

Capital Region ESD 113
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molund@esd113.org

Request for Proposal No. RFP- 6210-F3-02040

April 18, 2024

LEGAL SUPPORT

for

Capital Region ESD 113

Submittal Deadline:

June 4, 2024

5:00 pm (PST)

Table of Contents

1.0 INTRODUCTION 4

2.0 SCHEDULE 5

 2.1 Schedule of Activities.....5

3.0 QUESTIONS AND COMMUNICATION 5

4.0 BACKGROUND..... 6

5.0 SERVICES INFORMATION 7

6.0 SELECTION PROCESS 8

 6.1 Method of Selection8

 6.2 Notifications..... 9

 6.3 ESD 113's Right to Reject.....9

 6.4 Procedures Requirements..... 10

7.0 SUBMITTAL REQUIREMENTS 10

 7.1 General Submittal Requirements..... 10

 7.2 Contents of the Proposal.....10

8.0 CONTRACT AND CONTRACTING PROVISIONS..... 12

 8.1 Standard Form of Contract.....12

 8.2 Contract Term 13

 8.3 Additional Contract Document Requirements 13

 8.4 Protest Procedures 13

REQUEST FOR PROPOSAL RFP 6210-F3-020

PROPOSAL CERTIFICATION FORM

With my signature, I certify the following:

1. I am authorized to commit my firm to this proposal and that the information contained herein is valid for 90 days from this date.
2. All information presented herein is accurate and complete and that the services can be delivered as presented in this proposal.
3. I had the opportunity to ask questions regarding the Request for Proposal, and that if such questions have been asked, they have been answered by ESD 113.
4. I understand any material omission of required forms or information may result in rejection of this proposal.
5. This proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting an offer for this proposal, and is in all respects fair and without collusion or fraud.
6. The completion of the proposal is a binding commitment to providing legal services as proposed herein.
7. Respondents may withdraw a submitted proposal by April 4, 2024 by 10:00 am.

Dated at _____, this _____ of _____ 2024.

(Signature)

(Title)

(Print Name)

(Email Address)

(Company Name)

(Telephone Number)

(Address)

(Fax Number)

(City)

(UBI Number)

(State)

(Zip)

1.0 INTRODUCTION

Capital Region ESD 113 (ESD 113) is requesting proposals for individuals or firms interested in providing general legal support to the region.

This Request for Proposal (RFP) describes the selection process and documentation required for submitting a Proposal. Any individual or firm failing to submit their proposal in accordance with the procedures set forth in the Request for Proposal may be considered nonresponsive.

It is the intent of ESD 113 to award the services listed above to one firm or individual. It is anticipated the period of the contract will be one year, with annual renewal after the initial period. The selection process will proceed in the following manner:

- ESD 113 shall receive proposals no later than the due date and time specified in Section 2.0 of this RFP.
- An initial screening will follow, resulting in a short-list of one or more qualified individuals or firms that will be selected for interviews (if deemed necessary).
- ESD 113 may conduct interviews (if deemed necessary) with the selected individuals or firm(s), in accordance with a schedule to be determined by the Selection Committee in order to select the best proposals, all factors considered.
- ESD 113 may award a contract based solely on the written proposals. However, ESD 113 may elect to engage in negotiations with a selected short list of vendors in order to improve the proposals and obtain the best contract for ESD 113.
- The final selection will be based upon the criteria set forth below. ESD 113 reserves the right to negotiate with the successful firm on pricing, scheduling, or other factors.

2.0 SCHEDULE OF ACTIVITIES: ESD 113 will make every effort to follow this timetable; however, we reserve the right to modify the proposal process and dates as necessary.

SCHEDULE	
Date	Selection Process
04/18/2024	Advertisement for Request for Proposal Published (First Notice)
05/23/2024	Advertisement for Request for Proposal Published (Second Notice)
05/23/2024	Last day for Questions from Proposers by 2:00 p.m.
06/4/2024	Proposal Due by 10:00 a.m.
06/6/2024	Initial screening
6/8/2024	Notification sent to short list candidate firms
06/9/2024	Short list interviews, if necessary, via Microsoft Teams
06/15/2024	Notification of award to top candidate firm
06/16/2024	Negotiation of Contract
06/22/2024	Anticipated Start Date

3.0 QUESTIONS AND COMMUNICATION

All communication and/or questions shall be submitted in writing at the dates and times indicated herein to:

E-mail: Margaret Olund
molund@esd113.org

Physical Location: Capital Region ESD 113
6005 Tye Drive SW
Tumwater, WA 9852

Phone: (360) 464-6860
Fax: (360) 464-6904

All questions must be submitted electronically by e-mail or fax to ESD 113 by the date and time indicated in Section 2.0. Reference the RFP number in the subject of your email. ESD 113 will not consider telephone or in-person inquiries, except at the interviews/demos for those firms/individuals making the short-list.

Answers to questions will be issued in the form of an addendum that will be provided electronically on the WEBS website at <https://pr-webs-vendor.des.wa.gov/>.

Proposals must be submitted electronically to molund@esd113.org with the Request for Proposal number and contract title included in the subject heading.

In the event that a firm or individual attempts to contact any official, employee, or representative of ESD 113 in any manner contrary to the above requirements, said firm or individual may be disqualified for further consideration.

This prohibition does not apply to:

- Telephone calls to ESD 113 to request copies of this RFP, to confirm attendance, or request directions relative to an interview notification received from ESD 113,
- Delivery of written questions about the proposal,
- Discussion at the interview/demonstration (if deemed necessary),
- Delivery of the firm's proposal.

4.0 BACKGROUND

Capital Region ESD 113 is seeking individuals or firms interested in providing general legal support and advisory services to the region.

The mission of Capital Region ESD 113 is to ensure excellent & equitable education for all students through service and collaboration.

5.0 SCOPE OF WORK

The Scope of work involves providing general legal support and advisory services relative to employment law and personnel actions including discipline and/or termination; specialized needs include experience with the State of Washinton educational system and certificated employees.

6.0 SELECTION PROCESS

6.1 Method of Selection

1. ESD 113 will review all proposals and select one firm or individual based upon the best interests of ESD 113 all factors considered. ESD 113 reserves the right to conduct interviews and/or demonstrations with the top firms, if deemed necessary.
2. Among the factors to be considered are the following:

EVALUATION CRITERIA	POINTS
Scope of Work - 40 points	
Demonstrated understanding of employment law around certificated and classified employees; and suggested approach to the work.	20
Each attorney in the proposed team must possess a juris doctorate degree and have graduated by a law school accredited by the American Bar Association. Each attorney in the proposed team must be a member in good standing of the Washington State Bar Association.	20
Overall Experience – 40 points	
Team experience, availability, and capacity as it pertains to knowledge about multiple platforms.	10
Proven experience in working with similar or larger organizations, preferably in K-12 education	20
References/testimonials from past clients. Please provide three.	10
Pricing – 20 points	
Pricing considerations include: (1) comparative costs and services included in standard pricing; (2) any additional fees.	20

Based on the recommendation of the Committee, ESD 113 will enter contract negotiations with a selected firm or individual. Upon receipt of the best and final proposals, the Committee will select the best proposal, all factors considered.

6.2 Notifications

ESD 113 will provide timely notifications to firms responding to the Request for Proposal upon selection of the recommended firm.

6.3 ESD 113 Right to Reject

ESD 113 reserves the right to reject any and all proposals and re-advertise the RFP at any time prior to approval of the recommended firm and the negotiated agreement. All costs incurred in the preparation of the Request for Proposal process shall be borne by the proposing firm. **Proposals submitted in response** to this Request for Proposal shall become the property of ESD 113 and be considered public documents under applicable Washington State laws.

ESD 113 reserves the right to modify the scope of services as a result of the written submittals and/or interviews.

6.4 Procedures Requirements

Any firm failing to submit information in accordance with the procedures set forth herein may be considered non-responsive.

7.0 **SUBMITTAL REQUIREMENTS**

7.1 General Submittal Requirements

The submittal requirements shall be as follows:

SUBMITTAL METHOD: The proposing firm, joint venture or other form of association (“firm”) shall submit one ELECTRONIC copy of their proposal for the requested services sent via e-mail to molund@esd113.org. The Subject Line of the e-mail shall note the RFP number and Title.

Each proposal is to be a maximum of twenty (20) pages (8-1/2” x 11”) single-sided, not smaller than the 12-point type. Please combine sections below into one PDF with each section bookmarked within the PDF.

1. The cover letter, Proposal Certification Form, table of contents, and tabs do not count toward the page limits.
2. Submittals exceeding the page limits may be considered non-responsive.
3. **Please Note:** In preparing the firm or individual submittal, the proposing firm or individual shall clearly identify the designated person of record responsible for any referenced services. If the proposed firm represents an individual’s experience while employed at another firm, the firm of record for the services and the individual’s role shall be clearly identified.

7.2 Contents of the Proposal

1. Signed Proposal Certification Form (page 3 of the RFP). This does not count toward the page limit.
2. Table of contents (maximum 1 page).
3. Separate section: Executive Summary.

Provide a summary highlighting the firm's qualifications and special expertise to provide the services requested in the Request for Proposal.

4. Separate section: Company Profile.
 - a. Identification of firm (or firms, if a joint venture or association) including address, telephone number, email address and date firm(s) were established.
 - b. Areas of specialization of the firm.
 - c. Provide total size and breakdown of firm personnel by category. A firm organizational chart would be useful.
5. Separate section: Service Experience and Past Performance.
 - a. List a maximum of five (5) recent services that most closely relate to the firm's qualifications for this proposal that briefly describe the scope and costs associated with each service provided.
6. Separate section: Approach to Providing Services.
 - a. In narrative form, briefly discuss your approach and techniques proposed for the main phases of these services. Please describe any consulting services recommended.
7. Separate section: Scope of Work.
 - a. Attorney must be available by phone, cell phone, video conference, and email.
 - b. Promptly respond to requests for legal assistance within one business day
 - c. Attending meetings as necessary, required, or appropriate.
 - d. Advise on legal matters pertaining to employment law.
8. Separate section: Team Organization, Availability and Capacity.

Briefly discuss how you propose to provide legal services. Identify each of the key players and define their roles and responsibilities. Describe each of the key team members' relevant professional experience, certification, and education in resume form. Briefly discuss the availability of all key personnel for the period of the contract and identify their proposed location during provision of the requested services. Additionally, discuss the capacity of the individual or firm as a whole to accomplish the work.
9. Separate section: References.
 - a. List recent school districts or businesses where similar services have been recently implemented by you or your firm.
 - b. Provide the client's name, address, email address, and telephone number for the individual's or firm's three (3) most recent legal services that most closely relate to the

firm's qualifications for this contract. If a joint venture or other form of association, provide reference information for each member firm.

10. Separate section: Service Cost.

- a. Briefly discuss proposed pricing structure for proposed services. If applicable, describe the professional services (if any, such as support for initial use training or consulting services) that are included with standard licensing costs for products/solutions offered. For any additional proposed fees-for-professional services, please specify the itemized costs associated (e.g., individual hourly rates, travel costs, reimbursable and direct expenses, etc.)

11. Separate section: Willingness to Accept ESD 113's Terms and Conditions.

Indicate by stating you are willing to accept all the terms and conditions as provided, or, if you do not detail your requested changes.

Please also note that ESD 113 reserves the right to ask questions and seek clarifications about the proposal, to request post-proposal modifications, and to engage in negotiations with a selected short list of firms.

8.0 CONTRACT AND CONTRACTING PROVISIONS

8.1 Standard Form of Contract

ESD 113's Sample Form of Contract is included as Attachment 2. The proposal should include any comments or requested changes. **Please note: ESD 113 reserves the right to reject any firm that is not willing to accept ESD 113's terms and conditions as noted in the standard form of contract.**

Please note ESD 113 reimburses at the per diem rate as established by the U.S. General Services Administration (GSA) for Olympia, WA. For additional information on per diem rates, visit GSA's website for per diem rates at [GSA Per Diem](#).

8.2 Contract Term

The term of this contract is expected to be in effect April 22, 2024, through April 30, 2025.

8.3 Additional Contract Document Requirements

The selected firm shall be required to provide the following documents to ESD 113 prior to execution of the contract:

- W-9 Form
- Washington State Business License

Protest Procedures

1. Any actual or prospective Vendor who is aggrieved in connection with the solicitation or award of this contract may protest ESD 113 in accordance with the procedures set forth herein. Protests based on the terms in this Request for Proposal, which are apparent prior to the

date established for submitting the proposal must be received seven (7) days prior to the submittal deadline. Protests based on other events must be received within three (3) working days after the aggrieved person knows, or should have known, of the facts and circumstances upon which the protest is based; provided, however, that in no event shall a protest be considered if all proposals are rejected or if the protest is received after the award for this contract.

2. In order to be considered, a protest shall be in writing and shall include: the name and address of the aggrieved person; the contract title under which the protest is submitted; a detailed description of the specific grounds for protest and any supporting documentation; and the specific ruling or relief requested. **The written protest shall be emailed to: jpriddy@esd113.org.**

ATTENTION:

Jennifer Priddy, Deputy Superintendent for ESD Operations and Fiscal Services
Capital Region ESD 113
6005 Tye Drive SW Olympia, WA 98512

And shall be labeled: "Protest."

Upon receipt of a written protest, ESD 113 shall promptly consider the protest. ESD 113 may give notice of the protest and its basis to other persons, including Proposers involved in or affected by the protest; such other persons may be given an opportunity to submit their views and relevant information. If the protest is not resolved by mutual agreement of the aggrieved person and ESD 113, ESD 113 will promptly issue a decision in writing stating the reasons for the action taken. A copy of the decision shall be mailed by certified mail, return receipt requested, or otherwise promptly furnished to the aggrieved person and any other interested parties. ESD 113's decision may be appealed to the Superintendent, Dr. Dana Anderson, not more than two (2) working days after receipt of the decision by written notice together with all supportive evidence, received at Capital Region ESD 113, 6005 Tye Drive SW, Tumwater, WA 98512. The Superintendent's decision shall be final and conclusive.

3. Strict compliance with the protest procedures set forth herein is essential in furtherance of the public interest. Any aggrieved party that fails to comply strictly with these protest procedures is deemed, by such failure, to have waived and relinquished forever any right or claim with respect to alleged irregularities in connection with the solicitation or award. No person or party may pursue any action in court challenging the solicitation or award of this contract without first exhausting the administrative procedures specified herein and receiving ESD 113's final decision.
4. Any Proposer submitting a proposal shall be deemed to have accepted these procedures.

End of Request for Proposal