



REQUEST FOR PROPOSALS

Legal Services

1. INTENT

Hempfield School District (the “District”) is soliciting proposals from qualified licensed full-service law firms to represent the District in basic legal matters and litigation. The District intends to continue the practice of having a primary law firm as solicitor, but to delegate individual matters or specific expertise issues to legal specialists from other firms at our discretion.

2. QUALIFICATION REQUIREMENTS

Respondents to this RFP must meet the following minimum requirements:

- a) Member in good standing of the Bar Association of the Commonwealth of Pennsylvania
- b) Member in good standing of the Bar of the United States District Court
- c) Must have experience with Federal and State education laws and have minimum of ten (10) years working with or for a Pennsylvania school district in all areas of services required herein
- d) Ability to provide same day response
- e) Assignment of a lead attorney with appropriate experience
- f) A minimum of three (3) attorneys with experience in education law
- g) Physical office location in reasonably close proximity to Lancaster, Pennsylvania
- h) Provide strict adherence to confidentiality of all matters addressed between the District and the firm

3. BACKGROUND INFORMATION

Hempfield School District is located in south-central Pennsylvania, with a population of approximately 50,000. The district has an enrollment for the 2022-23 school year of approximately 7,100 students and an operating budget of \$136 million. The District maintains ten (10) schools; seven (7) elementary, two (2) middle, one (1) high school, plus an Alternative Education Center. The District employs approximately 1,000 full and part-time employees, plus substitute and seasonal employees. For the past several years, the District has been represented by Fox Rothschild.

4. PROPOSAL REQUIREMENTS

Proposals should be concise and include the following elements:

- a) Firm name, business address, telephone number(s), fax number, email, website URL, and name of primary contact
- b) Firm size, area(s) of specialization, and years of experience working with school districts and other public entities
- c) List of current school district clients
- d) Statement of qualifications detailing the firm's ability to meet Hempfield School District's needs in the following areas; please include the name of the attorney who will be the primary contact in each area, as well as his/her years of experience in the given area:
 - i. Governance matters, including matters arising under the State Ethics Act, the Sunshine Law, the Public Records Act, Intergovernmental Cooperation Act, Local Government Unit Debt Act, the governance provisions of School Code, Roberts Rules of Order;
 - ii. Labor and employment laws, including laws relating to discrimination, labor negotiations, grievance and arbitration, and certification requirements;
 - iii. Student issues, including discipline, admissions, attendance, special education, student civil rights, Title IX, discrimination due to gender, and religion in public school;
 - iv. Insurance issues including risk management;
 - v. School construction projects and related debt and investments and bond counsel;
 - vi. Real estate, assessment appeals and environmental issues;
 - vii. Contracting, bidding and procurement issues;
 - viii. Compliance with applicable federal and state educational statutes;
 - ix. Fiscal issues, including school finance, investments, taxation, and collection;
 - x. Provide ongoing legal services in the capacity of solicitor to at least three (3) other Pennsylvania school districts.
 - xi. If the firm is unable to provide service in an area identified above, state how the firm would provide consultative service from a secondary source.
- e) Contact information regarding how to arrange an interview with representative(s) of the firm as the RFP process moves through the selection process

5. TIMEFRAME

The successful legal firm will be expected to commence the provision of services at a mutually agreed upon date.

6. PROJECT MANAGEMENT

The business relationship shall be managed for the District by the Superintendent of Schools or his/her designee.

7. **OTHER INFORMATION**

Respondents to this RFP are hereby notified that all proposals submitted and information contained therein and attached thereto will not become public information until selection of the successful respondent.

Submission and Deadline

All proposals must be received by **12:00 pm, Thursday, February 16, 2023**. One (1) original and two (2) copies shall be submitted to:

**Michael Bromirski, Superintendent
Hempfield School District
200 Church Street
Landisville, PA 17538**

Questions about this RFP may be directed to Michael Bromirski, Superintendent, (717) 898-5564, or by email to mike_bromirski@hempfieldsd.org.

LATE PROPOSALS WILL NOT BE CONSIDERED

Submittal Letter

Respondents shall submit a cover letter, addressed to the superintendent, signed by an authorized principal or agent of the law firm, which provides an overview of the respondent's offer, as well as the name, title, and phone number of the person to whom the District may direct questions concerning the proposal. The letter should also include a statement by the respondent accepting all terms and conditions contained in this RFP, signed by an officer or other individual with authority to bind the firm.

Experience

Legal firms must have a minimum of ten (10) years of experience in all areas of law specified. Respondents are to provide a summary of the firm's experience on similar types and sizes of engagements with emphasis on school districts in the Commonwealth of Pennsylvania, and detail on experience with public sector employment law, and education law specifically. This summary must include the firm's experience in the areas of services described in Section 4, Proposal Requirements. Provide detailed resumes of the persons proposed to work directly with the District and indicate the level of responsibility of each professional staff member. Resumes are to include educational qualifications and previous work assignments that relate to this RFP.

References

A minimum of five (5) client references which encompass the areas outlined in this RFP, especially other local school districts and governmental agencies, must be identified. The client references must include the name of the organization, address, telephone number, individual contact person, the dates services were performed, and a description of the services provided.

Budget/Fee Proposal

All respondents are required to complete and submit a detailed itemized fee schedule and expected schedule of payment to perform all services. Specific information regarding any retainer, and specific hourly rates for all partners and a separate single hourly rate for all associates; (b) an hourly rate for clerical, paralegal or other professionals; and (c) a schedule of all out-of-pocket disbursements which are anticipated to result in a charge to the District, and the rate for each. Note that 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 the payment of excise taxes, transportation, and sales taxes imposed by the Federal Government and/or the Commonwealth of Pennsylvania. Such taxes must not be included.

The District reserves the right to negotiate fees and payment schedules with the selected respondent. The District will not pay broker's fees or commission, nor will the District contract with an intermediary entity.

Business Relationship

The District intends to negotiate and enter into a business relationship with the most responsible respondent whose proposal is determined to be in the best interest of the District. Cost of services will be a consideration, but professional expertise is a key component, and cost may be a secondary consideration to that expertise. The scope of this contract is intentionally broad to cover ongoing general legal needs of the District, but the District reserves the right to contract with other legal firms for services outside the scope of this agreement, or for expertise in specific areas when it is deemed to be in the best interest of the District.

8. EVALUATION AND AWARD

Selection Criteria

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

- a) The legal firm's technical understanding of the scope of services and proposed professional services as evidenced by the proposal submitted
- b) The background and experience of the legal firm in providing similar services as well as the specific background, education, qualifications, and relevant experience of key personnel to be assigned to this contract
- c) Location of firm's office
- d) 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
- e) Information obtained by the District from firm's references or other clients
- f) Best interests of the District

Selection Procedures

The District intends to enter into an agreement for services with the most responsible responsive legal firm whose proposal is determined to be in the best interest of the District.

- a) The District reserves the right to reject any or all proposals or parts thereof for any reason, to negotiate changes to proposal terms, and to waive minor inconsistencies with the RFP.
- b) The District will initially review all proposals to determine responsiveness. Any proposal that does not address all requested requirements or is incomplete may not be considered.
- c) The District will evaluate all responsive and responsible proposals based on the criteria enumerated in Section 8, 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.
- d) The District may conduct interviews 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.

9. CONFLICT OF INTEREST

Respondents shall provide a statement that no conflict of interest exists in rendering service to and in representing the District.

10. DISCIPLINARY ACTION

Respondents shall provide a statement that no attorney affiliated with respondent has, within five (5) years from the date of submission, been disciplined by the Grievance Committees of the State or Federal Bar.

11. TAXPAYER'S IDENTIFICATION NUMBER

The selected respondent whether an individual, proprietor, partnership or a non-profit corporation or organization must fill out and submit the *Internal Revenue Service Form W-9, Payers Request for Taxpayer Identification Number* for tax reporting purposes.