



Teno A. West
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May 4, 2021

Town of Southborough
Board of Selectmen Office
17 Common Street
Southborough, MA 01772

RE: Town Counsel Response to Request for Proposals

To Whom It May Concern:

West Group Law PLLC (“WGL”) is pleased to submit this response to the Town of Southborough’s (the “Town”) Request for Proposals for Town Counsel Services (the “RFP”).

WGL is a boutique municipal law firm that provides responsive legal solutions with cost-effective results. We have offices in Massachusetts, Rhode Island and New York, and we represent clients throughout the country, including a number of clients in Massachusetts.

Our attorneys have represented municipalities and other public entities for more than 25 years in connection with general municipal law, labor and employment law, public-private partnerships, water and wastewater systems and projects, civic/municipal buildings, environmental and regulatory matters, solid waste issues, transportation, structuring requests for proposals, contract negotiations, alternative project delivery methods, land use zoning and planning, project-related litigation, and public construction law and litigation.

Members of our firm have spent their careers serving state and local governments and agencies. We understand the challenges municipalities face because our attorneys once worked in senior positions in state and local governments. This experience enables us to provide municipalities and public entities with efficient, creative, and low-cost solutions. We utilize our extensive collective experience while allowing for nimble, efficient results for our public clients.

Our attorneys have also served as members of the Executive Committee of the Massachusetts Municipal Lawyers Association (MMLA), the Executive Committee and Board of Directors for the Massachusetts Municipal Association (MMA), have lectured at municipal law seminars hosted by Massachusetts Continuing Legal Education (MCLE), the MMA and MMLA, and authored publications published by the MMA, including the prestigious Massachusetts Municipal Law Manual.



WGL is uniquely qualified to provide superior, cost effective legal services to the Town, as further detailed in the enclosed response in accordance with the RFP. The lawyers at WGL utilize a team approach to combine our extensive experience in many practice areas, including, among others, municipal law, labor law, and zoning and planning issues.

We would welcome the opportunity to put this expertise to work for the Town. Additionally, should the Town not select our firm as Town Counsel, we respectfully request to be considered for Special Counsel as the Town may see fit based on a review of our qualifications and the Town's needs, both present and future. Thank you for your willingness to review these materials and, if you have questions, please do not hesitate to contact me.

Sincerely yours,

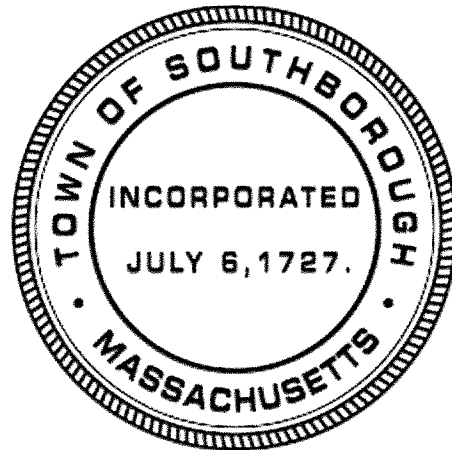
WEST GROUP LAW PLLC

A handwritten signature in black ink, appearing to read 'Teno A. West', is written over a horizontal line.

Teno A. West
Managing Partner



**PROPOSAL TO PROVIDE
TOWN COUNSEL LEGAL SERVICES
TO
TOWN OF SOUTHBOROUGH
MASSACHUSETTS**



MAY 5, 2021



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RESPONSE TO REQUESTS FOR PROPOSALS FOR SOUTHBOROUGH TOWN COUNSEL

NAME: Steven A. Torres, Esq.
FIRM NAME: West Group Law PLLC
ADDRESS: 4 Richmond Square, Suite 350
TELEPHONE: (401) 371-3636
FAX: (401) 272-2971
EMAIL: storres@westgrouplaw.com

1. Please identify by name (address and phone number if different than above) the proposed Town Counsel and each proposed back-up counsel. The Board of Selectmen wants to know the specific individual attorney who will serve as Lead Counsel.

Lead Counsel: Steven A. Torres, Esq.
Back-up Counsel: Teno A. West, Esq. and Jillian N. Jagling, Esq.

In addition to the Proposal Team identified herein, WGL includes other municipal attorneys with significant and diverse municipal law experience.

2. Please attach resume or *curriculum vitae* for each attorney identified above.

Please see attached resumes for the Proposal Team.

3. Do each of the attorneys identified above meet the minimum bar admission requirements of the RFP? If other than “yes”, please explain.

Attorneys Torres and Jagling are admitted in Massachusetts. Attorney Torres is admitted in the District of Massachusetts and the First Circuit Court of Appeals. Attorney Jagling is not admitted in the District of Massachusetts, but can easily seek admission. She is admitted in a number of other federal districts and practices regularly in federal court.

4. With respect to each attorney identified, please list each Massachusetts municipality represented by the attorney within the past ten years, the years of such representation, and the name, address and phone number of at least one contact person in each municipality with knowledge of the attorney’s representation. (See attached sheet)

Please see the attached.



5. Please describe each identified attorney's experience in the municipal law, including but not limited to the following areas: labor, land use - zoning and planning, Conflict of Interest and Open Meeting Law, public construction, public contracts, environmental law, municipal finance, litigation and open town meeting.

- i. **Steven A. Torres, Esq. (BBO#566356), Lead Counsel**

Attorney Torres has more than 25 years of experience in municipal law. He has served as chief legal counsel for two Massachusetts cities, serving four mayoral administrations. Attorney Torres served as Corporation Counsel for the City of Fall River, Massachusetts from 2010-2012 and City Solicitor for Taunton, Massachusetts from 2000-2009. In these positions, he was each City's lead counsel in all litigation and transactional matters, including collective bargaining.

A significant portion of Attorney Torres' tenure in both cities was dedicated to public employee collective bargaining, municipal infrastructure, finance, procurement, construction, environmental and land use issues. He was chief counsel negotiating and administering collective bargaining agreements, tax increment finance agreements, land development agreements and special permits (including M.G.L. Ch. 40B Permits), consent and enforcement orders and municipal contracts. He has been chief procurement counsel and contract administrator for over \$1.5 billion dollars in design and construction contracts for public buildings, water, wastewater, solid waste, bridge and highway and public recreation facilities. Attorney Torres also has experience preparing town meeting warrant articles, presenting and speaking at Town Meeting, advising the Town Meeting and the Board of Selectman and writing advisory opinions.

As a long-time labor and municipal attorney, Attorney Torres has over 25 years of experience in collective bargaining negotiation, contract administration, grievance arbitration, including interest arbitration and practice before the Joint Labor Management Committee (police and fire). As chief legal counsel for two cities for thirteen years, Attorney Torres has significant experience in code enforcement under each state regulation, and has extensive experience drafting and enforcing zoning regulations and litigating appeals. Attorney Torres has successfully lead cities through large scale 40B developments, reducing the developers scope in each of these projects by nearly 75% or original demand.

- ii. **Teno A. West, Esq. (BBO#568602), Assistant Town Counsel**

Attorney West serves as the Managing Partner of WGL and would serve as the Assistant Town Counsel. His practice focuses primarily on representing municipal governments in the areas of water and wastewater law, environmental, regulatory, public-private partnerships, solid waste management, public contracts, municipal law, litigation, procurement law, administrative law, and construction law. He is a nationally recognized expert in the areas of his practice. He served as the Town Manager of Hardwick, Vermont and Town Administrator of Carlisle, Massachusetts. In his capacity as a municipal manager, he also served on regional solid waste district governing boards in both states. Attorney West also worked at the Massachusetts Office of Inspector General where he analyzed and investigated the dealings of local and regional governments to carry out the Office's mission of preventing waste, fraud and abuse.



Attorney West has served as the lead negotiator for the development of several cutting-edge environmental and civic municipal infrastructure projects throughout the United States. Attorney West has special experience in the development of urban renewal and municipal construction projects representing municipalities and development corporations in the procurement, construction, operation, and financing of a variety of civic projects, including sports stadiums, municipal buildings, and educational facilities. The value of infrastructure projects that he has assisted with exceeds \$10 billion. Attorney West has assisted governments with the drafting and enactment of legislation necessary for such alternative delivery methods to be lawfully implemented.

Attorney West also has extensive experience in connection with town meetings, including all issues relating to open meetings laws and freedom of information laws. He routinely attends public meetings for all of WGL's clients to address various legal questions presented to board members from constituents. Drawing from his experience as a former town manager, he also has experience with reviewing charters and by-laws; promulgating rules and regulations; code enforcement; and advising on governance matters. He has significant experience advising on zoning and parkland issues, including alienation issues; the acquisition of municipal assets; and redevelopment agency projects. He has advised on labor and employment matters, including, among other things, advising on internal investigations.

iii. **Jillian N. Jagling, Esq. (BBO#675440), Senior Counsel**

Attorney Jagling has experience in both the public and private sectors. She represents and provides legal advice to public entities, including municipalities and public authorities, in connection with general municipal law and the construction, improvement and operation of all types of public facilities and operations, including water and wastewater facilities, municipal buildings, recreational facilities, transportation systems, solid waste management, and other public projects and facilities.

Attorney Jagling has experience in labor and employment, representing management in collective bargaining, including drafting proposals, drafting and amending collective bargaining agreements, grievances and arbitrations. Her practice also includes, structuring procurements from start to finish, including drafting and managing the procurement process, drafting and negotiating contracts, project financing, contract management and governance, as well as disputes. Many of these public projects incorporate alternative project delivery models including design-build, design-build-operate, and public private partnerships. She also provides counsel on matters related to municipal law and regulations, including energy management, zoning, land use, planning, and conservation. Attorney Jagling also represents clients in both state and federal courts.

Attorney Jagling's previous roles include work in municipal, and labor and employment law at another law firm and in-house counsel with a major insurance company. Attorney Jagling also served in the United States Army Reserves for eight years, during which time she was with the 3rd Legal Support Operations Unit in Boston, MA.

6. Has any of the above identified attorneys had a complaint filed with the Board of Bar Overseers in the past five (5) years? If yes, provide applicable details.

NO



7. Please describe how you propose to satisfy the Accessibility requirements of the RFP.

Attorney Torres will be available regularly on a daily basis to the Town Administrator through both direct telephone and electronic communication. This includes availability to 24-hour town services such as police, fire, public works and emergency management when exigent circumstances arise. With respect to regular business items, the Proposal Team regularly monitors, and have administrative assistants who regularly monitor all electronic communication to ensure and facilitate timely responses. Attorneys will respond to phone calls the same business day, absent extraordinary circumstances such as being on trial. In no event will telephonic or electronic communication from the Town to counsel receive a response more than 24 hours from the time of initial inquiry.

With respect to our additional, 24 hour call service for emergencies determined by the Town Administrator or public safety head to need the attention of Town Counsel, Attorney Torres, as a 13-year city attorney, monitors his cell phone to be able to respond to municipal client emergencies as they arise and if on vacation, will designate someone in his stead to do the same.

Requests for written legal opinions can be returned within one (1) week absent the need for extensive legal research or response for information from state agencies with administrative, policy or regulatory jurisdiction over the matter and unless the circumstances of the opinion warrant a shorter or longer time frame for a response. The firm, as Town Counsel, can commit to discuss directly with the office of primary responsibility at the Town, the precise details regarding scope of work, time frame for response and need for additional information gathering on each item for which legal assistance is sought. The firm will work with the Town Administrator to determine a protocol for Town approval of departmental requests for legal assistance or opinions.

Additionally, WGL will provide “residence time”, where Lead Town Counsel or Assistant Town Counsel will have office hours at Town Hall for 2-3 hours every other week, to facilitate functional support to the Town Administrator, and Departments, as directed by the Town Administrator.

Finally, as a management and planning technique and at no cost to the Town, Town Counsel will provide a quarterly summary of: 1) Pending litigation, to include most recent demand; 2) Open projects and requests for opinions; 3) Schedule of events and deadlines for upcoming month, including office of primary responsibility; 4) Status of collective bargaining, personnel or non-personnel related contract negotiations; and 5) Drafting Status of Warrant Articles, by-laws, special legislation or policy documents.

8. Please describe how you propose to satisfy the Back-up requirements of the RFP.

The Proposal Team identified above, will provide logistical and project support and back up for Attorney Torres as necessary. At no time will the Town be without access to either the Lead or Assistant Town Counsel attorneys.

If selected as Town Counsel, Attorney Torres will ensure that he is blocked off for all regular and special town meetings immediately upon being notified by the Town of the dates for the meetings. Once booked for scheduled Southborough Town Meetings, no other engagements or client meetings will be scheduled to conflict and the committed dates will be preserved absent a personal emergency for counsel. In the event that the scheduled Town meeting is announced at a date on which Attorney Torres cannot



be made available, a suitable back-up member, as approved by the Town Administrator, will be made available. In no event shall a Town Meeting event or Selectmen's meeting where counsel's presence has been requested by the Town be unstaffed by our firm and every effort will be made to ensure that Attorney Torres, as Lead Counsel, will be in attendance.

9. Please explain how you plan to meet the Billing requirements of the RFP, and whether you have used alternative fee arrangements with previous municipal clients and/or would propose using an alternative fee arrangement regarding services to the Town?

WGL proposes to provide all legal services to the Town as included in the RFP, and described below, for a flat monthly fee of \$7,750.00. This includes each of the services below, including the appeal of any Town decision to any state or federal administrative tribunal. In addition, WGL will provide "residence time" in this figure, where Lead Counsel or Assistant Town Counsel will have office hours at Town Hall for 2-3 hours every other week, to facilitate functional support to the Town Administrator, and Departments, as directed by the Town Administrator.

- Review of contracts and procurement issues
- Occasional attendance at meetings of Board of Selectmen of other boards and committees
- Land use advice to boards, commissions and staff
- Administrative law questions, OML, Public Records Law, municipal finance law and administrative process
- Ethics/conflict of interest advice
- Zoning issues for the building commissioner, town planner, economic development coordinator, zoning board of appeals, planning board and other boards and staff
- Act as a resource and provide legal advice to Board and Town Administrator
- Environmental advisory opinions
- Town meetings, including preparation of the warrant, home rule petitions, motions, and attendance

Ordinary procurements, services contracts and review of documents associated with these ordinary procurements shall be included in the flat fee, above, however any extraordinary procurements such as construction in excess of \$10 million, which shall be paid for out of bond proceeds or third-party financing shall be on a time expended basis, and billed at the blended rate of \$225.00 per hour for all attorneys with a project budget and "Not to exceed Amount" agreed upon by the Town.

Collective bargaining negotiations, contract administration or mediation/arbitration shall be on a time expended basis and shall be at the rate of \$195.00 per hour with a project budget and "Not to Exceed Amount" agreed upon by the Town.



State or federal court litigation shall be on a time-expended basis at the rate of \$195.00 per hour with a project budget and “Not to exceed Amount” agreed upon by the Town.

10. State whether you have represented a client in the preceding three (3) years who has or had a matter pending before any officer, agency board or committee of the Town.

No.

11. Please identify any past or current clients that may give rise to conflict of interest as a result of representing the Town of Southborough.

None.

12. Confirm that you will not, during the time of your representation of the Town, represent any client in any matter in which the interests of the client are adverse to those of the Town, or in any matter seeking action by any officer, agency, board or committee of the Town, in accordance with MGLA 44A c268A s17.

We confirm that we will not, during the time of our representation of the Town, represent any client in any matter in which the interests of the client are adverse to those of the Town, or in any matter seeking action by any officer, agency, board or committee of the Town, in accordance with MGLA 44A c268A s17.

13. Provide a general description of the firm, its history, significant changes in its makeup over the last three years (3) and its range of business.

WGL is a boutique municipal law firm that provides responsive legal solutions with cost-effective results. We have offices in Massachusetts, Rhode Island and New York, and we represent clients throughout the country.

Our attorneys have represented municipalities and other public entities for more than 25 years in connection with general municipal law matters, public-private partnerships, water and wastewater systems and projects, civic/municipal buildings, environmental and regulatory matters, solid waste issues, transportation, structuring requests for proposals (RFPs), contract negotiations, alternative project delivery methods, land use zoning and development, labor, litigation, and construction law.

Members of our firm have spent their careers serving state and local governments and agencies. We understand the challenges municipalities face because our attorneys once worked in senior positions in state and local governments. This experience enables us to provide municipalities and public entities with efficient, creative, and low-cost solutions across the country. We chose this platform for a reason – to utilize our extensive collective experience while allowing for nimble, efficient results for our public clients.

Our attorneys have also served as members of the Executive Committee of the Massachusetts Municipal Lawyers Association (MMLA) and have lectured at municipal law seminars hosted by



Massachusetts Continuing Legal Education (MCLE), the MMA and MMLA, and authored publications published by the MMA, including the prestigious Massachusetts Municipal Law Manual.

The firm has substantial experience and expertise in a variety of municipal practice areas, including:

- Regulatory and Administrative Law
- Municipal Infrastructure and Public Utilities
- Public Private Partnerships
- Public Finance
- Public Procurements
- Labor & Employment Law
- Contract Negotiations, including collective bargaining
- Energy & Environmental Law
- Litigation
- Alternative Dispute Resolution
- Zoning & Land Use
- Real Property Law
- Commercial Development
- Construction Law
- Transportation
- Shared Services/Consolidation
- Drafting Legislation

WGL currently has five partners, two senior counsels, two associates, and five attorneys serving as of counsel. The staff at WGL includes three legal assistants and administrative personnel supporting the firm's attorneys. In addition to the Proposal Team identified herein, all WGL attorneys and personnel will be available on an as-needed basis for the duration any engagement.

In addition to our experience in Massachusetts, members of WGL have represented municipalities and other public entities throughout the nation in connection with a broad array of municipal matters, including day-to-day operations, regulatory and administrative matters, labor and employment matters, construction, government relations, litigation, public-private partnerships, real estate and land use, public utilities law, water law, and solid waste and wastewater management. We are well-versed in procurement law and public bidding requirements, contract negotiations, constitutional law, and drafting legislation and resolutions. We have become intimately familiar with municipal charters and ordinances, and other matters at the municipal level. This gives us the national perspective of understanding how challenges were addressed by other municipalities, and allows us to bring a fresh approach to our clients. These municipalities and public entities include, among others:

- City of Coachella, California
- Los Angeles County, California
- City of New London, Connecticut
- City of Fort Pierce, Florida
- City of Annapolis, Maryland
- City of Stockton, California
- Water Research Foundation, Denver, Colorado
- Florida Keys Aqueduct Authority, Florida
- Monroe County, Florida
- Tulsa Metropolitan Utility Authority, Oklahoma



- City of Philadelphia, Pennsylvania
- Pittsburgh Water and Sewer Authority, Pennsylvania
- Puerto Rico Aqueduct and Sewer Authority, Puerto Rico
- City of Newport, Rhode Island
- Rhode Island Water Resources Board, Rhode Island
- Rockland County Solid Waste Management Authority, New York
- Rockland County Sewer District No. 1
- Lemon-Tunkhannock Joint Municipal Sewer Authority, Pennsylvania
- Government Development Bank for Puerto Rico, Puerto Rico
- City of Cranston, Rhode Island
- Providence Water Supply Board, Rhode Island
- Warwick Sewer Authority, Rhode Island
- Nassau County, New York

14. For Municipal Clients identified in paragraph 4, above, have you or the firm:

A. Exceeded the municipal legal budget appropriation (general fund) in the last three (3) fiscal years (FY2018, FY2019, FY2020) and if so, by what percent?

No.

B. If you have a retainer arrangement with the above clients, please note the retainer amount vs. total amount billed for the last three (3) fiscal years.

No retainer agreements.

15. Provide details of any criminal investigation, regulatory or disciplinary proceedings or material litigation against your firm or members of your firm, which is either pending or has been completed in the preceding five (5) years.

None.

16. Provide details as to the nature and amounts of your firm's professional insurance and of any claims asserted or made against such coverage in the preceding three (3) years.

None asserted.

[Signature page follows]



By my signature, I certify that the information contained in this Response to Requests for Proposals are complete and accurate, to the best of my knowledge and belief.

Signed: Teno A. West Date: 5/4/2021

Print Name and Firm Teno A. West, Managing Partner at West Group Law PLLC



RESPONSE TO REQUESTS FOR PROPOSALS FOR SOUTHBOROUGH TOWN COUNSEL

Fees and Expenses Response Sheet

1. Please list the names and hourly rates for each attorney intended or likely to serve as back-up for proposed Town Counsel.

As set forth in response to number 9 above, WGL proposes to provide all legal services to the Town as included in the RFP for a flat monthly fee of \$7,750.00.

Ordinary procurements, services contracts and review of documents associated with these ordinary procurements shall be included in the flat fee, above, however any extraordinary procurements such as construction in excess of \$10 million, which shall be paid for out of bond proceeds or third-party financing shall be on a time expended basis, and billed at the rate of \$225.00 per hour with a project budget and “Not to exceed Amount” agreed upon by the Town.

Collective bargaining negotiations, contract administration or mediation/arbitration shall be on a time expended basis and shall be at the rate of \$195.00 per hour with a project budget and “Not to Exceed Amount” agreed upon by the Town.

State or federal court litigation shall be on a time-expended basis at the rate of \$195.00 per hour with a project budget and “Not to exceed Amount” agreed upon by the Town.

2. If you propose to bill for services provided by paralegals, clerical staff, or other non-attorney personnel, please list by title and by hourly rate each position for whom you may bill.

We do not propose to bill for such services.

3. Please provide a complete listing of all charges for expense you intend to impose as incurred (i.e., any and all copy charges, telephone charges, fax charges, mileage charges and the like, but excluding any fees for stenographers, court fees, service fees and the like).

For reimbursable expenses, we propose to charge only the actual documented out-of-pocket costs for items such as those detailed below:

- Overnight shipping charges (Federal Express/UPS) – actual costs incurred
- Long distance telephone tolls – actual costs incurred
- Photocopying – \$2.5 (cents) per copy
- Other miscellaneous out-of-pocket expenses – postage, courier services, etc. – actual cost incurred.
- Travel expenses will be based on IRS standard mileage rates, and will be considered as originating from our Providence office.

WGL does not bill for travel time.



4. In what hourly increments do you intend to bill?

Time will be billed in 1/10 (6 min. increments) of an hour increments.

5. Do you bill out attorneys' time out of the office on a portal-to-portal basis or some other basis? Please describe.

Although we charge for mileage reimbursement, we do not charge "portal-to-portal" hourly fees for attorney travel.

6. Do you intend to propose an alternative fee arrangement? Yes_ No X. If "yes", please attach additional sheet(s) fully describing and explaining your proposal.



LIST OF MUNICIPALITIES REPRESENTED DURING THE LAST 10 YEARS/REFERENCES:

Municipality	Contact Name and Title	Contact Information (telephone and/or email)
City of Brockton	Megan Bridges, City Solicitor	508-580-7110
City of Fitchburg	Jeff Murawski, DPW Deputy Commissioner of Wastewater	978-829-1930
City of Marlborough	Jason Grossfield, City Solicitor	508-460-3771
City of Fall River	Gary Howayeck, Assistant Corporation Counsel	508-324-2000
Town of Seekonk	Shawn Cadime, Town Administrator	508-336-2912
City of Taunton	Former Mayor Tom Hoye	508-977-6040
Town of Braintree	Former Mayor Joseph C. Sullivan	
Lynn Water & Sewer Commission	David Travers	781-596-2400
City of Attleboro	Mayor Paul Heroux	508-223-2222, ext. 3221
Town of Framingham	Christopher Petrini	508-532-5400
City of Melrose	Robert J. Dolan	781-334-9410
Town of Danvers	Steve Bartha	978-777-0001, Ext. 3069
MA Highway Association	David Lane	978-777-0001
Town of Winthrop	James M. McKenna	617-846-1852
Town of Bourne	Thomas Guerino	508-759-0600



PROPOSAL TEAM RESUMES

STEVEN A. TORRES WEST GROUP LAW PLLC

PROFESSIONAL EXPERIENCE

WEST GROUP LAW PLLC

3/2017 - Present

PARTNER

Represent and advise public, quasi-public and private sector clients on a wide range of municipal infrastructure, procurement, contracting, public construction, water, wastewater, utility, solid waste, energy and renewable energy, land use, commercial and economic development issues and projects. Perform both transactional and litigation services of behalf of clients. Lead counsel in significant environmental compliance litigation, complex design and construction cases and public bidding and contract disputes. Significant work advising public clients on Public-Private-Partnership [P3] project development.

PANNONE LOPES DEVEREAUX & WEST LLC

2012 – 2/2017

PARTNER

Represent and advise public, quasi-public and private sector clients on a wide range of municipal infrastructure, procurement, contracting, public construction, water, wastewater, utility, solid waste, renewable energy, land use and commercial and economic development issues and projects. Chaired national task force to draft design-build construction documents for use by government agencies in public construction and served on working group for national organization to revise AIA construction and design documents for use by public owners nationwide.

CITY OF FALL RIVER, Fall River, Massachusetts

2010 – 2012

CORPORATION COUNSEL

Chief legal counsel for the city in all litigation, transactional, labor, environmental, zoning and policy matters. Advise Mayor, department heads, boards and commissions. Manage six attorney government law office. Draft local ordinances and home rule legislation. Act as chief negotiator on all labor contracts, economic development and re-development projects, environmental and sustainability projects and public construction.

- Lead counsel for negotiation of destination resort casino with Mashpee Tribe
- Lead counsel/project administrator for renewable energy and sustainability projects
- Author of Waterfront Transportation Oriented District Zoning
- Lead City representative for reconstruction of Route 79-195 project, \$175 Million in Accelerated Bridge Program Funding
- Lead Counsel in opposition to siting LNG terminal in Mount Hope Bay
- Lead Counsel in federal litigation over CSO with CLF and US EPA

CITY OF TAUNTON, Taunton, Massachusetts

2000 –2009

CITY SOLICITOR

Chief legal counsel for the city in all litigation, transactional, labor, environmental, zoning and policy matters. Manage three attorney government law office. Draft local ordinances and home rule legislation. Act as chief negotiator on all labor contracts, economic development and re-development projects, environmental and sustainability projects and public construction.



- Lead counsel in first emerging technology waste conversion project in Massachusetts, international procurement worth \$500,000,000 in investment
- Lead counsel in development and zoning of Liberty and Union Industrial Park
- Lead counsel in \$200,000,000 in School Construction and building projects
- Negotiate environmental consent orders, agreements and dispositions

AMERICAN FEDERATION OF STATE, COUNTY MUNICIPAL EMPLOYEES 1994-1999
AFSCME, Council 93, AFL-CIO

ASSOCIATE GENERAL COUNSEL

Represent public and private sector labor unions and their employees in contract negotiation, administration, grievance and arbitration, litigation in state and federal courts and agencies.

UNITED STATES AIR FORCE 1988-2000

NUCLEAR WEAPONS OFFICER/COMBAT CREW COMMANDER

Command, control, operations, maintenance, programming, security and launch for United States Air Force Intercontinental Ballistic Missiles. Supervise ground technical, support, maintenance and security personnel. Train and evaluate personnel, including deputy combat crew commanders.

EDUCATION

Suffolk University Law School, Boston, Massachusetts
Juris Doctor
Cum Laude

Daniel Webster College, Nashua, New Hampshire
Bachelor of Science
Computer Science

PROFESSIONAL AND CIVIC AFFILIATIONS

Design Build Institute of America
President, New England Chapter
Member, National Water Markets Committee
National Conference Planning Committee

International Municipal Lawyers Association
Chair, Construction Contracts Drafting Initiative, Design-build
2014 President Awards Recipient

Bristol Community College, Trustee

Triumph, Inc. [Taunton Area Headstart], Director



**TENO A. WEST
WEST GROUP LAW PLLC**

PROFESSIONAL EXPERIENCE

**WEST GROUP LAW PLLC,
MANAGING PARTNER**

2017 - Present

Established, and leads, firm that focuses on the areas of water, wastewater and solid waste law, public contracts, government law, water law, government procurement, project delivery, infrastructure development, project planning and finance and intergovernmental relations.

**PANNONE LOPES DEVEREAUX & WEST LLC, White Plains, New York and Providence, Rhode Island
2009 - 2017**

PRINCIPAL/PARTNER

Led the firm's Municipal Infrastructure Team that represented local, regional and federal governments in connection with infrastructure projects, including those in connection with solid waste, water, wastewater, storm water, combined sewer overflow, conversion technology, co-composting, material recovery, waste to energy, as well as other similar environmental infrastructure projects.

**HOLLAND + KNIGHT LLP, New York, New York
2004 - 2009**

PARTNER

Lead the firm's state and local Government Procurement Team. Represented local and regional government in a broad range of municipal infrastructure-related projects, including the privatization of water, wastewater and solid waste utility services, the development of municipal assets utilizing alternative project delivery approaches and the representation of clients with a wide variety of contractual arrangements necessary to provide needed government services.

**HAWKINS DELAFIELD & WOOD LLP, New York, New York
2002 - 2004**

PARTNER

Represented local, regional and federal governments with public contracts and procurement matters. Assisted such governments with the privatization of water, sewer and solid waste assets, including the United States Navy with the lease or sale of public utility assets (water, sewer, gas and electric) for 60 naval installations. Was the lead attorney for the first wastewater public-private partnership in the State of New York.

**HAWKINS DELAFIELD & WOOD LLP, New York, New York
1993 - 2002**

ASSOCIATE

Represented municipal clients throughout the United States with contractual matters relating to such entities, providing water, wastewater and solid waste related services to their residents.

**MASSACHUSETTS OFFICE OF THE INSPECTOR GENERAL, Boston, Massachusetts
1992 - 1993**

MANAGEMENT ANALYST

Analyzed and investigated the dealings of local and regional governments to carry out the Office's mission of preventing waste, fraud and abuse.



TOWN OF CARLISLE, MASSACHUSETTS, Carlisle, Massachusetts
1989 - 1992

TOWN ADMINISTRATOR

Responsible for overseeing and administering the affairs and business of the Town government. Developed annual operating and capital budgets. Served on a regional solid waste board and insurance and personnel boards.

TOWN OF HARDWICK, VERMONT, Hardwick, Vermont
1986 - 1989

TOWN MANAGER

Provided management and fiscal leadership to the Town government. Served as Police Commissioner. Led intense effort to strengthen the local economic base. Member of regional solid waste and insurance boards.

EDUCATION

SAINT MICHAEL'S COLLEGE, Colchester, Vermont
Bachelor of Arts, Political Science and American Studies
Cum Laude

UNIVERSITY OF VERMONT, Burlington, Vermont
Master's Degree in Public Administration

NEW ENGLAND SCHOOL OF LAW, Boston, Massachusetts
Juris Doctor
Cum Laude
Lead editor, *New England Law Review*

PROFESSIONAL ACTIVITIES

Design-Build Institute of America (DBIA)
National Council for Public-Private Partnerships (NCPPT)
Solid Waste Association of North America (SWANA)
International City/County Management Association (ICMA)
American Water Works Association (AWWA)
New York State Association for Solid Waste Management (NYSASWA)
Water Environment Federation (WEF)
New England Water Environment Association (NEWEA)
New York Water Environment Association (NYWEA)
New England Water Works Association (NEWWA)
International Municipal Lawyers Association (IMLA)
National Association of Clean Water Agencies (NACWA)
DBIA – Florida Region
Massachusetts Water Pollution Control Association
Construction Resource Initiatives Council, Board of Directors
New York Bar Association, Member
New Jersey Bar Association, Member
Massachusetts Bar Association, Member



Pennsylvania Bar Association, Member
American Bar Association, Member

MISCELLANEOUS

Admitted as an Attorney in New York, New Jersey, Massachusetts and Pennsylvania.

Named one of The Best Lawyers in America® in Government Relations subcategory municipal infrastructure and as a Super Lawyer®.

Seasoned speaker at events hosted by several national trade associations, educational institutions and civic groups, including, but not limited to, Design-Build Institute of America, Solid Waste Association of North America, International City/County Management Association, New York and New England Water Environment Associations, U.S. Conference of Mayors, National Council of Public-Private Partnerships, International Solid Waste Association, as well as many other similar international, national, regional and local organizations.



**JILLIAN N. JAGLING
WEST GROUP LAW PLLC**

-----**PROFESSIONAL EXPERIENCE**-----

WEST GROUP LAW PLLC, Providence, RI

2017 – Present

Senior Counsel

- Represent and advise public sector clients on a wide range of municipal issues, including infrastructure, procurement, contracting, public construction, water, wastewater, solid waste, energy and renewable energy, land use, commercial and economic development issues and projects, and labor and employment.
- Represent clients in both state and federal court.

PANNONE LOPES DEVEREAUX & WEST, LLC, Providence, RI

2014 – 2017

Associate

- Provided guidance to clients in connection with various business matters, including contract drafting and negotiation, dispute resolution, corporate formation, mergers, and dissolutions and other business transactions.
- Served as back-up Town Counsel to a Massachusetts municipality and as Special Counsel to various municipalities in connection with procurement and management of sewer, water and wastewater system service agreements, as well as other municipal infrastructure projects.
- Counseled for profit and non-profit clients in various public and private industries in connection with state and federal law compliance.

BLUE CROSS & BLUE SHIELD OF RHODE ISLAND, Providence, RI

2008 – 2014

Staff Attorney (2009 – 2014)

Intern (2008 – 2009)

- Provided legal advice and counsel in complex and diverse matters on day-to-day basis, as an advisor and business partner.
- Ensured compliance with numerous federal and state laws and regulations, including ACA, ERISA and HIPAA, and kept company personnel informed of new developments and requirements.
- Led contract negotiations, drafted and reviewed various types of contracts, including provider, subscriber, consultant, license, service, confidentiality, and employment agency agreements.
- Directed the enhancement of a corporate-wide Records Management Program, including developing and conducting training of staff regarding compliance with the policy and program.
- Managed litigation case-load for company, including representing company before state courts, coordinating with and managing outside counsel, leading e-discovery and discovery efforts.
- Managed responses to all subpoenas and requests for records served upon the company.

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP, Worcester, MA

2004 – 2006

Labor and Employment Law Paralegal

- Drafted the following:
 - Employment agreements, separation/settlement agreements, offer letters and other private and public sector employment agreements; post-hearing briefs.
 - Proposals and memorandums to assist attorney in preparation for municipal negotiation sessions.
- Integrated municipal contracts.
- Strategized in preparation for various employment arbitrations and hearings.



-----**EDUCATION**-----

ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW, Bristol, RI

J.D. – *CUM LAUDE*

ROGER WILLIAMS UNIVERSITY LAW REVIEW, *Executive Articles Editor*

Roger Williams American Inns of Court Member

Honors Program

Dean’s Merit Scholarship

ASSUMPTION COLLEGE, Worcester, MA

B.A. – *CUM LAUDE*

Major: English

Minors: Spanish and Sociology

-----**PROFESSIONAL & CIVIC ACTIVITIES**-----

ASSOCIATIONS/COMMITTEE MEMBERSHIP

Roger Williams University School of Law Alumni Association Board of Directors

President, 2015 – 2020

Vice President, 2014 – 2015

Secretary, 2011 – 2014

The Rhode Island Governor’s Commission on Disabilities, Employment Committee

Member, 2015 – present

Massachusetts Municipal Lawyers’ Association

Legislative Committee Member, 2020 – present

Town of Hudson, MA

Finance Committee Member, 2020 – present

-----**MISCELLANEOUS**-----

BAR ADMISSIONS

Supreme Court of the United States

United States District Court for the District Rhode Island

United States District Court for the Eastern District of New York

United States District Court for the Southern District of New York

New York

Massachusetts

Rhode Island

MILITARY EXPERIENCE

United States Army Reserve

3rd Legal Support Operations, Boston, MA

Military Occupational Specialty: 27D, Paralegal and 88H, Transportation



WEST GROUP LAW PLLC ADDITIONAL EXPERIENCE

WGL's additional experience which may be of interest to the Town of Southborough includes, but is not limited to the following:

Real Property/Land Use

Our lawyers have extensive experience representing public entities, with a particular emphasis on land use, zoning, environmental, and redevelopment matters from planning, regulatory, and financing perspectives. We also serve as special counsel for redevelopment activities for many cities, counties, and redevelopment agencies, and our team has developed and drafted portions of comprehensive plans in municipalities, negotiated and drafted community benefit agreements.

Our extensive experience includes advising on:

- Condemnation proceedings and challenges
- Redevelopment agency projects
- Urban renewal projects
- Affordable/below-market housing projects
- Parkland issues, including alienation issues
- Acquisition of municipal assets
- Zoning issues

Environmental Law

Our attorneys work with municipal clients and outside environmental consultants to put together knowledgeable teams to deal with whatever type of environmental issue that may arise, including in connection with permitting issues. Our proactive approach coordinates the approval process and ensures that deadlines are met in an efficient manner.

Members of WGL have significant experience with respect to environmental and regulatory matters, including permitting facilities, as well as issues in CSO permitting. Our experience includes representation of clients in permitting procedures before state and federal regulatory agencies in New York, New Jersey and Connecticut; negotiation of consent orders and consent decrees; supervision of cleanups of municipal landfills, chemical dumps, chemical and oil spills, leaking underground storage tanks, construction and demolition sites; project oversight and negotiations for wastewater treatment plant upgrades; and advice on planning and zoning issues.

We have also negotiated with regulatory agencies on public works projects required under federal environmental statutes; drafted related legislation, and represented municipal entities in administrative actions before state and federal regulatory agencies.

Employment and Labor Law

WGL is experienced in all phases of litigation involving employment-related disputes, including litigation, arbitration and mediation of claims. WGL has extensive experience with respect to defense of



discrimination claims, as well as traditional labor relations. Our attorneys are experienced with the Americans with Disabilities Act, Family and Medical Leave Act, Employee Retirement Income Security Act, Federal Fair Labor Standards Act, privacy, and workplace violence law. Additional experience includes providing guidance and practical solutions to ensure understanding and compliance with applicable laws, as well as preparing and facilitating responses to petitions for unionization. Attorney Torres is co-author and editor of MCLE's section on Public Employee Collective Bargaining in both the first and second editions of Massachusetts Municipal Law and has handled over 300 labor arbitrations negotiated dozens of collective bargaining and public safety agreements.

Procurement

WGL attorneys have significant experience addressing all aspects of procurements. Our experience includes:

- Drafting RFPs, bid documents, and model contracts
- Negotiating and drafting agreements
- Advising on compliance with procurement laws
- Development and defense of procurement policies
- Defense of challenges to procurement processes
- Resolution of bidding disputes
- Developing creative procurement processes within the confines of stringent applicable laws
- Drafting legislation, including special legislation to authorize certain projects that would not be otherwise authorized under general law

Agreements

Our attorneys have extensive experience addressing all aspects of contract matters. Our experience includes development of model contract forms, resolution of bidding disputes, contract administration, and bond and insurance issues. Representative matters include:

- Advising on drafting and negotiation of agreements relating to providing municipal services from private parties, including with respect to:
 - Solid waste
 - Water
 - Wastewater
 - Sludge management
 - Energy generation
 - Public-private partnerships
 - Energy performance
 - Public construction projects
- Development of host community benefit agreements
- Development of various types of inter-municipal agreements involving state agencies, villages, towns, and counties



Construction/Acquisition of Facilities and Projects

WGL advises on both vertical and horizontal construction projects, as well as the acquisition of existing facilities. Some of our relevant experience includes advising on:

- Advising on alternative project delivery methods, including design-build and design-build-operate
- Development of various water, wastewater, and solid waste facilities
- Advising on the acquisition of both public and private facilities on behalf of public entities
- Counseling on procurement and administration of architectural, engineering, and testing and inspection services
- Preparation and negotiation of complex design and construction agreements
- Handling various construction claims
- Reviewing bid documents prior to release in order to modify language in order to prevent claims
- Advising on the applicability of prevailing wage laws

Shared Services/Consolidation

We have significant experience advising on legal issues in connection with shared services/consolidation. Members of WGL have been involved with shared services/consolidation in their legal careers and in previous employment in the public sector. Our experience includes advising on:

- Consolidation of police departments and sewer districts
- Serving on committees for intergovernmental and regional services
- Coordinating solid waste flow control measures
- Negotiating water rights deals between municipalities
- Analyzing various agreements in connection with service restructuring studies