Ogden City School District

STATEMENT OF INTEREST AND QUALIFICATIONS
LEGAL SERVICES
SOIQ # 9-002

DUE: AUGUST 17, 2018
2:00 p.m.

Ogden City School District
Purchasing Department
Attn. Ken Crawford
1950 Monroe Boulevard
Ogden, UT 84401
# TABLE OF CONTENTS

## I. GENERAL

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Intent of Request for Qualifications</td>
<td>3</td>
</tr>
<tr>
<td>B. Ogden City School District Background</td>
<td>3</td>
</tr>
<tr>
<td>C. Scope of Legal Services</td>
<td>3</td>
</tr>
<tr>
<td>D. Eligibility Requirements</td>
<td>4</td>
</tr>
<tr>
<td>E. Other Requirements</td>
<td>4</td>
</tr>
<tr>
<td>F. Questions</td>
<td>5</td>
</tr>
<tr>
<td>G. Return of Proposal</td>
<td>5</td>
</tr>
<tr>
<td>H. Confidentiality</td>
<td>5</td>
</tr>
<tr>
<td>I. Discretion of Ogden City School District</td>
<td>5</td>
</tr>
<tr>
<td>J. Written Agreement</td>
<td>5</td>
</tr>
<tr>
<td>K. Evaluation Criteria</td>
<td>5</td>
</tr>
<tr>
<td>L. Required Information</td>
<td>6</td>
</tr>
<tr>
<td>M. Proposal Calendar</td>
<td>7</td>
</tr>
</tbody>
</table>

## II. PROPOSAL RESPONSE FORMS

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Certification of Proposal</td>
<td>8</td>
</tr>
<tr>
<td>B.</td>
<td>Pass / Fail Criteria</td>
<td>9</td>
</tr>
<tr>
<td>C.</td>
<td>Cost Proposal</td>
<td>10</td>
</tr>
</tbody>
</table>
I. GENERAL

A. Intent of Request for Statement of Interest and Qualifications (SOIQ)
   The purpose of this request for Statement of Interest and Qualifications is to solicit competitive sealed proposals from qualified and experienced individual(s) or firm(s) to provide legal services for Ogden City School District (the “District”). Based on the information submitted, up to three firms whose experience and qualifications will best serve the interests of the District and on whom we can rely for competent experienced legal services may be selected to provide legal counsel to the District through June 30th 2024.

B. Ogden City School District Background
   The District has fourteen (14) elementary schools, three (3) junior high schools, three (3) comprehensive high schools, and one secondary school the serves primarily students in Youth in Custody programs. All schools are located in Ogden, Utah. October 1, 2017 enrollment was 11,736. As of June 30, 2017 the number employees was 1,625 (+/-). The Board of Education consists of seven (7) elected members. The District currently works with three collective bargaining groups – education support professionals, licensed, and administrative. The District’s FY2019 Budget is just over $150,000,000.

C. Scope of Legal Services
   Legal services required by the District include, but are not limited to:
   1. General Governance. Contract/document review and drafting, policy drafting and enforcement, special rules for contracting, governmental immunity, and providing written or oral counsel, legal opinions, or advice, as requested;
   2. Administrative Law. Interpreting governmental and agency rulings, rules, procedures, and appearing in any federal, state or local administrative hearing, as requested;
3. **Employment.** All aspects of employment law from recruitment to termination as well as collective bargaining support, arbitration, mediation, litigation, managing grievance procedures/appeals, harassment claims and discrimination in the workplace claims. This includes, but is not limited to, discrimination complaints before state agencies and the EEOC, defending public sector employers, drafting policies and procedures such as employee handbooks, and binding arbitration;

4. **Litigation.** Ability to manage, conduct, and oversee litigation in all courts (state, federal, trial or appellate, general or special) and administrative agencies (i.e. UALD, Labor Commission, EEOC, etc.);

5. **General.** All other matters typically associated with school district operations and other services as may be directed by the Ogden City School District Board of Education, the District Superintendent or designee.

**D. Eligibility Requirements**

In order to be eligible to respond to this SOIQ, the Respondent must be duly admitted to the practice of law in the State of Utah.

Proposals should include:

- Firm’s experience with similar or related services for a public sector client;
- Names of primary individuals who would work with OCSD, including a brief resume of their experience, relevant background and anticipated duties;
- Disclosure of agent or other relationships between the respondent and any company, contractor, or other agency where the potential for a real or perceived conflict of interest may arise in the course of providing assistance to the District.

**E. Other Requirements**

To be considered acceptable, proposals must be complete and conform to all material SOIQ instructions and conditions.

1. **Proposals Submitted on a Timely Basis.** Proposals must be submitted electronically through [www.bids.sciquest.com](http://www.bids.sciquest.com) before 2:00 p.m. on August 17, 2018. Proposals received after that deadline will be deemed non-responsive and will not be considered for evaluation. **Faxed copies are not accepted.**

2. **Non-Discrimination.** The Respondent must comply, at all times during the bidding and contracting period, with all applicable Federal, State, County, and City anti-discrimination laws, ordinances, rules and regulations. Any violation of this
provision shall be considered a violation of a material provision of the audit contract and shall be grounds for cancellation, termination, or suspension.

F. Questions
All questions should be directed to Mr. Ken Crawford, Director of Purchasing and submitted through www.bids.sciquest.com and must be submitted before noon on August 13, 2018.
Any contact with other District personnel or School Board members regarding this request during the selection process is grounds for disqualification.

G. Return of Proposal
Once received, proposals become the property of the District.

H. Confidentiality
Any information submitted by the respondent deemed confidential or proprietary shall be clearly identifiable. The District shall endeavor to protect confidential material from disclosure to non-District personnel to the extent possible as required by State of Federal law. The District is not responsible for inadvertent disclosure of responses to this SOIQ. If you chose to claim any information as confidential or proprietary you must submit a separate redacted copy by email to crawfordk@ogdensd.org and submit a claim of Business Confidentiality Form.

I. Discretion of Ogden City School District
This is a request for statements of interest and qualifications (SOIQ) and not a purchase order, contract, or offer. As such, the District is under no obligation to respondents. The District reserves the right to reject any or all proposals, to negotiate with any or all firms submitting proposals, and to enter into an agreement with any firm for any services mentioned in this request.

J. Written Agreement
The District will enter into written agreement with the selected law firm(s) or lawyer(s).

K. Evaluation Criteria
Respondents will be selected based on quality of legal services as evidenced by:
1. Responsiveness to Request -5 points
2. Relevant Experience- 25 points
3. Strength of references -15 points
4. Perceived ability to best serve the needs of the District -25
5. Cost Proposal (Submitted in a separately sealed envelope)- 30 points
Up to four Respondents may be invited for formal interview in which case separate evaluation criteria will be provided. In such case, those not invited will receive no further consideration.

L. Required Information- Must be submitted in the following order:
   1. Attorney or Firm Name
   2. Contact Person
   3. Contact Phone
   4. Contact Email
   5. Statement of Services Proposed
      • Clearly identify in detail all areas of legal service offered to the District, highlighting areas of particular expertise.
      • Clearly identify any areas of legal service you do not wish to provide.
      • Describe in detail your approach and philosophy toward providing legal services to the District.
   6. Qualifications & Expertise
      • Company Profile
      • Primary Business Philosophy
      • Organizational Structure
      • Individual Resumes
      • Applicable licenses and certifications
   7. References
      • Provide the company name, address, contact name, phone number, and email address of companies or organizations that your firm has provided comparable services to as outline in the request. Provide a brief description of work performed, as well as the dates and duration of your services. Please limit the references to a minimum of three and a maximum of five.
   8. Additional Information (Optional)
      • This is an opportunity to address areas not specifically mentioned in the RFP; such as the added value your firm brings to a partnership with the District, what sets your firm apart from your competitors, and why your law firm is the right partner for the Ogden City School District Board of Education.
   9. Cost Proposal (Separate Envelope)
      • Cost will be evaluated separately from the technical proposal. Please enumerate all costs associated with the services offered in relation to the scope of work in the provided Schedule C. Any costs no listed in your
proposal will not be paid to the awarded firm at the time of invoicing and payment after services are completed.

- Failure to submit cost separately may result in your proposal being judged as non-responsive. Inclusion of any cost or pricing data with the technical proposal may also result in your proposal being judged as non-responsive.

M. Proposal Calendar

It is anticipated that the following schedule will be followed:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/30/18</td>
<td>SOIQ released</td>
</tr>
<tr>
<td>8/17/18</td>
<td>Proposals due</td>
</tr>
<tr>
<td>8/17/18 – 9/5/18</td>
<td>Evaluation of Proposals. OCSD may request formal written clarification of any item. Potential Oral Interviews with selected firms.</td>
</tr>
<tr>
<td>9/20/18</td>
<td>Board Approval</td>
</tr>
</tbody>
</table>
CERTIFICATION OF PROPOSAL

Professional Legal Services

I (we) have read the Ogden City School District Request for Statement of Interest and Qualifications (SOIQ) #19-001 and fully understand its intent. I (we) certify that I (we) have adequate personnel and resources to fulfill the proposal requirements. I (we) further understand that our ability to meet the criteria and provide the required services shall be judged solely by Ogden City School District.

I (we) further certify that, since the receipt of this SOIQ, no contact, discussion, or negotiation has been made nor will be made regarding this proposal with any Ogden City School District employee or Board Member other than the appropriate contact people identified in the Request for Proposal.

I (we) certify that all forms and addenda contained herein shall be considered part of the entire RFP response and that the complete documents submitted shall be considered a legally binding document. Furthermore, I (we) are prepared to comply with all requirements contained therein.

I (we) agree to hold the RFP amount(s) firm for sixty (60) days to give the District adequate time to evaluate this proposal.

I (we) agree that any knowledge, experience, process or product developed as a result of this scope of work may be replicated by the District for future use and/or projects.

Submitted By:

______________________________
Legal Name of Submitting Firm

______________________________
Authorized Agent Signature

______________________________
Name and Title

______________________________
Date Signed
PASS/FAIL CRITERIA

1. I/We are qualified and licensed to practice law in both the State of Utah and in U.S. Federal Court within the state. If a law firm, this applies to all principals, attorneys, and staff that are assigned to work for the District.

   YES / NO  Comment ____________________________________________

2. I/We are currently in good standing with the State of Utah. If a law firm, this applies to all principals, attorneys, and staff that are assigned to work for the District.

   YES / NO  Comment ____________________________________________

3. I/We certify that at no time nor in any state, been fined or had a license to practice law suspended or revoked by the American Bar Association in any state. If a law firm, this applies to all principals, attorneys, and staff that are assigned to work for the District.

   YES / NO  Comment ____________________________________________

4. I/We have experience and expertise representing governmental entities in at least one (1) of the disciplines listed under the scope of work.

   YES / NO  Comment ____________________________________________

5. I/We are capable and willing to respond quickly to questions and provide immediate guidance on time-sensitive issues when the Board is required to take immediate action or provide an immediate legal response.

   YES / NO  Comment ____________________________________________

6. I/We are capable and willing of meeting, in person with the Board, at locations within OCSD boundaries, without unnecessary travel expenses. This implies that the firm or individual must have a local presence within approximately 100 miles of Ogden City School District boundaries.

   YES / NO  Comment ____________________________________________

7. I/We certify that I/We have an insurance policy to cover Attorney Malpractice in the amount of not less than $500,000. A copy of the policy will be provided to the Purchasing Department before a contract will be signed with the District.

   YES / NO  Comment ____________________________________________
COST PROPOSAL

Hourly Rate:
Principal ................................................................. $ __________ per/hr.
Attorney ................................................................. $ __________ per/hr.
Admin. Support .......................................................... $ __________ per/hr.

Annual Retainer (If applicable) ........................................ $ __________

Other Services (Please List Below)

$ __________
$ __________

Or

Unlimited Access (Annual) ........................................... $ __________

(Any deviation from this format may result in disqualification of proposal)