



EASTERN YORK SCHOOL DISTRICT

120 South Third Street
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Dr. Joseph W. Mancuso, III
Superintendent

Dr. Rita Becker
Assistant Superintendent

Teresa A. Weaver
Business Manager

STRIVING FOR EXCELLENCE

March 28, 2019

RE: Invitation for Proposal for Legal Services

The Eastern York School District is soliciting proposals from legal firms to provide solicitor services to Eastern York School District effective July 1, 2019.

Proposals will be received by Teresa Weaver, Business Manager, Eastern York School District, 120 South Third Street, PO Box 150, Wrightsville, PA 17368, until Friday, May 10, 2019.

Proposals should clearly indicate "LEGAL SERVICES REQUEST FOR PROPOSAL" on the outside of the envelope. Faxed or e-mailed proposals will not be accepted.

No proposal may be withdrawn before 90 days after date of the proposal. Tentative plans call for Eastern York School District Administration to review the proposals and make a recommendation to the Board of School Directors so they can take action to approve a solicitor no later than at its regular meeting on Thursday, June 20, 2019.

Eastern York School District reserves the right to reject any or all proposals and to waive, at its discretion, any irregularities, mistakes, omissions, or informalities relative thereto.

The Request for Proposal for Legal Services may be obtained on the District website at www.easternyork.com. Any questions should be directed to Teresa Weaver by e-mail at tweaver@easternyork.net, or by phone, 717-252-1555, x 33240.

**Eastern York School District
Request for Proposal to Provide Legal Services**

The Eastern York School District (hereafter referred to as the District) is requesting proposals from qualified, interested firms for solicitor services to the School District effective July 1, 2019.

A. Scope of Services

The selection process will include an assessment of the firm's experience, expertise, and ability to address the areas noted below. Please indicate with an affirmative statement your firm's experience and expertise and whether special counsel may be required to address any areas. The list below is representative, but not exhaustive of, the scope of services or areas of need in serving a public school district.

- Act 1.
- Americans with Disabilities Act and other state and federal laws relating to discrimination and accommodation in public schools.
- Assessment appeals.
- Bond Counsel.
- Employment and personnel matters.
- Employment contracts.
- Ethics Act.
- Free speech and other state and federal constitutional law issues.
- General contract, bidding, and procurement issues.
- Intergovernmental cooperation.
- Labor arbitrations.
- Labor negotiations and related labor law issues.
- Litigation, including general, construction, student, tax litigation, and tax.
- No Child Left Behind (NCLB) Act.
- Real estate and environmental matters.
- Religion in public schools.
- Right-to-Know Law.
- School Code and all related state and federal statutes and regulations affecting school districts.
- School construction projects.
- School finance, taxes, and tax collection systems.
- Special Education.
- Student discipline, expulsion, and other student matters.
- Sunshine Law.

B. Submittal Requirements

Legal firms responding to this Request For Proposal (RFP) must prepare their responses in a bound format with section dividers arranged and numbered to correspond to the sections below. Failure to do so could result in your proposal not being considered.

1. Information about the firm

- Name of firm
- Mailing address
- Telephone number
- FAX number
- E-mail address
- Name and title of contact person
- Names of officers in your company

2. Overview

Please provide a brief overview of your firm including the number of years your firm has been providing legal services for public school districts in Pennsylvania. Please provide brief curricula vitae of the partners of the firm that will regularly interact with the School District.

3. Statement of Work

Provide an overview of the firm addressing the following:

- Legal service philosophy/guiding principles
- Unique accomplishments/examples of excellence
- Proactive services provided

Provide a statement addressing the firm's responsiveness and indicate availability for Board meetings.

Provide a list of strengths and/or unique qualifications your firm possesses, which would benefit the Eastern York School District.

4. Client References

Provide a listing of your firm's clients including public school districts serviced by the firm. Please include officials that may be contacted for references.

- Client/school district
- Contact person(s)
- Address and other contact information
- Years of Service

5. **Insurance**

The selected provider shall be required to furnish proof of the following insurance coverage within ten (10) days of receipt of Notice of Selection. Any and all exceptions must be approved by the Business Manager. Insurance coverage shall remain in full force for the duration of the Contract term including any and all extensions of renewal thereof. Each insurance certificate shall contain a thirty (30) day notice of cancellation. All renewal certificates shall be furnished at least thirty (30) days prior to policy expiration.

Commercial General Liability, including Contractual Liability Insurance, with limits not less than \$1,000,000 per occurrence, \$2,000,000 aggregate. All, if any, deductibles are the sole responsibility of the selected Provider to pay and/or indemnify.

Workers' Compensation in accordance with Pennsylvania General Statutes.

Professional Liability Insurance including errors and omissions with a limit of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate. Any changes to the legal firm's policy or carrier from year to year will include "Full Prior Acts" coverage.

The Eastern York School District is included as an Additional Insured, ATIMA under the Commercial General Liability and Employer's Liability Insurance Policies. **THE UNDERLINED WORDING MUST BE SHOWN IN THE SPACE PROVIDED FOR "COMMENTS" ON THE ACORD INSURANCE CERTIFICATE.** (Additional Insured requirement is expressly waived for Workers' Compensation and Professional Liability coverage.)

Each insurance coverage named above shall provide not less than a 30-day notice of cancellation to the District. All policies shall be on the occurrence form. Any and all exceptions shall be reviewed by the District's Business Manager.

It is further agreed that the amount of insurance required herein does not, in any way, limit the liability of the legal firm by virtue of its promise to hold the District harmless so that in the event that any claims result in a settlement or

judgment in any amount above the limits set in Paragraph 6 herein, the legal firm should be liable to, or for the benefit of, the District for the excess.

Insurance requirements and coverage may be reviewed from time to time during the term of this Contract and all extensions and renewals hereof. The legal firm agrees to comply with any and all reasonable insurance requirements or modifications made by the District's Business Manager.

Cancellation or other termination of insurance policies required by this Agreement without immediate replacement thereof may be considered a default in the terms and conditions of this Agreement. The legal firm agrees that such default may be cured by procurement of insurance on behalf of legal firm, at the legal firm's expense, at District's option.

6. **Budget/Fee Proposal**

Complete and submit a detailed, itemized fee schedule and expected schedule of payment to perform all services. Responding firms must provide the following: (a) a single hourly rate for all partners and a separate single hourly rate for all associates; (b) an hourly rate for clerical, paralegal or other professional; (c) an hourly rate for all partners and a separate single hourly rate for all associates for special education matters; and (d) a schedule of all out-of-pocket disbursements which you anticipate will result in a charge to the District and the rate for each. The District expects that these reimbursable charges will be charged at the firm's actual cost, without additional mark-up. The District is exempt from payment of excise taxes, transportation and sales taxes imposed by the Federal Government and/or Commonwealth of Pennsylvania. Such taxes must not be included.

C. **Evaluation and Award**

The following criteria will be used, without limitation, in evaluation proposals and determining the most responsive legal firm:

- The legal firm's technical understanding of the scope of services and proposed professional services as evidence by the proposal submitted.
- The background and experience of the legal firm in providing similar services, as well as, specific background, education, qualifications, and relevant experience of key personnel to be assigned to this contract.
- Location of Firm's office.
- Proposed fees and costs, although the District is not bound to select the legal firm who proposes the lowest fees. The District reserves the right to negotiate fees with the selected legal firm.
- Information obtained by the District from firm's references or other clients.
- Best interests of the District.

D. Selection Procedures

- Proposals in response to the RFP will be reviewed against the criteria previously listed.
- The District intends to enter into a contract with the most responsible responsive legal firm whose proposal is determined to be in the best interest of the District.
- The District reserves the right to reject any or all proposals or part thereof for any reason, to negotiate changes to proposal terms, to waive minor inconsistencies with the RFP, and to negotiate a contract with the successful legal firm.
- The District will initially review all proposals to determine responsiveness. Any proposal that does not address all requested requirements, or is incomplete, will not be considered.
- The District will evaluate all responsive and responsible proposals based on the criteria enumerated in Section C as referenced above. The District may afford firms the opportunity to clarify proposals for the purpose of assuring a full understanding of their responsiveness to the RFP.
- The District may conduct an interview of the legal firms it judges to be the most qualified to perform the services required, based upon the criteria in this RFP. If so, legal firms will be notified in advance of the proposed interview date. If conducted, interviews may be conducted in person or by conference call. Respondents are advised that the District reserves the right to award this contract solely on the basis of the submitted proposals.

Provide five original booklets consisting of the data above on or before May 10, 2019.

Mrs. Teresa Weaver, Business Manager
Eastern York School District
120 South Third Street
PO Box 150
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