

Clark County Department of Job and Family Services
Request for Proposals (RFP)
Professional Legal Services

Section I. General Purpose and Provider Information

Purpose of this Request for Proposals

The Clark County Department of Job and Family Services (hereinafter called the Department) is seeking a provider of professional legal services for labor and employment matters.

Background

Based on the results of an election authorized by SERB, AFSCME Ohio Council 8 is the labor representative for 209 employees of the Department. The services of an individual or law firm are sought (a) to advise the Department as it negotiates the first-time contract with AFSCME Ohio Council 8 and (b) to provide counsel on employment/labor matters.

Limitations

This RFP does not commit the Department to award a contract or to pay any cost incurred in the preparation of a proposal. The Department reserves the right to accept or reject any or all proposals received, to negotiate services and cost with proposers, and to cancel in part or in its entirety this RFP.

The Department will review each proposal with respect to price, administrative and programmatic capabilities, experience, and conformance to the RFP criteria. The Department may reject all responses if proposed rates are unreasonable or if the proposers do not meet the RFP acceptance criteria.

All proposals submitted in response to this RFP will become the property of the Department.

Contract Period

The Department is seeking to contract with a Provider for services to be delivered from February 1, 2008, through December 31, 2008. An extension of up to three years may be then negotiated without the release of another RFP.

Anticipated Procurement Timetable

<u>Date</u>	<u>Activity</u>
January 9	RFP Released
January 23	DEADLINE FOR SUBMISSION OF PROPOSALS
January 28	Letter of intent to award contract issued by the Department.
	Request for authorization of a contract submitted for approval to the Clark County Board of Commissioners. All proposers notified.
January 31	Contract authorized by County Commission
February 1	Service provision begins

The Department reserves the right to revise this schedule after providing reasonable notice.

Section II. Proposals

Proposals should address each of the criteria listed below.

Identifying Information – The name of the proposing organization, address, name of contact person, telephone number, and e-mail address should be clearly identified.

Experience – Demonstrate past experience in negotiating initial contracts with newly organized bargaining units. Demonstrate experience in negotiating contracts that comply with requirements of multiple governing authorities—federal, state, and local. Demonstrate past experience in representing clients before the State Employee Relations Board. Additional experience in negotiating contracts other than traditional negotiations should be included.

Work Product Examples – Demonstrate breadth of experience in working with the public sector.

References – Provide at least three references where similar legal services have been provided.

Other pertinent information – Include additional information not requested elsewhere.

Cost of Proposed Services - Provide an hourly rate for the services offered. Hourly rates should be separated by partner, associates, law clerks and/or paralegals. All additional costs such as incidentals, administrative support and overhead should be addressed.

Assurances and Certifications – The proposer must provide assurances regarding the items contained in Appendix I.

Scoring

Each proposal may be awarded points up to the maximum for a possible total of 35.

Experience	10 points
Work Product Examples	5 points
References	5 points
Other pertinent information	5 points
Cost of proposed services	10 points

Proposal Submission

Three copies of the proposal should be submitted to:

Kerry Pedraza, HR Director
Clark County Department of Job and Family Services
1345 Lagonda Ave., P.O. Box 967A
Springfield, OH 45501-1037

kpedraza@clarkdjfs.org
Telephone: (937) 327-1950

Proposals must be received before 4:00 p.m., Friday, January 18, 2008.

Proposal Evaluation

All proposals will be forwarded to the proposal review committee comprised of the following staff of the Department: Robert Suver, Director; Geoffrey Steele, Assistant Director; and Kerry Pedraza, HR Director. The recommendation of the proposal review committee will be forwarded for approval to the Clark County Board of Commissioners.

Section III Protest Procedure

Any potential, or actual provider objecting to the award of a contract resulting from the issuance of this RFP may file a protest of the award of the contract, or any other matter relating to the process of soliciting the proposals. Such a protest must comply with the following guidelines:

- A. A protest may be filed by a prospective or actual bidder objecting to the award of a contract resulting from this RFP. The protest shall be in writing and shall contain the following information:
 1. The name, address, and telephone number of the protestor;
 2. The program name of the RFP being protested;
 3. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
 4. A request for a ruling by the Department;
 5. A statement as to the form of relief requested from the Department; and
 6. Any other information the protestor believes to be essential to the determination of the factual and legal questions at issue in the written protest;
- B. A timely protest shall be considered by the Department, if received within the following periods:
 1. A protest based on alleged improprieties in the issuance of the RFP or any other event preceding the closing date for receipt of proposals which are apparent or should be apparent prior to the closing date for receipt of proposals shall be filed no later than 3:00 p.m. the closing date for receipt of proposals, as specified in the Proposal Submission section of this RFP.
 2. If the protest relates to the announced intent to award a contract, the protest shall be filed no later than 3:00 p.m. of the fifth (5th) calendar day after the issuance of the Letter of Intent to Award the contract.
- C. An untimely protest may be considered by the Department if it determines that the protest raises issues significant to the department's procurement system. An untimely protest is one received by the Department after the time periods set forth in Item B. of this section.

D. All protests must be filed at the following location:

Director
Clark County Department of Job & Family Services
1345 Lagonda Ave.
Springfield, Ohio 45503

E. When a timely protest is filed, a contract award shall not proceed until a decision on the protest is issued or the matter is otherwise resolved, unless the Director of the Department determines that a delay will severely disadvantage the Department. The provider(s) who would have been awarded the contract shall be notified of the receipt of the protest.

F. The Department shall issue written decisions on all timely protests and shall notify any vendor who filed an untimely protest as to whether or not the protest will be considered.

Appendix I **Insurance and Indemnification**

Insurance

The following are the standard requirements of insurance and indemnification for Contractors who hold contracts with Clark County. Certificates are to be on file before a contract is signed. Any variations from the items listed must be analyzed and have advance approval of the County's Risk Manager.

- a. Worker's Compensation Insurance as required by Ohio law and any other state in which work will be performed, or letter of exemption.
- b. Commercial General Liability insurance for a minimum of \$1,000,000 per occurrence with an annual aggregate of at least \$2,000,000, including coverage for subcontractors, if any are used.
- c. Umbrella or Excess Liability insurance (over and above Commercial General Liability) with a limit of at least \$2,000,000.
- d. Auto Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work of Clark County, or its departments, with limits of at least \$300,000 (Combined Single Limit) or, \$100,000 per person and \$300,000 per accident for Bodily Injury and \$100,000 per accident for property damage.
- e. The Board of Clark County Commissioners must be named as "Additional Insured" on the policies listed in paragraphs b, c, and d above.
- f. Professional liability or errors and omissions insurance (if applicable) for a minimum of \$1,000,000 per incident. Note: The type of coverage will vary based on the profession or service of the contractor. Normally, at least errors and omissions coverage should be obtained with a minimum of \$1,000,000 per incident liability limit with the County named as additional insured. ("Additional insured" designation may be unavailable for some professions.)

Other Requirements

The Contractor agrees to complete and submit a Declaration Regarding Material Assistance questionnaire.

Indemnification

- A. The Contractor understands and agrees that it is an independent Contractor and agrees to indemnify and hold the County harmless from liability of any and all claims, demands, or suits, in contract or in tort, actual or threatened, and from damages or payments including, but not limited to, costs and expenses arising out of breach of contract or the acts or omissions of the Contractor.
- B. The Contractor shall assume full responsibility for and shall indemnify the County for any damage to or loss of any County property, including building, fixtures, furnishings, equipment, supplies, accessories or parts resulting in whole or part from any negligent acts or omissions of the Contractor or any employee, agent or representative of the Contractor.