

# REQUEST FOR PROPOSALS (RFP)

## SCHOOL BOARD ATTORNEY FOR CALHOUN COUNTY SCHOOL BOARD

### GENERAL REQUIREMENTS

**1. Organization**

Calhoun County School District

**2. Reporting Relationship**

The School Board Attorney reports to the Calhoun County School Board.

**3. Responsibilities of the Position**

The position involves the delivery of high-quality legal services to the School Board. The work involves the review and interpretation of federal, state, and local laws and regulations and the provision of legal advice and counsel as it relates to matters of School Board. The School Board Attorney must be able to offer a full range of legal services to a relatively small and diverse school system. The School Board Attorney is appointed by and is directly responsible to the School Board. The School Board Attorney will also work closely with the Superintendent and his administrative staff.

**4. Submission of Proposals**

Proposals are to be sent to the following address and are due by Friday, November 8, 2019 at 12:00 Noon, CST.

Calhoun County School District  
20859 Central Ave. East, Room G-20  
Blountstown, FL 32424

Proposals must be clearly marked: **“Sealed Bid”**

Seven (7) copies of the proposal must be received at the above address no later than Friday, November 8, 2019 at 12:00 Noon. Proposals received after the Noon deadline will not be considered.

Any questions should be addressed in writing to the above address or via email at [debbie.williams@calhounflschools.org](mailto:debbie.williams@calhounflschools.org)

## 5. Proposed Calendar

| Date                  | Event  |
|-----------------------|--|
| Thursday, October 17  | Proposal posted on District website and sent to newspapers for publication   |
| Friday, November 8    | Proposals are due to the Superintendent's Office by 12:00 Noon, CST  |
| Friday, November 8    | Proposals distributed to Board members for independent review and ranking  |
| Monday, November 11   | Board member rankings are provided to the Superintendent, Assistant Superintendent and Finance Director for tabulation and selection of top three (3) proposers. |
| Thursday, November 14 | Proposer presentation and interviews at Board Workshop   |
| Thursday, November 14 | Selection of Proposer at Board Workshop  |
| Thursday, November 14 | Award of RFP at regularly scheduled Board Meeting  |
| January 2, 2010       | Beginning of Contract for Legal Services   |

## 6. Evaluation of Proposals

Proposers that submit qualifying sealed proposals and that properly complete and submit all required documentation will be evaluated and ranked by School Board members based on the following:

- a. Responsiveness of the proposal in clearly stating and understanding of the scope of work to be performed.
- b. Demonstrated capabilities to perform the required services.
- c. Past record and experience
- d. Fee structure

The Superintendent, Assistant Superintendent and Finance Director will tabulate this initial individual evaluation by the School Board and identify the top at three (3) qualifying proposals. The proposers will be contacted on or before Tuesday, November 12, 2019, and be provided a time to present before the Board at the Board Workshop on Thursday, November 14, 2019.

If less than five (5) qualifying proposals are received, then all five will be requested to present to the Board.

## 7. Presentations

During presentations, the Board will complete the remainder of the evaluation sheets and provide them to the Assistant Superintendent for a final tabulation. The Assistant Superintendent, Finance Director and one additional School Board employee selected by the Board will conduct the final tabulation.

## 8. Award

The Request for Proposal will be awarded to the selected proposer during the Regular School Board Meeting following the Board Workshop.

**9. Contingency**

In the event the District is unable to negotiate a contract with the awarded proposer, the next highest proposer may be notified and given the opportunity to fulfill the requirements herein at that proposer's fee structure and under the terms and conditions already established in this RFP.

**10. Rejection and Waiver**

The District reserves the right to reject any bid and/or cancel the RFP based on information provided by the proposer and /or according to its best interest. The School Board also retains the option, should not proposal satisfy the RFP criteria, to directly negotiate with an attorney of the Board's choosing.

**11. Addenda**

Any addenda to this request will be posted to the District website. It is the proposer's responsibility to check the website regularly.

**12. Cancellation**

The School Board may, during the contract period, terminate or cancel the services covered in this RFP with or without cause upon thirty (30) days written notice to the selected proposer.

**13. Proposal Public Record**

Proposer acknowledges that all information contained within their proposal is part of the public domain as defined by the State of Florida Sunshine and Public Record Law.

**14. Conflict of Interest**

The award of this RFP is subject to the provisions of Chapter 112, Florida Statutes. All proposers must disclose with their proposal the name of any officer, director, or agent who is also an employee of the Calhoun County School District.

**15. Unrequested Solicitation**

Any solicitation of Board Members, School Superintendent, members of management, or any other employee of the District by the proposer may result in this proposal being denied consideration.

**PROPOSAL DETAILS AND ELIGIBILITY**

**Eligibility**

**1. Minimum Qualifications**

- a. A law degree from an accredited law school.
- b. Admitted to the Florida Bar.
- c. Five (5) years experience in the practice of law.

## **2. Preferred Qualifications**

- a. Experience in and knowledge of laws applicable to the primary practice area for which these services are being retained and laws applicable to K-12 school district.

## **3. Preferred Performance Criteria**

- a. General knowledge of School Board Policies; state; federal, and administrative laws relating to the area of School Board Attorney.
- b. General knowledge of local government law.
- c. General knowledge of judicial proceedings, rules of evidence and methods of legal research.
- d. Experience with Florida School Laws, including general knowledge of Florida Department of Education requirements and practices.
- e. Ability to communicate clearly and concisely, orally and in writing.
- f. Ability to establish and maintain effective working relationship with public officials, management, staff, subordinates, and general public.
- g. Proven record of excellence in legal counseling and advising senior managements or Boards.
- h. Proven experience in structuring, negotiating, and drafting documentation for complex transactions.
- i. Understanding of the need for appropriate risk assessment and management on behalf of the Board.
- j. Skill in conducting research on complex legal problems and prepare sound legal opinions.

## **SCOPE OF SERVICES**

1. Attend all regular and special school board meetings, including workshops when specifically requested by the Board or the Superintendent.
2. Provide legal advice to the Board Members, the Superintendent and his staff.
3. Represent the School Board as legal counsel in all litigation, suits or actions instituted by or against the School Board, except where otherwise covered by insurance.
4. Coordinate outsourced legal services as needed pursuant to School Board policy or at the direction of the School Board.
5. Provide legal assistance in drafting and review of legal documents, policies, procedures, resolutions, applications, legal notices, advertisements and all other legal or quasi legal papers upon request.
6. Prepare and approve as to form all contracts entered on behalf of the School Board.
7. Advise the School Board on all aspects of employee management.
8. Advise the School Board on the purchase, sale, lease or disposition of real and physical property.
9. Render legal advice and representation in all areas of school law, including but not limited to IDEA/ESE, constitutional issues, administrative law issues, discipline, land use, growth managements, contracts, litigation, eminent domain, basic real estate and civil litigation.
10. Perform any other duties consistent with the legal needs of the School Board and School District as the School Board may require.

## PROPOSAL REQUIREMENTS

In order to maintain comparability and to enhance the review process, seven (7) hard copies of the proposal should be provided. It is requested that Proposals are organized in the manner outlined below.

1. **Title Page:** Show name of RFP, name of the proposer and contact information.
2. **Table of Contents:** Include a clear identification of the material by section and page number.
3. **Letter of Transmittal:** Limit to one to two pages.
  - a. Briefly state the proposer's understanding of the scope of work to be done and demonstrate a positive commitment to perform the work.
  - b. Give names of the persons who will be authorized to make representations for the proposer, their titles, and telephone numbers.
  - c. Give the attorney's Florida Bar Number. If the Proposer is a firm the Bar Number for each individual attorney must be listed.
4. **Past Record and Experience:**
  - a. Describe the attorney's or firm's experience in Florida school board attorney law.
  - b. Describe any disciplinary action taken against the attorney, firm or individual associated with the firm by the Florida Bar.
  - c. Give the names and addresses of at least three (3) school boards or other agencies for whom similar services have been performed within the last five (5) years and the date and specific service rendered in each case.
  - d. Provide a professional resume of the lead attorney to be assigned to the Calhoun County School Board including past employment history.
  - e. Provide any additional information which demonstrates the firm and/or attorney meets or exceeds the qualifications and criteria under the eligibility section.
5. **Fee Structure:**

The fee structure should include a flat monthly fee for basic services such as contract review; board meeting prep and attendance; standard provision of legal advice to the Board, Superintendent, and management; cursory reviews of common Board litigation and legal matters. Other rates should be provided for work outside the scope of basic services.

## EVALUATION CRITERIA AND WEIGHTS

Possible total of 100% with the top three (3) proposers selected from the proposal evaluation to be provided the opportunity to present before the Board.

|  |            |
|--|------------|
| <b>Proposal Evaluation:</b>  | <b>75%</b> |
| 1. Proposer's eligibility to perform the work.                     | 20%        |
| 2. Proposer's understanding and commitment of the work to be done. | 20%        |
| 3. Past record and experience.                                     | 15%        |
| 4. Fee structure   | 20%        |
| <b>Presentation Evaluation:</b>                                    | <b>25%</b> |

## **ADVERTISEMENT FOR SCHOOL BOARD ATTORNEY FOR CALHOUN COUNTY SCHOOL BOARD**

The Calhoun County School Board seeks an individual or firm to provide direct and professional legal counsel and representation to the School Board as the School Board attorney on a contracted basis.

Responsibilities and duties of the School Board Attorney include, but are not limited to:

- Attending at all regular and special school board meetings, including workshops when specifically requested by the Board or the Superintendent.
- Providing legal advice to the Board Members, the Superintendent and his staff.
- Representing the School Board as legal counsel in all litigation, suits or actions instituted by or against the School Board, except where otherwise covered by insurance.
- Coordinating outsourced legal services as needed pursuant to School Board policy or at the direction of the School Board.
- Providing legal assistance in drafting and review of legal documents, policies, procedures, resolutions, applications, legal notices, advertisements and all other legal or quasi legal papers upon request.
- Preparing and approving as to form all contracts entered on behalf of the School Board.
- Advising the School Board on all aspects of employee management.
- Advising the School Board on the purchase, sale, lease or disposition of real and physical property.
- Rendering legal advice and representation in all areas of school law, including but not limited to IDEA/ESE, constitutional issues, administrative law issues, discipline, land use, growth managements, contracts, litigation, eminent domain, basic real estate and civil litigation.
- Performing any other duties consistent with the legal needs of the School Board and School District as the School Board may require.

Candidates must be a member in good standing with the Florida Bar and have a minimum of five (5) years experience in the practice of law. In addition, candidates should have general knowledge of administrative law. Specific knowledge of education law is preferred. Other performance criteria are listed in the RFP.

The Request for Proposal is available on the district website at [calhounflschools.org](http://calhounflschools.org). Copies of the RFP may also be picked up at the Superintendent's Office at 20859 Central Ave East, Room G-20, Blountstown, FL 32424.

Calhoun County School District will receive **Sealed Bids** until **12:00 Noon, CST on November 8, 2019**, at the Superintendent's Office of the Calhoun County School District, 20859 Central Ave East Room G-20, Blountstown, FL 32424. Bids received after that time will not be accepted. Bids will be opened publicly and read aloud at 12:05 PM on the same date. Calhoun County School District reserves the right to waive irregularities and to reject any and all Bids.