



REQUEST FOR PROPOSAL FOR LEGAL SERVICES

FOR THE PERIOD

March 1, 2014 to January 30, 2016

INQUIRIES AND PROPOSALS SHOULD BE DIRECTED TO:

**KAREN PERKINS
CHIEF OPERATING OFFICER**

**EARLY LEARNING COALITION OF HILLSBOROUGH COUNTY
1002 EAST PALM AVENUE
TAMPA, FL 33605
813-202-1000
KPERKINS@ELCHC.ORG**

I. GENERAL INFORMATION

A. Purpose. This request for proposal (RFP) is to contract for legal services to be provided for the Early Learning Coalition of Hillsborough County for the PERIOD March 1, 2014 to January 30, 2016.

B. Who May Respond. Only attorneys who are currently licensed to practice law in Florida and maintain an office in the Tampa Bay area or law firms including such attorneys may respond to this RFP.

C. Instructions on Proposal Submission.

1. Closing Submission Date. Proposals must be submitted no later than 3:00 pm EST on January 30, 2014.

2. Inquiries. Inquiries concerning this RFP should be emailed to:

Karen Perkins
Chief Operating Officer
kperkins@elchc.org

3. Conditions of Proposal. All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Offeror and will not be reimbursed by the Early Learning Coalition of Hillsborough County, (hereinafter referred to as "Coalition").

4. Instructions to prospective Contractors. Your proposal should be addressed as follows:

**Early Learning Coalition of Hillsborough County
1002 East Palm Avenue
Tampa, FL 33605**

It is important that the Offeror's proposal be submitted in a sealed envelope clearly marked in the lower left-hand corner with the following information:

Request for Proposal Legal
(Date)
SEALED PROPOSAL FOR LEGAL SERVICES

It is the responsibility of the Offeror to ensure that the proposal is received by the Coalition by the date and time specified above. Late proposals will not be considered.

In order to ensure a fair review and selection process, firms submitting proposals are specifically requested not to make other contacts with Coalition staff or members of the Board of Directors regarding this proposal. Failure to comply with this request will result in disqualification of the proposal.

5. Right to Reject. The Coalition reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the factors described in the RFP.

6. Minority-Owned Businesses. Efforts will be made by the Early Learning Coalition to utilize woman, minority and/or service-disabled veteran owned businesses.

7. Notification of Award. It is expected that a decision selecting the successful Firm will be made within four (4) weeks of the closing date for the receipt of proposals. Upon conclusion of final negotiations with the successful Firm, all Offerors submitting proposals to this Request for Proposal will be informed, in writing, of the name of the successful Firm. It is expected that the contract shall be a two-year period starting March 1, 2014, and running through January 30, 2016. The Coalition shall have the right to extend this contract for one additional two-year term. Renewal of the appointment/contract will require reauthorization by the Coalition's Board of Directors. If both parties cannot agree on prices for a contract extension, the existing contract will be allowed to expire and the contract work will be rebid.

II. Description of Entity. The Early Learning Coalition of Hillsborough County was created in response to the School Readiness Act (s. 411.01, Florida Statutes (FS)) in 2000 and is dedicated to ensuring quality early care and education for children in Hillsborough County. The Coalition is a nonprofit corporation which has been determined to be exempt from Federal income tax under Section 501 (c)(3) of the Internal Revenue Code. The Coalition has an annual budget of \$75M and is governed by a twenty (20) member Board of Directors, which meets approximately six (6) times per year. The Coalition employs a staff of twenty-four (24). Administrative offices are located at 1002 East Palm Avenue, Tampa, FL.

The Coalition mission is to ensure families have access to high-quality, affordable early care and education programs that prepare children for school success. It accomplishes this goal through a variety of programs, financed primarily by local, state and federal funds.

III. SCOPE OF SERVICES. Under the proposed agreement, Corporate Counsel will provide the following services on a fixed fee arrangement:

1. Provides legal advice, counsel, services, and consultation to the Chief Executive Officer (CEO), Board of Directors, and senior management team on a wide variety of civil assignments, including but not limited to: general nonprofit law, labor law, general state and federal laws relating to grant and contract issues, public disclosure issues, laws against discrimination, property/real estate law, contract law, and purchasing and procurement. Corporate Counsel's advice includes methods to avoid civil litigation;
2. Answers requests for legal opinions, in writing and verbally. Prepares written legal opinions at the request of the CEO or the Board of Directors. Availability to answer staff questions by telephone;
3. Appears before courts and administrative agencies to represent the Coalition's interests;
4. Works cooperatively with any special legal counsel retained by the Coalition for special projects. Coordinates with other special counsel, as needed, to assure proper management of legal issues, and proper coordination and transition of legal information among special counsel;
5. Provide guidance and legal advice on the Sunshine Law, the Freedom of Information Act, Robert's Rules of Order, and Board rules and procedures;
6. Assists Board of Directors and employees to understand the legal roles and duties of their respective offices and interrelationships with others;
7. Assists the Board of Directors and employees to maintain awareness of ethical standards and appearance of fairness standards, and to avoid potential conflicts of interest, prohibited transactions and the appearance of prohibited transactions;
8. Prepares and reviews contracts, leases, and other documents for legal correctness and acceptability. Negotiates said contracts, leases, and other documents upon request;
9. Reviews and redrafts various policies for legal correctness and acceptability. This would include, by way of example, Personnel Manual, Family Medical Leave, IT Policy, etc.;
10. Attendance at any 12 meetings during a calendar year of any Board, Committee, or Commission, as requested. Attend at other meetings when requested.

Meetings attended in excess of 12 in any calendar year, shall be billed and paid at the previously agreed to hourly contract rate. Conference calls shall not be considered as one of the 12 meetings;

11. Review, draft and negotiate contracts and leases
12. Performs other legal services and tasks, as requested.

IV. GENERAL SPECIFICATIONS

The following provisions will also apply.

1. Timeliness of response and accessibility to Corporate Counsel is an important aspect of this service. Accessibility includes the ability to be generally available to attend meetings in person on short notice and the ability to be reached promptly by telephone, cell phone, or e-mail.
2. Corporate attorneys must be available by phone, cell phone, fax and e-mail.
3. Service response is also of high importance. When the Coalition requests legal services, Corporate Counsel should provide some estimated time of completion and keep the requesting party apprised of any delays or special considerations.
4. Describe malpractice insurance coverage: carrier, limits, and exemptions.
5. The service provider shall provide detailed itemized statements on a monthly basis.

V. CONTRACT ETHICS

1. No employee of the Coalition who exercises any responsibilities in the review, approval, or implementation of the proposal or contract shall participate in any decisions, which affects his or her direct or indirect personal or financial interest.
2. It is a breach of ethical standards for any person to offer, give or agree to give any Coalition employee, Board of Director, or for any Coalition employee, or Board of Director to solicit, demand, accept, or agree to accept from another person or firm, a gratuity or an offer of employment whenever a reasonably prudent person would conclude that such consideration was motivated by an individual, group or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded to the general public.
3. The firm shall not assign any interest in this contract and shall not transfer any interest in the same without the prior written consent of the Coalition.
4. The firm shall not accept any client or project that places it in a conflict of interest with its representation of the Early Learning Coalition of Hillsborough County. If such a conflict of interest is subsequently discovered, the Coalition shall be promptly notified.

- VI. PROPOSAL SUBMISSION.** Proposals received after the deadline will not be accepted. It is neither Coalition's responsibility nor practice to acknowledge receipt of any proposal. It is the responder's responsibility to assure that a proposal is received in a timely manner.

Interested firms shall submit a fixed fee price for identified legal services. The fixed fee price shall include all labor, material, and equipment necessary for the performance of this contract.

The Coalition expects all submitting firms to consent to the Scope of Work and General Specifications. Exceptions desired must be clearly noted in the proposal submittal.

The Coalition reserves the right to reject any and all proposals, to waive irregularities and informalities, to request additional information from all respondents, and further reserves the right to select the proposal which furthers the best interests of the Early Learning Coalition of Hillsborough County.

All interested firms should provide one (1) original and three (3) copies of a written proposal, responding to each inquiry in the order below. Please attach one set of business cards for your team with the original proposal.

Each proposal shall be considered binding and in effect for a period of ninety (90) days following the proposal opening.

- V. Proposal Contents.** The Offeror, in its proposal, shall at a minimum include the following:

- 1. Legal Experience.** The Offeror should describe its legal experience, including the names, addresses, contact persons, and telephone numbers of at least three clients, preferably including clients similar to the Coalition. Experience should include the following categories:

- A. Experience advising nonprofit organizations;
- B. Experience advising clients conducting similar programs and government-funded services

- 2. Organization, Size, Structure, and Areas of Practice.** If the Offeror is a firm, it should describe its organization, size, structure, areas of practice, and office locations. Indicate, if appropriate, if the firm is a small or minority owned business.

- 3. Attorney Qualifications.** The Offeror should have experience in the following areas: nonprofit and tax exempt organizations, government grants and contracts, labor and

employment, and general business operations. The Offeror should describe the qualifications of attorneys to be assigned to the representations. Descriptions should include:

- A. Professional and educational background of each attorney
 - B. Overall supervision to be exercised.
 - C. Prior experience of the individual attorneys with respect to the required experience listed above. Only include resumes of attorneys likely to be assigned to the representation. Education, position in firm, years and types of experience and continuing professional educations will be considered.
- 4. Price.** The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research copies, and faxes. Also include a monthly flat fee that would be charged to advise on routine matters that could be handled over the phone or otherwise without extensive research or other legal work. The Coalition reserves the right to negotiate with the Offeror on the structure of the billing and/or retainer fee.
- 5. Evaluation Procedure and Criteria.** The Coalition's CEO and a minimum of four (4) Board Members will review proposals and make recommendation to the Board of Directors for final approval. The CEO and Board of Directors may request a meeting with some qualified Offeror's prior to final selection. Proposals will be reviewed in accordance with the following:

EVALUATION CRITERIA	MAXIMUM RATING POINTS
Geographic Location and Accessibility	10
Past Performance on Similar Assignments	20
Management Plan and/or Approach	15
Evidence of respondent's expertise and experience with nonprofits and state funded organizations	15
Key Personnel	15
Cost	20
MBE/WBE/Veteran	5