



State of West Virginia
Office of the Attorney General

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Attorney General

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Request for Proposal for Legal Services To Represent the West Virginia Department of Health Facilities

The West Virginia Department of Health Facilities (“Department”) seeks a qualified law firm or attorney experienced in transactional matters relating to the sale and transfer of long-term care licenses and facilities, including experience with sales to private investment groups.

Qualified law firms or attorneys are invited to submit a proposal on or before NOON, Friday, August, 30, 2024 to assist with the Office of the West Virginia Attorney General’s representation of the Department. Selection of a winning proposal or proposals, if any, will be made as soon as possible after that date with representation to commence forthwith upon selection.

Background

The Department needs legal assistance with transactional matters relating to the sale and transfer of long-term care licenses and facilities, including experience with sales to private investment groups.

Scope of Representation

The client is the Department. The firm or attorney that is selected as a result of this process will work in close coordination with the Department staff, in-house attorneys, and a financial advisory firm to assist with these legal services.

Conflict of Interest Information

The firm or attorney shall disclose any prior or current representations of West Virginia long-term care facilities or hospitals, as well as any prior representation of the Department, and any matters that may create a potential or actual conflict, including but not limited to, any representations that were adverse to the Department or any other previous representation that could impact a conflict analysis for this potential client.

Your Proposal

No specific form is required of your proposal, but it should address those factors identified in the Attorney General's Outside Counsel Policy, and should also address your expertise and demonstrated skill (via references, example documents, and/or a descriptive narrative) in the following practice areas:

- Substantial experience and expertise in all aspects of the sale and transfer of long-term care licenses and facilities, including experience with sales to private investment groups.

If you propose to bill hourly rates, please state them separately for each attorney or paralegal to be assigned to this representation and indicate the approximate proportion of total time that will be billed at each rate. Computerized legal research tools, such as WESTLAW or LEXIS, may not be billed as an expense. Please state your per unit costs, if any, for expenses such as copying; whether you will bill for travel expenses and at what rate; and whether and how you bill for any additional attorney time while traveling. Representations made in your proposal will supersede any conflicting terms that are less favorable to the client appearing in any written contract or invoice.

Evaluation and Acceptance

Your proposal will be evaluated by the Office of the Attorney General in consultation with the Department. Any and all proposals may be rejected. Your proposal should be addressed to the Office of the Attorney General and emailed to rfpresponse@wvago.gov. This Request for Proposal shall be known as RFP # 133, and any and all correspondences relating to this Request for Proposal should reference RFP # 133. All proposals must be received by email no later than NOON, Friday, August 30, 2024. Any questions regarding this Request for Proposal should likewise be emailed to rfpresponse@wvago.gov.

Retention of the selected attorney or firm, if any, is conditioned upon execution of a written contract approved by the Attorney General. In no event will any such contract preclude the termination of the representation at any time by official action of the WVAGO or the Department.

Thank you for considering this Request for Proposal.