



EAST PROVIDENCE PUBLIC SCHOOL DISTRICT East Providence, Rhode Island

Request for Proposals Legal Services General Counsel - Collective Bargaining

The East Providence School Committee invites qualified attorneys to submit proposals to provide professional legal counsel and representation and to assist the School Committee and Superintendent in the legal performance and discharge of their obligations to students, staff, and school patrons.

Proposals will be accepted until May 30, 2024 at 10:00am
Proposals should be addressed to:

East Providence School Committee
1998 Pawtucket Avenue
East Providence, MA 02914
Attention: Craig T. Enos, Director of Finance

The submission shall have the title of the proposal indicated on the lower left corner of the proposal envelope: "RFP for Legal Services".

Request for Proposals Legal Services

General Counsel - Collective Bargaining Specifications

The East Providence Public Schools is located in East Providence Rhode Island, with a population of approximately forty seven thousand residents and a school enrollment of over five thousand students. We employ over eight hundred individuals on a full-time or part-time basis.

The East Providence School Committee requests proposals from qualified law firms or individual attorneys for general counsel, collective bargaining and other legal services. Qualified proposers should note that, in accordance with RIGL Chapter 30, Part 9.2, A.7. the procurement of legal services are exempt from the procurement process and the East Providence School Committee reserves the right to waive any defect in a proposal and to select the firm(s) or individual(s) that the East Providence School Committee in its sole discretion determines best meets the needs of the East Providence Public School District.

Scope of Services

Counsel to the East Providence School Committee is to provide legal advice and counsel on a variety of matters pertaining to all aspects of school governance. The selected firm or individual will provide legal advice and support to the East Providence School Committee and school department administration in the areas relating to, but not limited to, collective bargaining, personnel matters, contracts, contract administration, labor relations, procurement, grievance processing, litigation, civil rights, Title IX matters, ethics, student related matters including special education, policy, general school law issues and interpretation of state and federal statutes and regulations. Counsel will represent the East Providence School Committee during collective bargaining negotiations. Counsel will attend School Committee meetings in person or virtually as necessary. Counsel will also attend administrative meetings related to school law matters as necessary.

Professional Qualifications

- Member in good standing of the Rhode Island Bar and the Bar of the United States District Court of Rhode Island
- Experience as counsel for school committees and/or municipalities preferred
- Experience with federal and state education laws

- Experience in collective bargaining required
- Ability to provide guaranteed same-day response

Duration

The anticipated contract start date is July 1, 2024 with a one (1) year term. The East Providence School Committee may at its sole discretion elect to renew the contract for two years beginning July 1, 2025 and ending June 30, 2027. The East Providence School Committee will determine the exercising of the aforementioned option to renew on or before 60 days prior to the expiration of the initial agreement.

Back-Up

The appointee(s) must have within their firm or through an established “of counsel” relationship at least one other qualified attorney available to render advice and otherwise represent the interests of the East Providence School Committee when the appointee(s) is (are) unavailable. In this context, “qualified attorney” shall mean another lawyer who substantially meets the minimum qualifications set forth herein for the appointee. Said back-up individuals must be named in the appointee’s response to this request for proposals and shall include their experience and qualifications.

Accessibility

The appointee(s) must commit to returning all calls and e-mails from authorized officials either himself/herself or through a qualified back-up within 24 hours of the call, excluding weekends or holidays. The appointee(s) must also commit, as a general rule, to responding to requests for written opinions within five business days unless the circumstances of the opinion warrant a shorter or longer time frame for a response, and this is clearly communicated at the time of such request. The East Providence School Committee will make every effort to provide lead-time for notice of requesting the appointee attending scheduled or ad-hoc meetings. The appointee agrees to make every effort to attend an urgent meeting upon request.

Separation

The East Providence School Committee reserves the right to terminate this agreement with thirty (30) days advance written notice with or without cause and the appointee can terminate this agreement upon sixty (60) days advance written notice with or without cause.

Payment Terms

The successful proposer shall invoice the East Providence School Committee monthly, or more frequently if requested by the East Providence School Committee. All invoices shall list the matter(s) worked on and the time associated with the invoiced amount.

Please outline your payment terms as part of your proposal.

Submission Requirements

1. Each applicant must submit **six** copies of its proposal by May 30, 2024 at 10:00am to:

East Providence School Committee
1998 Pawtucket Avenue
East Providence, RI 02914
Attention: Craig T. Enos, Director of Finance

2. The submission must be sealed and shall have the title of the proposal indicated on the lower left corner of the proposal envelope: "RFP for Legal Services."
3. Each submission must be signed by the applicant and include the name, address, email, and telephone number of the applicant.

Proposal Format

In order to evaluate and compare each proposal, it is required that all proposals follow the general format and sequential order of this request for proposal. It is recommended that each section of this request for proposal be addressed in depth in the order as it is found in this request for proposal.

- a. The following information, at a minimum shall be submitted: Background statement including the name of firm/individual, capabilities, history, and other general introductory information. In addition, the name, title, address, email, telephone/fax numbers of the individual with authority to negotiate and contractually bind the firm. Provide a summary depicting the overall size of the firm, with an organizational chart. List all the municipalities and school committees the firm is currently serving with primary contact information. Detail any work you do that is not related to municipalities and school committees and what percentage of the overall business of the firm this represents.

b. A detailed summary of all areas of expertise and experience to include the types of services supplied to past and present clients. This information should include areas of specialization and experience in such matters as: general school law, municipal law, collective bargaining, procurement, contracts, laws against discrimination, conflict of interest, and other areas as appropriate.

c. A detailed description of how the law firm or individual will supply legal services to the East Providence School Committee and general approach to serving as Counsel. Please identify the proposed primary contact person with the East Providence School Committee and if one or more attorneys will be assigned to the East Providence Public Schools. If more than one attorney will be assigned to the East Providence School Committee, how consistency will be maintained between Counsel and the East Providence School Committee.

d. Qualifications, resumes and position with firm for personnel that will be assigned to work on matters pertaining to the East Providence Public Schools.

e. A list of references that includes all school committees and municipalities that have been represented by the law firm or individual attorney within the past five (5) years.

f. A listing of any complaints or grievances filed, with outcome, against the law firm or individual attorney within the past five (5) years. If your services have been terminated or you were not reappointed by a school committee or municipality, please list and explain the circumstances. Also, please indicate if you have ever terminated a contract with a school committee or municipality, if so please explain the circumstances.

g. In a separate envelope within the proposal envelope and marked, "Fee Proposal," a detailed proposal regarding the expenses involved for the provision of legal services including any retainer, hourly rate of personnel providing these services, reimbursable expenses, and other costs involved. This should include proposals for annual maximum legal expenses, as applicable. Each proposal must specify in detail the services to be provided and for each service the method by which the applicant will charge (e.g., by retainer, hourly rate or otherwise); if the applicant proposes a retainer arrangement, it must describe the services covered by the retainer, the

amount of the retainer, and the hourly rates or other charges for non-retainer services. The East Providence School Committee is open to considering any of the following:

1. Fixed retainer/flat fee for all services rendered;
2. Hourly rate (s) for all services rendered;
3. Combination of fixed retainer/flat fee and hourly rate(s) for specified additional work

h. Cost Containment: Special attention should be paid to recommendations for managing and controlling the cost of legal services. The East Providence School Committee is interested in receiving innovative cost containment proposals and suggestions for legal services. This request should include proposals for review and improvement of current procedures, quality control measures, the manner in which specialists will be retained, and any other suggestions regarding the function of Counsel and cost containment measures.

i. Transition Plan: The bidder must describe how your firm would coordinate transitioning into the East Providence School Committee, and how you would coordinate to a new firm in the event of transfer in the future.

j. Insurance Requirements: All proposers must provide evidence of professional malpractice insurance, including coverage limits.

Selection Process

It is anticipated that the screening committee will review proposals and interview finalists shortly after the deadline for submission of proposals. The screening committee will make a recommendation(s) to the East Providence School Committee. It is anticipated that the East Providence School Committee will make a selection within thirty days of the proposal submission deadline.

The East Providence School Committee reserves the right to accept, reject, and/or suggest modifications to any and all proposals and make awards as deemed in the East Providence School Committee's best interest.