

**Village of Wauconda Answers to Questions regarding Legal Services RFQ
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Q: Hourly Rates in Cost Proposal: Will the Village accept a rate schedule with separate hourly billing rates for partners, associates, and paralegals? The Cost Proposal chart only offers a single line each for rates on General Corporate Matters, Special Projects, and Litigation.

A: Yes, the Village is open to a billing model that incorporates different hourly billing rates.

Q: Insurance/Risk Model: Is the Village a member of a risk pool or does it acquire insurance from private carriers? Have covered claims, including workers compensation, been traditionally handled by the Village Attorney or by counsel designated by the Village's insurers?

A: The Village uses Horton as a broker for property/casualty and workers compensation claims. The Village's worker's compensation carrier is IPRF. Most claims are handled by attorneys designated by Glatfelter or IPRF.

Q: Plan Commission/ZBA: The RFQ indicates that the Plan Commission and ZBA routinely meet on the 2nd Wednesday of every month. However, the Monthly Flat Fee section indicates that the monthly retainer amount should account for two Plan Commission and ZBA meetings a month. How frequently does the Plan Commission and ZBA meet more than once in a single month?

A: Most months, the Plan Commission/ZBA meets once. Occasionally, if a case is continued, the Commission hold a special meeting in order to keep the development process moving. This happens three to four times per year.

Q: FOIA and OMA Counsel: This item is included in the Monthly Flat Fee. Does the Village consider responding to challenges submitted to the Public Access Counselor (PAC) or challenged in court included under this item?

A: No, we would consider this a special project or litigation.

Q: Labor Counsel: Does the Village currently retain separate labor counsel? If so, would the Village consider doing so? How many bargaining units represent Village employees?

A: Yes, the Village uses a separate labor counsel and will likely continue to do so. There are three bargaining units (PW/Admin in AFSCME, Patrol and Sergeants). We use this labor counsel for most employee discipline issues as well.

Q: Current Fee Structure: Is there a monthly flat fee for the Village's current attorney? If so, what is the current flat fee?

A: No, the Village's current structure is entirely hourly.

Q: Current Hourly Rate: What are the current hourly rates for matters outside any monthly flat fee for the Village's current attorney?

A: The current hourly rate is \$254 for all matters, except developer-funded reviews. For development projects funded by developer escrow, the rate is \$309 per hour.

Q: Special Projects: What are the most significant general corporate, special projects, or other matters that you anticipate will require handling outside of the monthly flat fee in the coming year?

A: Developers agreements or planned unit developments, TIF agreements, Annexation agreements, TIF and/or business district formation, Economic incentive agreements (sales tax or other), Proposals for SSAs for new developments and existing neighborhoods for stormwater facility maintenance, Zoning code or unified development ordinance update, Review of cannabis and CBD zoning requirements, Eminent domain proceedings, Sale of Village-owned property, Purchase of property, Title searches and easement agreements for infrastructure projects, Bonds sales and IEPA loan agreements

Q: Preferred Billing Structure: Concerning the RFQ for legal services for the Village, does the Village prefer a retainer billing structure combined with hourly rates for special projects or does it prefer a straight hourly rate for all work? What does the Village do currently?

A: We currently have an hourly rate. We prefer a monthly fee type of structure to encompass general matters; however, we are open to alternative fee structures, which would be subject to negotiation upon with the finalist firm. The proposed structure of fees would not be a reason to include or exclude a firm from consideration.