

REQUEST FOR PROPOSALS

LEGAL SERVICES

The Trigg County Board of Education is soliciting proposals for Legal Services. Services are to begin July 1, 2019.

Invitation

Sealed proposals will be received by Superintendent Travis Hamby, Trigg County Public Schools, 202 Main Street, Cadiz, KY 42211, until 1:00 p.m., May 30, 2019. All proposals must be received by the date and time designated in this proposal and none will be considered thereafter. This Request for Proposal (RFP) is not competitive sealed bidding.

Pre-Bid Questions

Questions shall be submitted via email to Travis Hamby, Superintendent (travis.hamby@trigg.kyschools.us) and copied to Jeanette Hoover, Administrative Assistant (jeanette.hoover@trigg.kyschools.us), with “**Legal Services RFP Question**” noted in the subject line, no later than **3:00 p.m., Central Time, Friday, May 17, 2019**. All questions and responses will be posted on the Trigg County Public Schools website where this proposal is displayed by 5:00 p.m., Central Time, Wednesday, May 22, 2019.

Submission of Proposals

Proposals must be delivered by mail or by other means on or before the RFP opening date to, Superintendent Travis Hamby, Trigg County Public Schools, 202 Main Street, Cadiz, KY 42211. The envelope should be clearly marked, “**Legal Services Proposal – FY 20**” with this Request for Proposal.

All proposals will be opened in the Trigg County Board of Education Conference Room, 202 Main Street, Cadiz, KY 42211. The Board of Education cannot assume the responsibility for any delay as a result of failure of the mail or delivery services to deliver proposals on time. The proposals will not be opened to the public nor be disclosed to unauthorized persons prior to the award of the contract. However, after award of the contract, all proposals shall be open to public inspection, subject to any continuing prohibition on the disclosure of confidential data.

Any unauthorized contact with any other official or employee in connection with this Request for Proposal is prohibited and shall be cause for disqualification of the proposer.

Submit one (1) original and five (5) copies of the proposal. Information must be labeled and submitted in the order identified in the RFP.

By submitting a proposal, the vendor is indicating that he/she has read, understands and agrees to all the specifications outlined in this proposal.

Quotation Form

All prices must be provided on the Quotation Form.

All prices and quotations must be in ink or typewritten. No pencil figures or erasures will be permitted. Mistakes are to be crossed out and corrections inserted adjacent thereto and initialed by person signing the quote. Also, corrections made with correction tape or fluid are to be initialed.

Quote unit prices in whole numbers only to the nearest cent. Fractional pricing will not be considered.

The quotation must be signed in ink (no pencil). No proposal can be signed after being opened. Any unsigned proposal will be rejected.

Electronic Mail, Telegraphic or Facsimile Quotes

Electronic Mail, Telegraphic or facsimile quotes are prohibited; any and all bids received electronically shall be considered a non-responsive quotation.

Evaluation Criteria and Award of Contract

The Trigg County Board of Education will review all proposals received from the offerors.

The evaluation of proposals and the basis of award will be based on the review and analysis of numerous factors, which will include, but not be limited to, the following:

- Background and experience in providing work as identified in the Scope of Services section of this RFP. *Note: An attorney whose work experience in this area is limited, should state what resources will be utilized as the attorney is gaining expertise in this area in order to serve the needs of the district.*
- Qualifications of personnel.
- References of work done of similar nature.
- Costs, including hourly rates for all levels of service and personnel, travel time costs, and costs for support services of word processing, copying, etc.

Upon evaluation of all submitted proposals, a limited number of Firms deemed most qualified to provide the requested legal services and within a competitive range will be invited to present their qualifications and respond to questions from the Board in an interview during the week of June 3, 2019 (tentatively scheduled for Wednesday, June 5).

The Trigg County Board of Education will award the contract for Legal Services in an open meeting before July 1, 2019.

Period of Contract

The actual period of the contract will be from July 1, 2019 through June 30, 2020, with option to renew annually if agreeable to both parties.

Modification or Withdrawal of Proposal

All proposals shall be valid for a period of sixty (60) days from the opening date to allow for tabulation, study, and consideration by the Trigg County Board Education. The proposer may withdraw a proposal, without prejudice, prior to the published opening date.

Prior to the closing date and time designated for receipt of proposals, proposals submitted early may be modified or withdrawn only by notice to the party receiving proposals at the place and prior to the closing time designated for receipt of proposals.

Interpretation or Correction of RFP

Offerors shall promptly notify Superintendent Travis Hamby of any ambiguity, inconsistency or error which they may discover upon examination of the RFP.

Any interpretation, correction or change of the RFP will be made by addendum, issued by the Superintendent. Interpretations, corrections or changes in the RFP made in any other manner will not be binding and offerors shall not rely upon such interpretations, corrections and changes.

Addenda

Addenda will be mailed or delivered to all who are known by the Superintendent to have requested and were furnished RFP's

Copies of addenda will be made available for inspection wherever RFP's are on file for that purpose.

No addenda will be issued later than seven (7) days prior to the date of receipt of proposals, except for postponing the date for receipt of proposals, or withdrawing the request for proposals.

Each offeror shall ascertain prior to submitting his proposal that he has received all addenda issued, and he shall acknowledge their receipt on the RFP form.

Right to Reject

The Trigg County Board of Education, reserves the right to reject any and all proposals where the best interests of the Board may be served, including the right to award a contract without any further discussion or negotiation with anyone proposing these services. The Trigg County Board of Education also reserves the right to reject any proposal where evidence or information submitted by the vendor does not satisfy the Board of Education that the vendor is qualified to carry out the details of the contract.

Right to Wave Technicalities or Irregularities

The right to waive technicalities and minor irregularities in proposals shall be maintained and preserved in the case of all RFP's issued by the Board.

Technicalities or minor irregularities in proposals which may be waived when the Board determines that it will be in the Board's best interest to do so, are mere matters of form not affecting the material substance of proposal or some immaterial deviation from or variation in the precise requirements of the RFP and having none, or a trivial or negligible effect on price, quality, quantity or performance of the services being procured, the correction or waiver of which will not affect the relative standing of, or be otherwise prejudicial to other offerors. The Board may either give an offeror an opportunity to cure any deficiency resulting from a technicality or minor irregularity in his proposal, or waive such deficiency where it is advantageous to the Board to do so.

Prices

Prices quoted herein are to remain firm for the period of the contract.

Deductions for Taxes, Worker's Compensation, Etc.

The contractor will be required to accept liability for payment of all payroll taxes or deductions required by local, state and federal law.

Worker's Compensation Insurance shall be carried to the full amount as required by Kentucky Statutes.

Specifications

Trigg County Public Schools, serving approximately 2,000 students, with over 300 employees, and a \$25 million budget, is requesting Proposals from individual attorneys or law firms willing to provide legal services and consultation to the Trigg County Board of Education, designated officers and employees. Using the Proposals received, the Board intends to establish a contract(s) with an attorney(s) who will be available to provide legal services on an as-needed and case-by-case basis during the contract term. The Board may contract with a single or with multiple individuals and/or firms to provide general/specialized legal services.

Individuals and/or law firms interested in assisting Trigg County Board of Education with the provision of legal services must prepare and submit a Proposal in accordance with the procedures of this RFP. The Trigg County Board of Education will review Proposals only from those individuals and/or firms that submit a Proposals which includes all information required to be included as described herein.

An attorney whose work experience in this area is limited, should state what resources will be utilized as the attorney is gaining expertise in this area in order to serve the needs of the district. An attorney that is not able to attend meetings should explain what alternative arrangements for attending meetings will be made if attendance at meetings is required. The Board reserves the right to retain such other attorneys separate from this request for proposal from time to time as may be in the best interest of the district. All services listed in the "Scope of Service" are not required at all times. The lists are "as requested."

Scope of Service

General Counsel

As requested:

- Provide advice and consultation with the Board of Education, the Superintendent and Key Personnel in connection with their general and specific powers and duties.
- Attend Board of Education Meetings, as appropriate.
- Provide advice with respect to all Constitutional questions.
- Provide advice, consultation, and representation with respect to issues related to pertinent Kentucky and Federal statutes.
- Provide advice, consultation and representation on student and all other district matters, including hearings and related proceedings.
- Provide such other services as are inherent in matters relating to the operation of a school district.
- Provide information on new federal and state laws that may impact the District operation and advise appropriate action.
- Assist the District in developing contract templates for outside services as needed.
- Review and assist in the negotiation of contractual agreements as requested.

- Provide advice and consultation related to implementation of board policies and procedures.
- Audit current policies and procedures, and employee handbook against applicable Kentucky and Federal Statutes and Regulations and, as appropriate, assist in drafting and/or revising policies and procedures that align to Kentucky and Federal Statutes and Kentucky Administrative Regulations.
- Prepare legal opinions on education-related legal questions at request of the Board and the Superintendent.
- Monitor and review changes in the public school law enacted by the General Assembly and advise the Board and the Superintendent of legislative changes and necessary Board and administrative actions.
- Provide periodic updates on administrative practice and Board policy, including the review of important court decisions and attorney general's opinions.

Human Resources Management

As requested:

- Provide advice, consultation and representation on issues involving District employees relative to: legal qualifications; teaching credentials and certificates, and other required licenses; proposed reduction in force and tenure questions; various forms of leaves of absence; substitute and part-time employees; and matters related to compensation.
- Provide advice, consultation and representation in grievances, complaints, tribunals, and demotion hearings.
- Provide advice, consultation and representation of the District with respect to the employment, discipline and dismissal of certificated and classified employees.

Facilities

As requested:

- Provide advice, consultation and representation related to real property matters, including acquisition, disposition, environmental impact reports, leasing and construction of facilities, as well as contract and bidding requirements.
- Provide such other services that are inherent in matters related to school facilities.

Special Education

As requested:

- Provide advice, consultation and representation in connection with the placement of special needs students, including participation in hearings and representation in related administrative and judicial proceedings.
- Provide such other services as are inherent in matters related to the provision of services to special needs students.

In-Service Education

As requested:

- Prepare and present, as requested, training programs/workshops for administration, staff and Board members on pertinent problem areas in school law. Provide visual and/or handout materials on various topics as requested or appropriate.

Continuing Education

As requested:

- The Board Attorney will be expected to attend appropriate annual seminars, workshops, and training related to education law.

RESPONSES

CONTENTS FOR RESPONSE TO REQUEST FOR PROPOSALS

In order for proposals to be considered, said proposal must be clear, concise, complete, well organized and demonstrate both respondents' qualifications, and its ability to follow instructions. The quality of answers, not length of responses or visual exhibits is important in the proposal.

The proposal shall be organized in the format listed below. Respondents shall read each item carefully and answer each of the following items accurately to ensure compliance with District requirements.

A. Submittal Letter

Include the RFP's title and submittal due date, the name, address, fax number and telephone number of the responding firm. Include a contact person and corresponding e-mail address. The letter shall state that the proposal shall be valid for a 60-day period and that the staff proposed is available immediately to work on this project. The person authorized by the firm to negotiate a contract with the District shall sign the cover letter.

B. Description of Firm

This Section should provide an overview and history of your firm, and its practice in Kentucky, as well as the type of legal services for which your firm is submitting a proposal, and the approach that will be used in meeting the needs of the District. Please also include what areas of law are firm specialties.

C. Description of Experience

Use this Section to indicate the areas of expertise of your firm and how the firm's expertise will enable the District to benefit from that expertise.

D. Team

Please provide the names and resumes of staff who would be working with the District. Please indicate who the primary contact will be and who will be responsible for the day to day work with the District.

E. Conflict of Interest

Provide a statement relating to existing clients and whether current representation presents a conflict of interest with potential representation of Trigg County Public Schools. Respondent should also disclose any interests that may reasonably be foreseen to constitute a potential conflict of interest when representing Trigg County Public

Schools and, if seeking a waiver, should detail the reasons the Respondent reasonably believes that associated attorneys will be able to provide competent and diligent representation to Trigg County Public Schools and Respondent's existing clients and the measures the Respondent will take to protect Trigg County Public Schools from prejudice, and/or adverse or detrimental consequences if the waiver is granted. Consideration will be given to requests for waiver, however, Trigg County Public Schools shall be the sole decision-maker about whether a conflict exists between its interests and those of the Respondent's other clients or the Respondent.

F. Miscellaneous

Please provide the following additional information:

- Include a sample billing statement.
- List any additional services that your Firm provides, but which were not listed in the Request for Proposals.
- Provide details of any litigation against your Firm within the last five (5) years.
- Include a copy of Firm's Professional Liability Certificate of Insurance.

Proposal Checklist

- Required Responses:
 - Submittal Letter
 - Description of Firm
 - Description of Experience
 - Team
 - Conflict of Interest
 - Miscellaneous

- Certificate of Insurance

- Quotation Form (2 Pages)

**Legal Services Quotation Form
Trigg County Public Schools**

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Name of Law Firm: _____

Name of Proposer: _____

Address of Proposer: _____

Telephone Number: _____

The Proposer hereby acknowledges receipt of the following addenda:

Addendum No. _____ Dated _____ Addendum No. _____ Dated _____

Addendum No. _____ Dated _____ Addendum No. _____ Dated _____

Describe in detail all fees to be charged, including hourly rates for each level of service. Describe how you might adjust your fees for subsequent years of the contract. Describe in detail, charges for travel, telephone calls, and any other expenses to be separately billed. Indicate how billings are specific for each area/case. Also, identify billing increments (i.e. 1/10 hour, % hour etc.).

1. Do you require a retainer? Yes or No

If yes, what is the retainer fee? \$ _____

What services are included with the retainer?

2. Legal Services fee for Firm Partner Attorney \$ _____ Hourly Rate

3. Legal Services fee for Associate Attorney \$ _____ Hourly Rate

4. Legal Services fee for Paralegal \$ _____ Hourly Rate

**Legal Services Quotation Form
Trigg County Public Schools**

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Describe billing for telephone calls:

Describe charges for travel:

Describe billing increments:

Additionally, provide a list of any other expenses to be billed separately:

Alternate Pricing for Retainer (Optional):

Would you be open to a retainer? Yes or No

If yes, what is the fee for the retainer? _____

Please describe services that you would include with the retainer.

Signature of Proposer: _____ Date: _____