

CHAPPAQUA CENTRAL SCHOOL DISTRICT

REQUEST FOR PROPOSALS CCSD RFP # 2019-3

LEGAL SERVICES

March 2019

**BOARD OF EDUCATION
CHAPPAQUA CENTRAL SCHOOL DISTRICT**

66 Roaring Brook Road, Chappaqua, NY 10514

(914) 238-7200

FAX (914) 238-7218

REQUEST FOR PROPOSAL

**CCSD RFP # 2019-3
LEGAL SERVICES**

A. Introduction

1. Purpose

This request for proposal is for the purpose of selecting a qualified and experienced law firm to provide legal services to the Board of Education and School District beginning July 1, 2019 and ending June 30, 2020.

This request for proposal also seeks a law firm to serve as counsel and, optionally, negotiator representing the Board of Education in the negotiation of collective bargaining agreements with four School District employee bargaining units during the same period.

2. Brief Description of the District.

- a. 2018-19 Enrollment: 3,748
- b. Class of 2018: 97% of graduates went on to higher education
- c. Number of Schools: six – one high school, 2 middle schools and 3 elementary schools
- d. Number of Employees: Approximately 605 full-time Equivalent
- e. 2018-19 Budget: \$122,559,988
- f. Other Operations:
The District contracts for student transportation services. This includes public, private, parochial, and special education service. The District contracts for food service and technology programs as well.

B. Scope

- 1. The law firm for the District will be expected to represent and provide general legal advice to the Board and Administration in all matters as needed and possess demonstrated knowledge of:

- Laws of the State of New York (including Real Property Tax Law)
 - Standards promulgated by the New York State Education Department
 - Regulations of the Commissioner of Education
 - Regulations of the Federal Government pertaining to Education
 - New York State Civil Service Regulations
 - Public Employee Labor Relations
 - Special Education law and regulations
 - School District policy procedures and drafting of same
2. The firm selected by the Board to negotiate collective bargaining agreements will be expected to advise and consult with the Board, as required, to plan, present and review proposals and, to prepare associated documents as required. Further, the firm selected will be expected to represent the Board at all levels and stages of negotiation as may be required during the process of collective bargaining.

C. Qualifications of Firm's Staff

The District is keenly interested in the level and type of education, and legal experience of the firm and those persons who will be assigned to work with, and represent, the Board. Brief resumes and a listing of school district or governmental contacts to attest to their experience is expected. The Board of Education reserves the right to reject staff who they feel do not have appropriate experience or qualifications to provide legal services.

D. Qualifications and Experience of the Firm

Firms submitting proposals should be of a sufficient size to ensure timeliness, stability and responsiveness during the year. Firms submitting proposals shall provide information about their size as well as their school district and local government experience. A listing of school district and local government references is requested.

E. Responsiveness and Time Requirements

General Legal Services

1. The firm selected is expected to have qualified staff available by telephone for consultation during normal business hours.
2. The District requires one counsel to be in the district one day a week for on-site consultation.

3. The District is unable to predict the total amount of time that may be required of the firm. The firm selected will be expected to provide service as required throughout the time period of the contract.

Collective Bargaining

1. In addition to numbers 1, 2, and 3 as stated under General Legal Services, the firm will be expected to be available to meet with the Board of Education in the district on weekday evenings as may be necessary during the process of collective bargaining.

Litigation

1. If needed, the firm selected will have sufficient experience to provide litigation services concerning Special Education and labor matters.
2. The firm will be expected to be available to meet with the Board of Education in the district on weekday evenings to discuss litigation.

F. Preparation of Documents

1. Typing and copies:
The firm will be expected to prepare and make copies of documents as may be required on its premises and provide for delivery to the District.

G. Non Collusive Certification

1. Responses to this request for proposal should include an affirmation by completing the attached "Proposal Certification/Non Collusive Certification" form by the legal firm that there are not conflicts of interest between the legal firm and the Chappaqua Central School District.

H. Requirements for Proposals and Description of the Process

1. Response Submission
All proposals must be received by the District Clerk no later than Tuesday, April 23, 2019 at 2:00 p.m. Any proposals received after this deadline will be returned unopened to the firm.

Required Documents:

- a. Information regarding the firm
- b. Resume of the attorneys who will be working on site and on this account

- c. References
- d. Signed "Proposal Certification/Non Collusive Certification" form

2. Mailing or Delivery Instructions

Each firm shall submit **eleven** copies and one original proposal to the following address:

BY MAIL or District Clerk
IN PERSON: Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, New York 10514

The envelope shall be labeled "**RFP # 2019-3: Proposal for Legal Services.**"

3. Ownership of Proposals

All proposals and accompanying documentation become the property of the Chappaqua Central School District. The District shall not divulge any information presented to anyone outside the District without the written approval of the firm.

4. Board of Education Process:

THE BOARD OF EDUCATION RESERVES THE RIGHT TO ACCEPT OR REJECT ANY OR ALL PROPOSALS OR ANY PARTS OF PROPOSALS.

April 23, 2019

The eleven copies will be distributed as follows:

- 5 copies to Board of Education
- 1 copy to Superintendent
- 1 copy to Assistant Superintendent for Curriculum
- 1 copy to Assistant Superintendent for Human Resources
- 1 copy to Assistant Superintendent for Business
- 2 copies to District Clerk

The original copy of all proposals received will be kept on file in the District Clerk's office.

May 8, 2019

Executive Session to consider all proposals.

During May 2019
Interview selected firms.

May/June, 2019
Appointment of Legal Counsel.

I. Inquiries

All inquiries concerning this request for proposal should be directed to:
Assistant Superintendent for Business

To the extent possible, each question should be submitted in writing, citing a particular request for proposal section. No further inquiries will be accepted after April 12, 2019.

I. Legal Fees

Each proposal will clearly state the fees to be charged to the District for the period beginning July 1, 2019 and ending June 30, 2020.

Fee to provide General Legal Services:

\$_____

Fee to provide Collective Bargaining Services:

\$_____

Fee to provide both General Legal Services and collective Bargaining Services:

\$_____

Fee to provide litigation:

\$ Range of hourly billing rates (attorneys, paralegals, etc.)

PLEASE NOTE:

1. If any type or segments of services are not included in the above quotation, firms must specify what services they are and what additional fees the District would be charged for such services.
2. Please provide an explanation as to hourly fees, should there be any, and circumstances as to when such fees would be charged. Also, please be sure to provide a breakdown of any reimbursable or other charges not included in the fees quoted.

J. Criteria for Evaluation of Proposals

The Board of Education is responsible for establishing the criteria of the evaluation. Elements included, but not limited to:

- School District legal experience of the firm and the staff to be assigned.
- Reference checks.
- Clarity of the firm's proposal.
- Fees to be charged.
- Oral interview.

Thank you for your interest in the Chappaqua Central School District.

For the Board of Education

Warren Messner, President

CCSD RFP # 2019-3: LEGAL SERVICES
PROPOSAL CERTIFICATION/NON COLLUSIVE CERTIFICATION

FIRM NAME _____

BUSINESS ADDRESS _____

TELEPHONE NUMBER _____ DATE OF RFP _____

I. General rfp Certification – The submitting firm certifies that he/she will furnish, at the prices herein quoted, the material, equipment, and/or services as proposed on this bid.

II. Non-Collusive Certification

By submission of this request for proposal, the submitting firm certifies that he/she is complying with Section 103-d of the General Municipal Law as follows:

1. Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury:
Non-collusive bidding certification.

“(a) By submission of this RFP, each submitting firm and each person signing on behalf of any firm certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in this RFP have been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other firm or with any competitor; and
- (2) Unless otherwise required by law, the prices which have been quoted in this RFP have not been knowingly discussed by the firm and will not knowingly be disclosed by the firm prior to opening directly or indirectly, to any other firm or to any competitor;
- (3) No attempt has been made or will be made by the firm to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.”

“(b) A RFP shall not be considered for award nor shall award be made where (a) (1), (2) and (3) above have not been complied with; provided, however, that if in any case the firm cannot make the foregoing certification, the firm shall so state and shall furnish with the RFP a signed statement which sets forth in detail the reasons therefore. Where (a) (1), (2), and (3) above have not been complied with, the RFP shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which RFP is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a firm (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being proposed, does not constitute, without more, a disclosure within the meaning of subparagraph one (a).

2. Any RFP submission hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate firm for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such RFP submission contains the certification referred to in subdivision one of this section, shall be deemed to have been authorized by the board of directors of the RFP, and such authorization shall be deemed to include the signing and submission of the RFP and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.”

Authorized Signature _____

Title _____