



Request for Proposal

Legal Advisory Services

Bermuda Airport Authority

RFP Release Date: Friday, 25 February 2022

Submission Due Date: Friday, 30 March 2022



Summary: RFP on a Page

The Bermuda Airport Authority (the “Authority”) invites proposals from full- and speciality legal services firms to provide legal counsel on an as-needed basis on the practice areas listed below. The Authority may retain multiple firms to fulfil its needs; we encourage all firms who specialize in one or more of these areas to submit a response to this RFP:

- 1) General contract law, including legal review of commercial contracts (excluding the Project Agreement between the Bermuda Airport Authority and Bermuda Skyport Corporation Limited, known as Skyport),
- 2) Employment, Human Resources, personnel, and human rights matters,
- 3) Real Property, including easement matters.
- 4) Regulatory compliance, including but not limited to Public Access to Information (PATI), Personal Information Protection Act (PIPA), and the Bribery Act.
- 5) General dispute resolution services.

Expected Timeline

The dates below outline the expected schedule for the RFP process. While the Authority will make every attempt to meet the dates below, we reserve the right to modify dates:

RFP Release date	Friday, 25 February 2022
Notice of Intent to Bid due	Wednesday, 9 March 2022
Deadline to submit all questions	Wednesday, 16 March 2022
Submission due date	Wednesday, 30 March 2022

RFP Administrators

For additional information or to address any questions you may have throughout the process, please contact us at rfp@airportauthority.bm. The RFP process will be administered by:

Lester Nelson
Chief Executive Officer
Bermuda Airport Authority

Justin Simons
Chief Administrative Officer
Bermuda Airport Authority



1. The Opportunity

1.1 Objective

The Authority invites proposals from full- and speciality legal services firms to provide legal counsel on an as-needed basis on matters related to contracts, employment, property, regulatory compliance, and dispute resolution services. The Authority may retain multiple firms to fulfil its needs thus we encourage all firms who specialize in one or more of these areas to submit a response to this RFP.

Please see section 1.5 for additional details on expected scope of work.

1.2 Organizational Overview

The Authority, a Government of Bermuda quasi autonomous non-governmental organisation, was legislatively established on March 2, 2017, through the Bermuda Airport Authority Act 2017.

As the owner of the L.F. Wade International Airport (LFWIA), the Authority delivers a range of essential air navigation services including air traffic control, air traffic engineering, aeronautical information, airfield equipment maintenance, and meteorological forecasting and reporting. Additionally, the Authority is responsible for regulating airport fees and charges.

The Authority also protects Bermuda's interests and oversees – on behalf of the Government of Bermuda – the performance of Skyport in its 30-year concession agreement to build, finance, operate, and maintain the LFWIA lands, buildings, and facilities.

For additional information, please visit the Authority's website at www.airportauthority.bm.

1.3 Procurement of Services

At the direction of its Board of Directors, the Authority is issuing this RFP using an open and transparent process. The Authority's procurement process, as outlined in this RFP, will comply with our financial instructions and other relevant regulations and legislation. We welcome a response from any firms able to meet or exceed our expectations.

1.4 Expectations for Response

The scope of services for the RFP are outlined in Section 1.5 below. By responding to this RFP, you are acknowledging that your firm can deliver one or more of the services defined in the scope of work, provide relevant past and current experiences that demonstrate your ability to meet the requirements in the RFP, and are able to submit a detailed budget of expenses required to deliver the work required.

1.5 Scope of Work

The selected firm(s) will provide qualified legal counsel on an as-needed basis for the practice areas listed below. The Authority may retain multiple firms to fulfil its needs and encourages all firms who specialize in one or more of these areas to submit a response to this RFP:

- a) General contract law, including legal review of commercial contracts, excluding the Project Agreement between the Bermuda Airport Authority and Skyport Bermuda.
- b) Employment, Human Resources, and personnel matters, including but not limited to providing advice and representation on employment standards, human rights, termination proceedings, occupational health and safety, workplace safety and insurance matters, the Bermuda Employment Act, and general labour discussions and disputes.
- c) Real Property, including easement matters.



- d) Regulatory compliance, including but not limited to Public Access to Information (PATI) and Personal Information Protection Act (PIPA).
- e) Dispute resolution services.

The Authority currently engages external counsel on several matters; we anticipate these engagements will continue and remain outside of the scope of this RFP.

1.6 Additional Details and Requirements

1.6.1 Contract Term

The contract term(s) will be for three (3) years, commencing around 15 May 2022 and remaining in effect until around 15 May 2025.

1.6.2 Contract Structure and Compensation

The Authority vendors proposing innovative pricing structures that ensure the efficient use of public funds and appropriate compensation for the quality and nature of legal services.

We anticipate the agreed fee shall include:

- a) General legal advice and legal opinions – including advice provided verbally and in writing – but not including complex legal opinions requiring research of jurisprudence.
- b) Regular status meetings – as required -- with the Authority CEO or an appointed designate to address Authority questions and concerns, provide general legal advice, receive instructions and information, report on files, etc.
- c) Contract review and feedback, including leases, employment and commercial agreements, and other document related to the Authority general business (as defined in S.1.5 “Scope of Work”, not including the Project Agreement between the Authority and Skyport Bermuda).
- d) Drafting documents, memos, and correspondence for and on behalf of the Authority.
- e) Attendance at meetings – including meetings outside of normal working hours – as required.

1.6.3 Qualification of Assigned Personnel

The successful proposer shall demonstrate that the individual lawyer(s) engaging with the Authority during the engagement have the relevant subject matter expertise. All personnel, including consultants and experts retained, assigned to work on any Authority matters shall have and maintain appropriate qualifications for the work they are performing. Appropriate professional certification, licensing, development, and training shall align to the highest industry standards. The Authority reserves the right to withhold its approval of any personnel proposed by the successful proposer at any time, if the Authority deems the individual(s) do not hold the requisite combination of skills, certification, and education.

Proposers shall represent and warrant that all individuals providing legal services to the Authority:

- a) Are members in good standing with the Bermuda Bar Association;
- b) Will not represent any party adverse in interest to the Authority during the engagement;
- c) Will carry out the practice of law professionally and with integrity, and in accordance with the Rules of Professional Conduct as established by the Bermuda Bar Association;
- d) The law firm proposer shall confirm and provide evidence that it has obtained and maintained adequate insurance.

Proposers shall advise the Authority of any changes to any of the representations and warranties stated above. Any changes may be a cause of termination of the agreement with the Proposer.



1.6.4 Delegation

The successful proposer shall ensure that legal services are provided in a cost-effective way without reducing quality. The designated counsel may delegate requests for legal services to another member of the counsel team submitted in the proposal, subject to prior agreement with the Authority. The Authority may also request that a member of the counsel team, other than the designated counsel, provide legal services for reasons of cost-effectiveness and/ or other considerations. The successful proposer shall use its best efforts to accommodate such requests. In more complex matters where the designated counsel wishes to retain other experts or have more than one counsel to work on a file, the designated counsel shall obtain the Authority's written approval prior to engaging such services.

1.6.5 Personnel Changes and Turnover

The Authority recognizes the potential for personnel change during an engagement and the importance of effective knowledge and talent management to mitigate risks associated with personnel transitions. During the engagement period, the proposer may submit desired changes to designated counsel or the composition of a counsel team for Authority approval, which will not be unreasonably withheld.

The successful proposer shall minimize disruption and negative impact on Authority work during staff transitions and ensure replacements have equal or greater expertise. The terms and conditions of the retainer agreement and this RFP, including the requisite qualifications of the legal counsel shall apply to any new counsel. Notwithstanding the above, the Authority maintains the discretion to terminate the retainer if there is a significant change in the counsel team, as deemed by the Authority.

The successful proposer shall be responsible for any impact on any matter assigned to the successful proposer during the retainer sustained by the removal or changes to its counsel team, including all costs incurred, unless such changes are requested by the Authority and not related to a performance issue with the counsel team member(s). No changes to the amount of legal fee rates as set forth in the retainer agreement shall be permitted without the approval of the Authority; approval will not be unreasonably withheld.

1.6.6 Expected Response Time

Given the Authority's pace of work, we require timely initial response and follow-up for all matters:

- a) Simple or routine matters shall be addressed within twenty-four (24) hours;
- b) More complicated matters should be addressed as required and as quickly as possible, with time and resource estimates provided, as requested by the Authority.

1.6.7 Reporting

The successful proposer shall provide the Authority with copies of all pleadings, filed records, research, draft agreements, correspondence, and other documentation upon receipt. Additionally, the counsel shall provide same day updates of all significant developments in a file to the Authority, including meetings with opposing counsel or other parties, results of settlement negotiations, agreement negotiations, court or tribunal appearances, etc.

1.6.8 Team and File Management

The successful proposer shall take all necessary steps to streamline file management and knowledge transfer to avoid incurring unnecessary expenses, by ensuring the following do not occur:

- a) Inappropriate staffing levels on a matter (i.e., not overstaffing or understaffing);



- b) Delegating tasks to overqualified personnel (e.g., not assigning administrative tasks to legal counsel);
- c) Educating assigned legal counsel in the practice, procedural or substantive law, which should be known or readily available to a lawyer due to their expertise;
- d) Redrafting work of associates or other staff;
- e) Unnecessary or ineffective rotation of personnel assigned to a matter;
- f) Authorizing premature or peripheral legal and/or factual research;
- g) Letter writing when a quick email will suffice;
- h) Holding unnecessary internal meetings about a matter.

The Authority will not be responsible for any unnecessary expenses.

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2. The Submission

2.1 General Eligibility

Proposers may include corporations, sole practitioners, partnerships, limited liability corporations, or joint ventures. The proposing entity must be the legal entity that will execute the Agreement.

2.2 Submission Requirements

A complete RFP Submission Package covering all components outlined in Sections 2.2-2.2.7 of the RFP is required for your submission to be considered:

Required Information	Due Date	Submit to:
1. Notice of Intent to Bid	Wednesday, 9 March 2022	
2. Pre-Bid Questions	Wednesday, 16 March 2022	
3. Submission Package (must include):		
i. Proposer Description		
ii. Demonstrated Experience		
iii. Firm in Good Standing	Wednesday, 30 March 2022	rfp@airportauthority.bm
iv. Budget Estimate, Billing Method		
v. Conflict of Interest Confirmation		
vi. References		

Format

The Authority will accept hard copy and e-mail submissions. Proposer submission e-mails must include the subject line: "LegalServices_RFP_Submission_NAME OF PROPOSING FIRM" and include the submission as an attachment to the e-mail in a PDF, Microsoft Word Document or Rich Text File, or Microsoft PowerPoint document.

Hard copy submissions can be delivered by hand or mail to the following address:

Bermuda Airport Authority
Ref: Legal Services RFP
Bldg. 332 East, 11 Waller's Point Road
St. George's DD 03, Bermuda

Deadline and Delivery

RFP submissions must be received by **4:00pm (Bermuda Time), on Wednesday, 30 March 2022**. The Authority will send a confirmation e-mail within 24 hours of submission receipt. Submissions received after the deadline will not be accepted.

Please direct all submissions and questions to: rfp@airportauthority.bm

Lester Nelson (Chief Executive Officer)

Justin Simons (Chief Administration Officer)

Please note:

- a) Proposals are solely intended for RFP review and selection. Documents submitted during the RFP process will not be considered the final scope of work.
- b) Costs for developing proposals are entirely the responsibility of the proposer and shall not be reimbursed by the Authority.
- c) All information contained in submissions will remain confidential and property of the Authority.

2.2.1 Notice of Intent to Bid

The Notice of Intent to Bid is a preliminary notice allowing the Authority to gauge interest in the RFP. Proposers must, by **5:00pm (Bermuda Time) on 9 March 2022** include, in their e-mail or as an attached letter:

- a) Name of proposer (Firm)
- b) Contact person (Individual)
- c) Mailing address
- d) Website
- e) E-mail address
- f) Telephone number
- g) Signature

2.2.2 Pre-Bid Questions

We welcome questions as you consider and develop your submission. Please forward all questions via e-mail to rfp@airportauthority.bm. We will respond to questions via e-mail within two working days of submission. **The Pre-Bid question period will end at 5:00pm (Bermuda Time) on Wednesday, 16 March 2022.** The Authority will not accept questions regarding RFP criteria after this time. Answers to general questions (not specific to an individual proposer or submission) will be shared with all proposers.

2.2.3 Description of Proposer

The description provides background information on your firm. Proposers must provide the following information as part of their RFP submissions:

- a) Company name
- b) Business HQ location
- c) Business address – base of core project team, and business hours
- d) Contact person – name, telephone, e-mail, fax number, and website
- e) Size of organisation (headcount)
- f) Number of clients
- g) List of firm's core competencies and services
- h) List of clients for whom you have provided legal services
- i) Size of core team expected to work on the Authority's project
- j) List of core staff, including role descriptions, resumes, qualifications, and experience

2.2.4 Firm in Good Standing

Proposers must confirm they are up to date on all Government of Bermuda contributions, including but not limited to Payroll Tax, Social Insurance, and related contributions. The Authority may reject any proposal based on its subjective appraisal of the proposer's standing.

2.2.5 Budget Estimate

Please outline your proposed method and rate for billing – retainer, commission, hourly, etc. – for standard tasks, and include any details of potential additional costs.

One component for consideration of the responses to this RFP will be the fee structure proposed. Proposers are encouraged to provide any alternative, innovative fee structure that may be available to the Authority, such as block billing, annual caps on fees etc., in addition to hourly rates.

As such, the Proposer's response shall consist of:

- a) The proposed fee structure and billing methods, including the proposed billing rate for the Designated Counsel, any other legal counsel proposed, and other pertinent staff members;
- b) Any alternative fee structures and proposed disbursement rates;
- c) An undertaking that the rates proposed in the fee structure will be guaranteed for the duration of the retainer. All prices must be net and firm.

The proposer is solely responsible for any payments or deductions required.

2.2.6 Conflict of Interest Certification

As part of their submission, proposers must declare if they:

- a) provided legal services during the development, negotiations, or financial closing of the LFWIA Redevelopment project, or
- b) have provided, currently provide, or plan to provide legal services to the Government of Bermuda's Department of Airport Operations, Skyport Bermuda, Aecon, Menzies Aviation, or any other entity with direct ties to aviation or Bermuda's airport.

In addition to complying with the rules of professional responsibility and conduct established by the Bermuda Bar Association, proposers shall declare any actual or potential conflict of interest that exists or may exist in the future with respect to their participation in this RFP process, and if selected, the performance of the proposer's responsibilities as described in this RFP.

The proposer must also describe as part their submission, their process for identifying, disclosing, reporting, and addressing potential or real conflicts of interest that may arise in the future.

The Authority reserves the sole right and discretion to determine whether any situation constitutes an actual, perceived, or potential conflict of interest and may disqualify any proposer on such basis.

2.2.7 References

The proposer's submission must include a minimum of three (3) references from previous clients, one of which must be from the public sector (Civil Service, boards, commissions, agencies, etc.).

Each reference should include the name of the client organisation, contact details, address and telephone number, and a brief description of the work completed for the client organisation. The Authority may contact the references provided during its evaluation of the proposer submissions.

3. The RFP Process

3.1 Shortlisting: Presentation and Interviews

Following receipt of proposer submissions, the Authority may short-list proposers. In addition to the RFP Submission Package, short-listed proposers will be required to present and interview with the Authority's evaluation team. The exact time, location, and requirements of the presentation(s) and interview(s) will be confirmed by the Authority post-submission.

The purpose of the interview and presentation is to allow proposers to clarify and expand on aspects of their submissions. This time also provides the Authority with an opportunity to evaluate key personnel and discuss submission elements including the proposer's experience, performance, qualifications, quality assurance, and understanding of the Authority's context and needs.



3.2 Expected Timeline

The dates below outline the tentative schedule for the RFP process. While the Authority will make every attempt to meet the dates below, we reserve the right to modify dates as desired:

Activity [<i>*Proposer initiated activities</i>]	Anticipated Date
Request for Proposal advertised	Friday, 25 February 2022
<i>*Notice of Intent to Bid due</i>	Wednesday, 9 March 2022
<i>*Clarifying questions due</i>	Wednesday, 16 March 2022
Authority deadline to answer clarifying questions	Tuesday, 22 March 2022
<i>*Submissions due</i>	Wednesday, 30 March 2022
Short-listed Proposers present and interview	Week of 11 April 2022
Authority finalizes review of Proposals	Week of 25 April 2022
Selected Proposer Notified	Friday, 29 April 2022
Initial meeting with Selected Proposer	Week of 2 May 2022

3.3 RFP Administrators and contact details

The RFP is being administered by two Authority representatives. Please direct all communication to their attention at rfp@airportauthority.bm

Lester Nelson

Chief Executive Officer
Bermuda Airport Authority

Justin Simons

Chief Administrative Officer
Bermuda Airport Authority

3.4 Evaluation Criteria

<p>Knowledge, Skills, and Experience</p> <ul style="list-style-type: none"> Demonstrated experience providing legal services in one or more of the defined practice areas, with a focus on public service entities Expertise leading and collaborating with diverse stakeholders and teams, including high-ranking, public-sector decision-makers and leaders Knowledge of aviation-related entities and related legal challenges 	30%
<p>Cost and Value</p> <ul style="list-style-type: none"> Hourly rates for all team members, or other pricing structures Innovative pricing structures including time or cost saving options Any additional services and features provided 	30%
<p>Team Availability, Structure, and Engagement Approach</p> <ul style="list-style-type: none"> Effective team structure, reporting relationships, and processes for work assignment and transition Current and future availability of key staff and access to appropriate talent Clearly defined response times, reporting processes, and access to appropriate communication tools Defined and effective file management practices 	20%
<p>Cultural “Fit” and Innovation</p> <ul style="list-style-type: none"> Demonstrated understanding of our mandate and operating environment Firm alignment with Authority core values, leadership principles, and approach to service delivery Quality of presentation and interview 	20%
Criteria Total	100%



3.5 Evaluation Team

The Authority's evaluation team will consist of the RFP Administrators and may include other key personnel including Authority staff, Board Directors, or members from key partner organizations.

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4. Additional Project Details

4.1 Authority's Rights

The Authority reserves the right to:

- a) Accept or reject any proposals and/or to reissue the RFP in its original or revised form,
- b) Modify above dates and the expected timeline,
- c) Request proposers address specific requirements not adequately covered in their initial submission, and to clarify information in the response,
- d) Award the contract to the firm that best meets the needs and interests of the Authority,
- e) Cancel this RFP at any time without penalty or cost to the Authority, and
- f) Not award the contract if submissions are deemed by the Authority to be insufficient.

The Authority is not liable for any costs incurred by interested parties in the preparation of their response to this request. Furthermore, the Authority shall not be responsible for any liabilities, costs, express loss, or damage incurred, sustained, or suffered by any interested party, prior or after, or by reason of the acceptance, or non-acceptance by the Authority of any response, or by reason of any delay in the acceptance of the response.

In the event of any disagreement between the Authority and any proposer regarding the interpretation of the provisions of the RFP, the Chairman of the Airport Authority Board, or an assigned designate, shall make the final interpretation.

4.2 Bribery Act 2016

By law, the Authority must comply with Bermuda's Bribery Act 2016 (found [here](#)). The organisation and its stakeholders will take all necessary measures to ensure compliance with this legislation.

4.3 Public Access to Information

Any information collected, developed, distributed or otherwise used by or on behalf of the Authority's under this RFP is subject to Bermuda's Public Access to Information Act 2010 (the "PATI Act", found [here](#)). Information may be made available to the public unless it is deemed exempt from disclosure under the PATI Act. Proposers should direct questions regarding the PATI Act to the Authority.

4.3.1 Electronic Communication

E-mail, video-conferencing, and other electronic mediums will be used extensively to review documents and transmit information. Proposers must have necessary technology to initiate and engage stakeholders through these technologies. Proposers must also have adequate cybersecurity protections. Microsoft Office Suite must be used for documents.

4.4 Errors and Omissions

This RFP is supplied solely as guidance for proposers. While considerable effort has been made to ensure the RFP is accurate and complete, the Authority shall not be held liable for any errors or omissions. The information is not guaranteed to be comprehensive or exhaustive. Nothing in the RFP is intended to prevent the proposers from forming their own opinions and conclusions regarding matters addressed in the RFP.

4.5 Additional items or services

Additional items or tasks not included in this RFP, but which are deemed necessary by the proposer to complete the work in an appropriate fashion, must be communicated to the Authority, with a description of the item(s) prior to the close of this RFP.

4.6 No Assignments

The successful proposer may not assign or transfer, in whole or in part, the agreement or rights and obligations under this RFP to any other firm or individual, without the prior written consent of the Authority. This consent will not be unreasonably withheld.

4.7 Disbursements and Accounts

Proposers shall adhere to the Authority's Professional Advisor Expenses Policy (see Appendix).

4.8 Confidentiality

In addition to complying with any applicable laws with respect to confidentiality, the selected proposer shall not comment publicly on the nature of the agreement with the Authority, or the nature of services provided without prior written consent of the Authority. Confidential information obtained shall not be disclosed in any manner without the written approval of the Authority. All documentation containing confidential information of the Authority shall be returned to the Authority upon completion or early termination of services.

4.9 Return of Materials

In addition to any materials containing confidential information, upon completion or early termination of services for any reason, all material, information, data, studies, reports, designs, plans, etc., including the copyright of such material etc., shall become the sole property of the Authority. The selected proposer shall deliver all such materials to the Authority at such time at the proposer's own costs.

4.10 Insurance

Proposers shall include a certificate of professional indemnity insurance with their RFP submission, demonstrating that it is insured against professional liability, the dishonesty and/or lack of fidelity of its employees, and coverage against cyber insurance.

4.11 Indemnification

The successful proposer shall indemnify the Authority, their elected officials, officers, employees and/or agents against all claims, actions, demands and expenses arising out of any matter in relation to the successful proposer or its staff's performance or non-performance of any retainer, including but not limited to any such claims, actions, demands, and expenses resulting from the failure to exercise the reasonable care, skill, and diligence expected of consultants in the performance of services. The successful proposer shall also be responsible for any costs or damages arising from actions, errors, and omissions of any expert professionals or consultants retained by the proposer, or its agents or employees while providing services to the Authority.

4.12 Default

If a proposer or an external counsel commits a default of the obligations provided in this RFP and the retainer agreement, the Authority may:



- a) Remove the external counsel from the file and request that a different external counsel in the same firm be assigned to the matter, or transfer the file to another firm to continue carrying on the matter on behalf of the Authority; and/or
- b) Reduce payment on the accounts rendered to an amount that the Authority deems appropriate for the quality and amount of work conducted professionally by the external counsel; and/or
- c) Terminate the retainer agreement with the proposer.

4.13 Preferred Contact

All contact shall be via email to rfp@airportauthority.bm

4.14 Compliance with Laws

The contract will be governed by the laws of Bermuda. The successful proposer must comply with all laws and regulations in performing its obligations under any contract, without limitation.

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Appendix

Professional Advisor Expenses Policy

The advisor shall follow the undernoted principles in determining their reasonable expenses estimate and in applying for reimbursement for expenses from the Authority:

- a) All air travel shall be undertaken in economy class;
- b) No allowance will be given for overhead or profit;
- c) A maximum per diem allowance of BD\$80 per day will be allowed for FULL days whilst in Bermuda, for meals and incidentals; no per diem allowances for partial days in Bermuda will be paid by the Authority;
- d) Communication expenses, including couriers, photocopying, printing, and facsimile, internet access, local and international phone and cellular charges will not be allowed;
- e) The cost of administrative support provided by the advisor's staff to other members of its staff will not be allowed and for the avoidance of doubt, this includes the preparation of billing information and invoices related to professional fees and/or expenses;
- f) The cost of electronics and software, including personal computers, presentation projection equipment, or computer aided design and drafting equipment will not be allowed.

Advisors/RFP proposers may factor any non-allowable expenses above into their rate structure for professional fees as part of the services provided, as they so determine, at the time of submitting their proposal/RFP submission, bearing in mind that cost (including rate structure) may be part of the evaluation scoring criteria.

In addition to the above, and for the avoidance of doubt, the Authority shall not pay for advisor travel time between the advisor's home base and their place of work in Bermuda, and the Authority shall only pay for time spent performing actual duties, which are contemplated as part of the services under the proposal/engagement.

Disbursements

The Authority will not pay for the following fees, disbursements, or charges:

- a) Any increase in rates not in accordance with the retainer agreement;
- b) Expenses arising from ineffective file management;
- c) Staffing inefficiencies caused by the unavailability of firm personnel;
- d) Premium amounts on disbursements,
- e) Routine administrative tasks such as scheduling meetings or attendances, preparations of accounts, file organisations, form letters etc.;
- f) Hourly rates of advisors in transit, except for mileage charges to be reimbursed in accordance with the Authority's established rates or other transportation charges as agreed upon in advance by the Authority.

Accounts

Accounts must be submitted to the CEO – or a designated official – monthly and contain the following information:

- a) Name of the matter related to the account,
- b) Personnel who performed the matter,
- c) The date the task was performed,
- d) The hourly rate or other rate structure applicable to the matter at hand,
- e) The time – by 6-minute increments or current legal standard – spent for each task. Submitting time spent is not required if the time spent on the matter is not a criterion in determining costs using the applied rates structure,



- f) Detailed description of the work performed. Stating a category of work – i.e., “Research” is insufficient. Accounts must specify the type, subject matter, and purpose of the research.
- g) Detailed itemization of disbursements,
- h) Any variance of fees and disbursements from the fee structure in the initial agreement,
- i) The cumulative total of all fees and disbursements on the file to date, and
- j) The signature of the designated and accountable firm employee.

The Authority reserves the right to demand clarification of any submitted accounts. Payment will be made only after the Authority CEO determines the account rendered is appropriate and reflective of the conducted work.

Payments will be made net thirty (30) days upon approval of the accounts rendered. The Authority will not pay interest on late payments.

The Authority will have the right, upon reasonable notice, to full access of the accounts and records of the successful proposer in respect of the work done by it. Such records will be kept during the term of the retainer and for at least seven (7) years following its termination or expiry.

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