

May 1, 2023



TO:

Attn:

FROM: Cloud County Community College

SUBJECT: REQUEST FOR PROPOSALS FOR LEGAL SERVICES

Cloud County Community College (“the College”) requests your proposal to provide legal services for the College for the 2023-2024 fiscal year. Reference Appendix A Scope of Services for the requested legal services. Reference Appendix B for the Proposal Form to be completed and returned to CCCC by the date and time listed.

All proposals must be submitted on the attached Proposal Form (Appendix B) and may include additional information. Any deviations from the specifications must be listed separately on Appendix B Proposal Form. The College reserves the option to consider and accept deviations in specifications if they are in the best interest of the college.

Tax exempt pricing requested.

“Legal Services Proposal” **must be plainly marked in the lower left-hand corner of the sealed envelope** which contains the proposal.

All proposals must be received by mail or hand delivered prior to 3:00 p.m., May 16, 2023 to the address reflected below.

Proposals will be reviewed by CCCC staff on May 17, 2023. Failure to abide by all of the conditions of this Request for Proposal (RFP) may result in the rejection of your offer.

Board of Trustee action on the bids should take place at the Board of Trustee meeting on Tuesday, May 23, 2023. The meeting will begin at 5:00 p.m. at the Concordia campus PA room 257, 2221 Campus Drive, Concordia, Kansas. Vendors need not attend but are welcome.

CCCC reserves the right to reject any or all bids.

Official notification of proposal acceptance will be in the form of a CCCC contract.

NON-DISCRIMINATION – STATE The contractor hereby agrees to require that sections 1 through 5 of K.S.A. 44-1030 (as follows) are to be included in all contracts to which the contractor’s agency is a party; except those with contractors, vendors or suppliers whose cumulative dollar total in the fiscal year is \$5,000.00 or less, or who have fewer than four employees.

- (1) The contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, disability, national origin or ancestry.
- (2) In all solicitations or advertisements for employees, the contractor shall include the phrase “Equal Opportunity Employer”, or a similar phrase to be approved by the Kansas Commission on Human Rights;
- (3) If the contractor fails to comply with the manner in which reports to the Kansas Commission on Human Rights in accordance with the provisions of K.S.A. 1976 Supp. 44-1030, as amended, the

- contractor shall be deemed to have breached the present contract and it may be canceled, terminated or suspended, in whole or in part by Cloud County Community College;
- (4) If the contractor is found guilty of a violation of the Kansas Act Against Discrimination under a decision or order of the Kansas Commission on Human Rights which has become final, the contractor shall be deemed to have breached the present contract and it may be canceled, terminated or suspended, in whole or in part by Cloud County Community College; and
 - (5) The contractor shall include the provisions of paragraphs (1) through (4) inclusively of this subsection (5) in every subcontract or purchase order so that such provisions will be binding upon such subcontractor or vendor.

NON-DISCRIMINATION – Cloud County Community College does not discriminate in admission or access to, or treatment in employment in, its services programs or activities on the basis of race, color, national origin, gender, religion, age, disability, or veteran status. Persons having inquiries concerning compliance may contact the Director of Human Resources, 2221 Campus Drive, Concordia, Kansas 66901, (785) 243-1435, ext. 202.

The Vice President for Administrative Services is the sole point of contact for the provisions of this RFP and resulting proposals. Please call or email Caesar Wood at the telephone numbers or email address listed below with any questions you have about this proposal.

Cloud County Community College
Attn: Caesar Wood, Vice President for Administrative Services
2221 Campus Drive
Concordia, Kansas 66901

Telephone Numbers:
785-243-1435 ext. 202 (office)
940-300-4371 (cell)

Email Address:
Caesar.wood@cloud.edu

LEGAL SERVICES PROPOSAL

GENERAL PROJECT DESCRIPTION

The College intends to retain the services of a firm to provide legal services for the College for the 2023-2024 fiscal year, which begins July 1, 2023, and ends June 30, 2024. Proposals should include provisions for up to four additional automatic annual renewals. A description of the scope of services to be provided is located in Appendix A.

Funding for this service is supported by the College's general fund.

The College has two physical campuses, one each located at 2221 Campus Drive, Concordia, Kansas and at 631 Caroline Avenue, Junction City, Kansas. The College serves approximately 2,800 students annually and employs approximately 150 full-time staff, of which 39 are faculty contracted by negotiated agreement.

KEY PROJECT ELEMENTS

This document is a Request for Proposal (RFP) and differs from a Request or Invitation for Bid. Offers will be evaluated based upon criteria formulated around the most important features of the requested service, of which quality, capability, availability, and past performance of the firms may be overriding factors. Award of this proposal will not be based solely on price. Selected firms may be invited to an interview following review of the proposals received. Additional information may be provided at the firm's discretion.

A purchase order will be issued following approval by the Board of Trustees at their May 23, 2023 meeting and signifies the notice to proceed.

The successful firm will need to propose a contract for negotiation of terms following Board of Trustees approval of the legal services agreement pricing. The College's Vice President for Administrative Services will represent the College for contract negotiations.

The contents of the proposal submitted by the successful vendor, this RFP, and all modifications made thereof, shall become part of any contract awarded as a result of the RFP process. The successful firm will be expected to sign a contract with the College.

Contract rights are nontransferable and non-assignable.

Pursuant to K.S.A. 72-8201c, any contract awarded will include the mandatory contract provisions of the DA-146a Contractual Provisions Attachment.

The contract shall have an effective date of July 1, 2023, and an ending date of June 30, 2024, with provisions for up to **four automatic annual renewals**.

SUBMITTALS

Provide completed copy of Appendix B: Proposal Form.

Provide resume(s) of attorneys named to represent the college on a regular basis, and a brief narrative describing their expertise and experience representing public and/or educational organizations.

Provide current contact information for three references of like scope and size to this proposal. Educational, state & local governments are preferred references.

LEGAL SERVICES PROPOSAL
APPENDIX A: LEGAL SERVICES SPECIFICATIONS

LEGAL SERVICES SPECIFICATIONS

The college desires to contract with a firm experienced in legal representation of public education organizations. The following scope of services are a part of this proposal:

SCOPE OF SERVICES INCLUDED IN RETAINER

1. Attendance at all Board of Trustees meetings where business of the college is discussed and to be acted upon;
2. Advice and consultation concerning conducting meetings of the Board of Trustees (ref: Kansas Open Meetings Act);
3. Advice and consultation concerning release of public and private records (ref: Kansas Open Records Act);
4. Advice and consultation regarding proposed Board policy changes;
5. Advice and consultation concerning employee contracts and files as to form and duties;
6. Advice and consultation to the Board, the president, and vice presidents on legal questions affecting the duties of their offices and the interests of the college;
7. Advice and consultation regarding the duties of the college under the Master Contract and Board policies;
8. Review of and consultation regarding proposed construction contracts;
9. Review of and consultation regarding proposed equipment lease and/or purchase agreement;
10. Initial consultation regarding employee discipline and/or non-renewal/termination;
11. Initial consultation regarding student discipline and/or expulsion;
12. Initial consultation regarding claims instituted against the college;
13. Initial consultation regarding potential claims by the college against others;
14. Preparation of the annual letter to the college auditor pursuant to the ABA Statement of Policy Regarding Lawyers' Response to Auditor's Request for Information; and
15. Locating third-party legal services if needed as mutually agreed by the College and the firm.

SCOPE OF SERVICES CHARGED AT AN HOURLY RATE

1. Representation of the Board or Administration at employee grievance proceedings and due process hearings;
2. Representation of the College before Kansas administrative agencies;
3. Negotiation of the Master Contract;
4. Drafting legal documents, including policies and contracts;
5. Research for items not included in retainer services; and
6. Witness and deposition fees.

REIMBURSABLE EXPENSES

1. Mileage for travel outside of Concordia city limits at the allowed IRS rate;
2. Meals for travel outside of Concordia city limits;
3. Lodging for travel outside of Concordia city limits;
4. Copying
5. Postage
6. Long distance telephone charges

SERVICE SPECIFICATIONS

Provide an attorney at all Board of Trustees meetings.

Provide redundant access to an attorney with the successful firm during normal business hours in-person, by phone, and/or email appropriate to the situation.

**APPENDIX B: PROPOSAL FORM
LEGAL SERVICES PROPSAL**



Firm Contact Information:

Company Name: _____
 Company Address: _____
 Phone Number: _____ Email Address: _____
 Attorney Name: _____
 Attorney Signature: _____

<u>Legal Services</u>	<u>Amount</u>
1. <u>Retained Services</u>	\$ _____ /year
2. <u>Hourly Services</u>	
a. Representation of the Board or Administration at employee grievance proceedings and due process hearings	\$ _____ /hour
b. Representation of the College before Kansas administrative agencies	\$ _____ /hour
c. Negotiation of the Master Contract	\$ _____ /hour
d. Drafting legal documents, including policies and contracts	\$ _____ /hour
e. Research for items not included in retainer services	\$ _____ /hour
f. Witness and deposition fees	\$ _____ /hour
g. Items not specified	\$ _____ /hour
3. <u>Reimbursable Expenses</u>	
a. Mileage for travel outside of Concordia city limits	\$ _____ /mile
b. Meals for travel outside of Concordia city limits	\$ _____ /meal
c. Lodging for travel outside of Concordia city limits	\$ _____ /night
d. Copying	\$ _____ /copy
e. Postage	\$ _____ /package
f. Long distance telephone charges	\$ _____ /minute

Submittals:

- ✓ Resumes
- ✓ Contact Information for 3 References

Deviations from Specifications / Additional Services Costs

Addendum Receipt Acknowledgement:

Addendum #1: Description: _____ Date Received: _____

Signature: _____

Addendum #2: Description: _____ Date Received: _____

Signature: _____

Delivery Date Acknowledgement: Services begin July 1, 2023.

Signature: _____ Date: _____

PUBLIC NOTICE

Cloud County Community College is requesting proposals for legal services. Proposals must be submitted prior to 3:00 p.m. on May 16, 2023. Proposal information and specifications may be received from Caesar Wood, Vice President for Administrative Services, Cloud County Community College, 2221 Campus Drive, Concordia, KS 66901, Telephone 785-243-1435 ext. 202.