



LARAMIE COUNTY COMMUNITY COLLEGE
Cheyenne Wyoming

Request for Proposals

to provide

General Counsel and Legal Advising Services

for

Board of Trustees and College Administration

RFP-18157

Solicited by:

Department of Administration and Finance
Division of Contracting and Procurement
1400 East College Drive
Cheyenne, WY 82007

March 30, 2018

Laramie County Community College
Request for Proposals – General Counsel and Legal Advising Services

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I. Background Information

A. Solicitation Intent

Laramie County Community College (LCCC) is soliciting proposals from law firms to provide a variety of legal services to the Board of Trustees and College Administration in accordance with the terms, conditions, and requirements set forth in this Request for Proposal (RFP). The intent of the RFP is to retain a law firm who is versed in the higher education environment and is able to provide a broad range of legal services for matters pertaining to the formation and operation of the College, particularly with reference to federal and state statutory and case law governing higher education in Wyoming. **Exception:** At times the College may engage the services of other law firms or legal services for specific projects or instances when specific expertise is needed.

In addition, the intent of this RFP process is to retain one (1) law firm for a minimum period of up to three (3) calendar years, beginning on July 1, 2018.

B. Scope of Services

The selected firm shall act as the chief legal advisor of the College and shall have general charge of all legal matters pertaining to the College as assigned by the Board of Trustees and the College Administration acting through the College President. Counsel shall attend meetings of the Board of Trustees; shall represent the College in all legal proceedings; shall advise the College and the President on legal matters as may be required. The firm is also responsible for assisting in college-wide standards for contract administration and regulatory compliance. Additionally, specific services include, but not limited to:

- Represent the College, when necessary and appropriate, before external agencies in compliance and regulatory reviews and complaints;
- Upon request, review College contracts prior to execution;
- Manage and monitor litigation and supervise outside counsel of the College in certain matters brought by or against the College;
- Provide counsel, opinion and guidance relating to specifically identified College policies and procedures and monitor standard contract administration policies and procedures;
- Interpret and apply relevant federal, state and local legislative and regulatory laws pertaining to College activities such as those relating to procurement, civil and human rights, construction and other matters as needed;
- Provide legal opinions and advice on specialized matters including intellectual property, free speech, copyright, civil rights, real estate, and regulatory compliance;
- Provide counsel and opinion on matters involving Wyoming ethics laws;
- Provide counsel and guidance for insurance related and risk management matters;

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- Coordinate responses to subpoenas, court orders, public records, and other legal matters;
- Provide litigation activities relating to court appearances, hearings, trials and dispositions;
- Attend monthly and special Board of Trustees meetings;
- Attend annual conferences and/or seminars related to legal issues pertaining to the College and as directed by the Board of Trustees and/or the College President; and
- Provide written reports, summaries and responses as requested by the Board of Trustees, College President and/or the Administration, and maintain legal records as deemed necessary.

C. Qualification Requirements

Firms who respond to this RFP shall meet at a minimum, the following requirements:

- Member of good standing of the Wyoming State Bar Association;
- Experience with Wyoming law, especially the Administrative Procedures Act;
- Experience with Title IX Training, handling Title IX investigations, working with OCR and EEOC;
- Experience with employment law and policy;
- Minimum of ten (10) years experience in the provision of legal services;
- Significant experience in higher education law and legal matters;
- Ability to provide legal counsel and services on a wide range of topics;
- Ability to provide same day response, when requested to do so;
- Lead attorney with appropriate experience and located in Cheyenne, WY;
- Shall have no substantive conflict of interest in representing the College; and,
- Knowledge of Roberts Rules of Order as it relates to parliamentary duties at public meetings.

II. RFP Schedule of Events

A. Proposed Schedule

1. April 18, 2018 @ 5:00 p.m.: Deadline for submittal of Proposals.
2. April 19 – May 1, 2018: Review of Proposal submittals, recommend a short list **and/or** a finalist, depending upon number of submittals and quality of same. In the event a short list is developed, LCCC reserves the right to conduct a second round of qualifying.
3. May 7-21, 2018: possible onsite interviews
4. June 1, 2018: RFP Recommendation approval by Board of Trustees.
5. July 1, 2018: Recommended firm begins contractual services.

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III. Selection Criteria

In order to select the best qualified firm, LCCC is requesting specific information from which all received proposals will be reviewed and evaluated:

- Firm's profile, resume and portfolio.
- Firm's knowledge and experience in higher education.
- Qualifications of personnel assigned to this opportunity.
- Fee Schedule.

IV. Proposal Content

- A. All participating firms shall provide the following information in their Proposals, sorted and organized in either "Tabs" or "Headings" as defined below:

Cover Letter: Provide a cover letter indicating the name of the firm making the submission (*or firms in the case of a joint venture*) indicating your interest in being selected for this opportunity. Include a brief description of why your firm is well suited for, and can meet the needs of this general counsel opportunity. The letter shall be signed by the individual(s) authorized to bind the respondent or group to any statements or representations made therein and to represent the information presented as authentic.

Tab/Heading #1 – Law Firm Profile:

- Provide firm's name, business address, telephone, fax and e-mail address.
- Provide a brief description of the firm's size, date of establishment, type of organization, and organizational structure.
- Provide a detailed description of firm's capabilities and resources.

Tab/Heading #2 – Law Firm Resume/Portfolio:

- Describe the firm's history and experience in legal counsel services to governmental agencies and especially higher education institutions.
- Describe your firm's staffing proposal for providing legal services stated herein; specifically identifying individuals and their respective expertise.
- Describe your firm's scope of services currently being provided to clients.
- Describe why your firm is qualified to perform the services outlined in the RFP.

Tab/Heading #3 – Philosophy and Experience:

- Describe your firm's philosophy for the provision of legal services to the College.
- Summarize two (2) examples of legal issues your firm has successfully handled.
- Provide a minimum of three (3) and no more than six (6) references.

Tab/Heading #4 – Fee Schedule:

- Monthly Retainer Fee: This fee shall encompass: **a)** attendance at the monthly Board of Trustees meeting; and **(b)** normal legal services required to conduct college business each month such as reviews, renderings, research, and general legal advice (*fee shall include any monthly administrative costs associated with the service*). **NOTE:** For purposes of this RFP, each firm shall

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use a monthly commitment of twenty (20) hours per month for normal college business activities, excluding the two meetings.

- Hourly Rate Fees: Please specify rate for 1) partner, 2) Associate, 3) Legal Assistance, and 4) Clerical.
- Provide a detailed listing of all anticipated reimbursable expenses associated with Bullet #2.
- Identify any assumptions that your firm will base their fees on.
- Identify any exceptions or exclusions your firm will apply to the services.

V. Submission of Proposals

1. Participating firms shall submit six (6) hard-copies to the address below. **All submittals must be received no later than 5:00 p.m. (prevailing local time) on Thursday, April 18, 2018.** Proposals shall be sent to:

Jamie Spezzano
Director, Contracting and Procurement
Laramie County Community College
1400 East College Drive
Cheyenne, WY 82007
Office: (307) 778-1280

2. Proposal submissions may be hand delivered, mailed, or sent via courier. Each respondent is solely responsible for the timely delivery of its proposal by the deadline prescribed above. LCCC will not be responsible for lack of timely delivery regardless of the reason. Failure to meet the submission deadline will result in removal from consideration.
3. **Proposals shall be limited to a maximum of fifteen (15) printed pages of content, excluding the cover letter and Tabs/Headings.**

VI. General Requirements

A. Acceptance of Submissions

The College reserves the right to accept or reject any or all submissions received as a result of this solicitation if they are judged to be unacceptable, non-responsive, non-conforming, or conditional; to waive minor irregularities; or to negotiate with any respondent, in any manner necessary, to serve the best interests of the College.

B. Incurred Expenses

Any costs incurred by the respondent in preparing and submitting a response to this solicitation will be the sole responsibility of the respondent and will not be reimbursed by the College.

C. Form of Contract

The College uses a standard contract for consultant services. A copy is available on request.

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D. Certificate of Insurance

Awarded firm will be expected to meet the minimum insurance coverage requirements of the College per Appendix “A”. No work will begin until the College is in receipt of an approved Certificate of Liability Insurance form.

E. Respondent Inquiries

All questions and inquiries concerning this solicitation shall be submitted in writing, via email only. Oral questions and inquiries will not be allowed nor responded to.

Questions and inquiries for this RFP shall be directed to:

Jamie Spezzano
Director, Contracting and Procurement
Laramie County Community College
1400 East College Drive, Cheyenne WY 82007
Email: jspezzano@lccc.wy.edu

F. Proposal Submissions

Submitted Proposals and any other information submitted by respondents in response to this RFP shall become the property of the College.

G. Public Information

All information, except that classified as confidential and/or proprietary, will become public information at the time that the Proposal is awarded in accordance with applicable sections of the federal “Freedom of Information Act (FOIA) and Wyoming State Statutes §16-4-201.

H. Firm Representation

Firm’s, by the act of submitting their proposal, represent that: They have read and understand the RFP document and their submittal is made in accordance therewith; They have familiarized themselves with the local conditions under which the work will be done to their satisfaction; and their submittal is based upon the requirements described in the RFP without exception.

I. Non-Collusion

The undersigned firm hereby certifies that is, its officers, partners, representatives, agents, or employees has not in any way colluded, conspired, or agreed, directly or indirectly, with any other firm, potential firm or person, in connection with this RFP, to submit a collusive proposal, or to secure through any unlawful act an advantage over other firms or the College.

J. Conflict of Interest

The undersigned firm certifies, under penalty of perjury, that to the best of their knowledge and belief, no member of the firm has a direct or indirect interest, financial or otherwise, in the award of this Proposal or in the services to which the Proposal relates.

Additionally, the firm shall identify whether any conflict of interest or known potential conflict exists regarding the future relationship between the College and your firm. This conflict shall be detailed and listed under Tab #1.

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Professional Services Insurance Requirements

Appendix “A”

CERTIFICATE OF LIABILITY INSURANCE

A. Insurance Coverage / Limits:

Consultants and/or their sub-consultants shall at its own expense, obtain insurance as detailed below from reliable insurance companies acceptable to Laramie County Community College (LCCC) and authorized to do business in the State of Wyoming in which the Work is to be performed, with limits as specified in U.S. currency or equivalent. Such insurance shall be in force at the time the Work is commenced and shall remain in force for the duration of this Contract, unless a later date is specified below.

1. **Workers’ Compensation and Employer’s Liability Insurance:** Workers’ Compensation insurance or its’ equivalent, including Occupational Disease coverage, as required by law for all employees, agents, design engineers, design consultants, and subcontractors. Employer’s Liability insurance (including Occupational Disease coverage) in the amount of **\$1,000,000.00 per accident**. Such insurance shall provide coverage in the location in which the work is performed and the location in which the Consultant is domiciled. The Consultant expressly agrees to comply with all provisions of the Workers’ Compensation Laws of the state of Wyoming (*County of Laramie*) wherein said work is being performed.
2. **Professional Liability:** This Agreement requires independent rendering and/or independent implementation of specific professional services, consequently the Consultant and their sub-consultants shall provide professional liability insurance coverage with a **minimum limit of \$1,000,000.00 per claim with an aggregate limit of \$2,000,000.00**.
3. **Automobile Liability:** Liability coverage insurance on each motor vehicle used by Consultant shall be provided in the amount of \$1,000,000 each accident on a combined single limit basis for bodily injury and property damage.

B. Policy Requirements

1. **Certificate Proof:** Prior to the commencement of the respective Contract and/or Agreement, the Consultant shall deliver certificates of insurance evidencing such policy or policies to the LCCC Director of Contracting and Procurement. Said “Certificate” may be mailed, faxed or e-mailed to:
 - E-mail: jharris@lccc.wy.edu
 - Fax: (307) 778-4300, Attn: Director, Contracting and Procurement
 - Mail: 1400 East College Drive, Cheyenne WY, 82007. Attn: Director, Contracting & Procurement
2. **Additional Insured Clause:** LCCC shall be listed as the “Certificate Holder” on all policies, but only with respect to operations of successful firm under the Contract.
3. **Notice of Cancellation:** Each insurance policy required by the insurance provisions of this Contract shall provide the required coverage and shall not be canceled or non-renewed except after thirty (30) days prior written notice has been given to the LCCC, except when cancellation is for non-payment of premium, then ten (10) days prior notice may be given. Such notice shall be sent directly to **LCCC, Director of Contracting and Procurement**.