

# MIDDLESEX COUNTY JOINT HEALTH INSURANCE FUND

## LITIGATION ATTORNEY

### Selection Criteria

The selection criteria to be used by the Fund's Contracts Committee in making its recommendation to the Fund Commissioners as to which proposal is most advantageous to the Fund, price and other factors considered, shall include:

1. The name and qualifications of the individual(s) who will perform the services;
2. Experience and reputation in the particular field of endeavor;
3. Ability to perform the required services in a timely manner (including familiarity with the subject matter, attendance at meetings, etc.)
4. Competitiveness of rates (fees and expenses); and
5. Other factors, if determined to be in the best interests of the Fund.

If, after receipt of any proposals as described above and prior to any recommendation to the Fund Commissioners, the Contracts Committee determines to revise the required services or to seek more favorable terms, all vendors who have submitted proposals shall be given an equal opportunity to resubmit or modify their proposal.

Applicants will be eliminated from competition if they do not meet applicable Federal, State or County legal requirements. Where Federal or State law regulations require a procedural step(s) at variance with these procedures, the Federal or State requirements shall govern.

All contracts pursuant to the fair and open process will be awarded by a majority vote of the Fund Commissioners at a public meeting.

**The term and services for which proposals are sought:**

### **LITIGATION ATTORNEY**

TERM. April 1, 2019 to March 31, 2020.

SERVICES. During the term of this Agreement, the Litigation Attorney shall perform the following services:

1. Prosecute and defend actions and proceedings by and against the Fund and when appropriate, any Commissioners and/or agents thereof.
2. Conduct appeals from orders, decisions, or judgments affecting any interest of the Fund, as approved or directed by the Fund Commissioners.
3. Subject to the approval of the Fund Commissioners, enter into any agreement, compromise or settlement of any litigation in which the Fund is involved.
4. Render opinions in writing upon any question of law regarding any litigation involving the Fund submitted to the Litigation Attorney by the Fund Commissioners, the Fund's Executive Director/Administrator or the Fund Attorney.
5. Maintain a record of all actions, suits, and all other litigation proceedings which relate to the Fund's interests and report thereon from time to time as the Commissioners may require.
6. Attend meetings of the Commissioners and/or Fund's professionals as required