively to understand the matter and coordinate the filing of notices of withdrawal and appearance.

We believe that the way to begin building long lasting relationships is to meet in person. Therefore, if selected, we would like to meet with the Board and the Town Administrator to, together, identify key boards and committees, and arrange for attendance at appropriate meetings. We also like to attend a staff meeting – it is important that staff knows who they will be working with and often, after the Town Administrator, they are the most impacted by a change in counsel from a day to day perspective. We know from experience that this face-to-face opportunity will

make it easier for staff, and us, as we undertake our work together. In short, we will work closely with you in partnership to understand the Town's priorities, challenges, and goals, as well as ongoing projects or initiatives, and any other matters of significance to the Town. There is no charge for transition matters.

CONCLUSION

As the state's preeminent municipal law firm, we are confident that we can provide Fairhaven with excellent, timely and cost-effective Town Counsel legal services, coupled with our unparalleled commitment to personalized service. In selecting KP Law, you will work with a firm that works in and for the public sector. Attorneys Murray and Fair will have the support of a team of the highest-quality lawyers with specific expertise in the municipal matters the Town is facing. For almost 45 years, KP Law has been dedicated to working together with municipalities to help them reach their goals and avoid risk. The KP Law difference is our unyielding commitment to our municipal clients.

We would very much appreciate the opportunity to discuss further how the firm will deliver exceptional legal services to the Town of Fairhaven. In the meantime, please contact me with any further questions at either lgoldberg@k-plaw.com or my mobile phone at 617-548-7622

Very truly yours,

Lauren F. Goldberg

LFG/aem
Enc.

KP LAW

THE LEADER IN PUBLIC SECTOR LAW

SPECIALTY LEGAL SERVICES RATES
(Town Counsel/City Solicitor)

FY27 and FY28

"Specialty Legal Services" rates reflect the high demand for such services and the intensity of the work required to provide such services.

- Comprehensive permit matters, including hearings, and similar matters paid for by third parties such as host community agreement negotiations and the like, and including any administrative or court appeals ($385/hour if fees are not paid by municipality; or $355/hour if paid by the municipality);
- Comprehensive general or zoning bylaw revision or review and comprehensive form of government charter or special act adoption or amendment services ($340);
- Election recounts ($340);
- Cable television licensing ($340);
- Employment Investigations ($340); and
- Bond counsel work (fees calculated based upon "standard" factors in the field).

Note: Paralegal services are billed at one-half the quoted attorney rate. Disbursements and other costs incurred by the firm are passed through to the City or Town. We do not charge for any in-house costs.

Please contact Lauren Goldberg at lgoldberg@k-plaw.com or at (617) 654-1759 with questions.

825625/KP/0005

Christina Simpson, Esq.
The Law Office of Christina Simpson, Esq.
csimpson@christinasimpsonlaw.com

SEALED PROPOSAL FOR LEGAL SERVICES

Request for Proposals: Legal Services (Town Counsel) — General Counsel

Town of Fairhaven, Massachusetts

Contract Period: November 1, 2026 through June 30, 2029

Submitted by:

The Law Office of Christina Simpson, Esq.
(617) 756 - 9153 | csimpson@christinasimpsonlaw.com

Submitted to:

Keith R. Hickey, Town Administrator
Town of Fairhaven, 40 Center Street, Fairhaven, MA 02719

Submitted: September 21, 2026

Price Proposal Form

Firm Name: The Law Office of Christina Simpson, Esq.

Required Submissions:	**FY27**	**FY28**	**FY29**
Hourly Rate for Lead Counsel	350 /hr	375 /hr	400 /hr
Hourly Rate for Associates	250 /hr	250 /hr	250 /hr
Hourly Rate for Paralegals	125 /hr	125 /hr	125 /hr

(Separate forms can be completed if the rate is different for general counsel versus labor counsel)

(Optional) Submissions, Annual Lump Sum:	**FY27**	**FY28**	**FY29**
General Counsel Only	_____/yr	_____/yr	_____/yr
General Counsel and Litigation Included	_____/yr	_____/yr	_____/yr
General Counsel and Labor Included	_____/yr	_____/yr	_____/yr
General Counsel, Labor, and Litigation Included	_____/yr	_____/yr	_____/yr

(Optional) Additional Price Considerations:

Christina Simpson	Principal Attorney	9/21/26
Signature	Title	Date

Contracts with labor relations representatives, lawyers or certified public accountants are exempt from Procurement through M.G.L. c. 30B, See M.G.L. c. 30B, § 1(b)(15). The Town reserves the right to negotiate with the offeror on thestructure of billing and or any retainer fee.