

# **Texas Automobile Insurance Plan Association (TAIPA)**

## **Request for Proposal (RFP)**

### **Legal Services**

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#### **Introduction**

The Texas Automobile Insurance Plan Association (TAIPA) seeks proposals from qualified attorneys or law firms to provide comprehensive legal services as outlined in the Description of Duties in this RFP. Proposals will be evaluated alongside others and presented to TAIPA's Operation Subcommittee and ultimately to the TAIPA Governing Committee. The Operation Subcommittee will review all proposals and intends to select finalists to present to the Governing Committee. The Committee reserves the right to reject all proposals.

If you are interested in providing such services, please submit your proposal no later than July 21, 2025 via email to [sdutton@taipa.org](mailto:sdutton@taipa.org) and mail to:

Stacy Dutton  
(Personal & Confidential)  
Association Manager  
Texas Automobile Insurance Plan Association  
P O Box 162890  
Austin TX 78716-2890

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#### **Timeline for RFP Process**

*June 26, 2025 Release RFP to interested parties*

*June 27, 2025 – July 11, 2025 Interested parties submit questions to TAIPA and answers are provided*

*July 21, 2025 RFP's must be submitted to TAIPA*

July 21-31, 2025 Staff reviews submissions and creates RFP review packets for subcommittee

August 1: Staff provides qualified RFPs to Ops subcommittee for review and selection of finalists and finalists are submitted to Governing Committee

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#### **The Organization**

TAIPA is a corporate entity created under Texas Insurance Code, Chapter 2151. Its primary function is to assign automobile liability insurance to individuals unable to secure it in the voluntary market.

The organization operates on a daily basis under its Plan of Operation which is approved by the Texas Department of Insurance (“TDI”).

Key facts about TAIPA:

- Membership includes all insurance companies authorized to write automobile liability insurance in Texas.
- Each member must accept assignments of insurance from TAIPA at rates promulgated by the Texas Commissioner of Insurance.
- The Governing Committee is made up of 15 members:
  - 8 insurer members
  - 5 public members
  - 2 licensed General Lines or Personal Lines Property and Casualty Agents
- TAIPA is subject to the Open Meetings Act.

For conflict-of-interest considerations, a list of Governing Committee members is attached to this RFP.

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## **Description of Duties**

The selected legal counsel or firm will perform the following duties:

### **1. General Legal Services**

- Conduct general legal research and draft memoranda as directed by the Governing Committee or TAIPA Association Manager.
- Assist in amending the Plan of Operation when necessary, including filing of amendments with the TDI, ensuring the updated plan when approved, and communicating issues related to compliance as appropriate.

### **2. Texas Open Meetings Act (TOMA) Compliance**

- Provide legal advice related to compliance with TOMA.
- Monitor and notify TAIPA leadership of any statutory changes or agency interpretations to TOMA that may require changes to existing internal or external procedures.

### **3. Legislative and Regulatory Representation**

- Represent TAIPA on matters before the Texas Department of Insurance and the Texas Legislature concerning legislation or proposed rules that impact TAIPA.
- Monitor and report on proposed legislation and rules that could impact TAIPA operations.

- If necessary, lobby on behalf of TAIPA and represent TAIPA in legislative hearings or rulemaking by providing necessary testimony or participating in stakeholder meetings.

#### **4. Rate-Making Procedures**

- Provide legal representation for TAIPA in rate-making procedures before the State Office of Administrative Hearings and the Commissioner of Insurance, as directed by the Governing Committee.
- Assist TAIPA's actuary in obtaining data from TDI for rate filing purposes.
- Coordinate with TAIPA staff to prepare, sign, and submit filings to the Commissioner of Insurance. Assist in responding to filing-related inquiries from the Texas Department of Insurance (TDI).
- Report the status of filings at each Governing Committee meeting and as needed to TAIPA staff.

#### **5. Operational and Employment Legal Advice**

- Offer legal guidance on operational, contractual, or employment matters as requested by the Governing Committee, subcommittee or Association Manager.

#### **6. Litigation Representation**

- Represent TAIPA in litigation initiated by or against the organization, whether by insureds, producers, or other entities including regulatory entities.
- Supervise any outside counsel hired to assist with litigation on behalf of TAIPA.

#### **7. Meeting Attendance and Legal Advice**

- Attend and provide legal advice at all TAIPA Governing Committee meetings (approximately three per year) and subcommittee meetings as requested by the Governing Committee or TAIPA Association Manager.

#### **8. Publications and Correspondence**

- Review and provide comments on TAIPA publications, communications, bulletins, and pertinent correspondence prior to their distribution, as requested.

#### **9. Statutory and Regulatory Interpretation**

- Interpret applicable statutes, regulations, and case law as they pertain to or affect TAIPA.

#### **10. Contractual Review**

- Review and advise TAIPA management on contracts, leases, or licenses required by TAIPA.

#### **11. Producer Review Panel Support**

- Attend Producer Review Panel meetings and prepare the minutes for each meeting, as established in the Plan of Operation.

#### **12. Appeals Assistance**

- Provide legal assistance for appeals to the Governing Committee, as requested, and outlined in the Plan of Operation.

#### **13. Meeting Agendas, Exhibits, and Minutes**

- Provide TAIPA staff a list of items that Counsel wants to discuss at upcoming meetings as well as any applicable exhibits.
- Provide guidance to TAIPA staff for Governing Committee meetings and subcommittee meetings to ensure compliance with TOMA on agenda posting, item description, access, related exhibits, and executive sessions.
- Review Governing Committee and Subcommittee meeting minutes.

#### **14. Special Assignments**

- Perform additional duties and tasks as specifically assigned by the Governing Committee or TAIPA Association Manager.
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### **Qualifications**

The ideal candidate or firm will demonstrate:

#### **Proven Expertise in Relevant Areas**

- Substantial Experience in insurance law, business law, litigation regulatory and legislative advocacy.
- At least ten years as a practicing attorney.
- Knowledge of Texas insurance law, including regulations related to rate-making and automobile liability insurance.
- Experience representing organizations in legislative, administrative settings, and regulatory matters, with a strong understanding of lobbying and compliance requirements.

#### **2. Effective Communication and Collaboration**

- Ability to provide legal advice clearly and to collaborate effectively with governing bodies, committees, and management both orally and in written formats.

#### **3. Organizational Governance Experience**

- Experience working with corporate boards, governing committees, or associations.
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## Proposal Requirements

- **Firm/Attorney Background:** Overview of the firm's history and attorney profiles.
  - **Experience:** Details of relevant legal, litigation, and lobbying experience.
  - **Approach:** Outline the methodology for addressing TAIPA's needs, including contingency plans for attorney coverage during absences (e.g., due to illness or other unforeseen circumstances).
  - **Fee Structure:** Hourly rates, retainer options, and cost estimates.
  - **Lobbying:** If not already registered to lobby, be willing to register as a lobbyist.
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## Submission Guidelines

- **Deadline:** *July 21, 2025*
  - **Submission Format:** Proposals must be submitted via [email and hard copy]
  - **Contact:** Stacy Dutton, Association Manager, at [sdutton@taipa.org](mailto:sdutton@taipa.org) or 512-531-7271
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## Evaluation and Timeline

- **Proposals Reviewed:** Following review and consideration of all proposals by the Operation Subcommittee and finalists will be submitted to the TAIPA Governing Committee.
  - **Final Selection:** TAIPA Governing Committee will make the final selection.
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## Terms and Conditions

- TAIPA reserves the right to accept or reject any proposal.
- All submitted materials are confidential.
- The organization may amend or withdraw this RFP at any time.