



Hanover Area School District

1600 Sans Souci Parkway

Hanover Township, Pennsylvania 18706-6091

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HANOVER AREA SCHOOL DISTRICT REQUEST FOR PROPOSALS LEGAL SERVICES

1. INTENT

The Hanover Area School District (the "District") is soliciting proposals from qualified licensed full service law firms to represent the district in basic legal matters and litigation, excluding litigation handled by attorneys selected by school district insurance carriers. The District anticipates using the services of the selected law firm starting on or about April 15, 2017.

2. QUALIFICATION REQUIREMENTS

Respondents to this RFP must meet the following minimum requirements:

Member in good standing of the Bar Association of the State of Pennsylvania.

Member in good standing of the Bar of the United States District Court of Pennsylvania. Must have experience with Federal and State Education laws and have a minimum of five (5) years working with or for Pennsylvania school districts in all areas of service required herein.

Ability to provide same day response.

Assignment of a lead attorney with appropriate experience.

Must have no conflict of interest in representing the Hanover Area School Board of Directors.

Must submit timely invoices that describe the description of the nature, date and amount of time attributable to each entry.

3. SCOPE OF SERVICES

Background Information

Hanover Area School District is located in Luzerne County and includes the following municipalities: Hanover Township, Boroughs of Ashley, Sugar Notch and Warrior Run. A board of nine School Directors who are citizens of the School District governs the School District. The Superintendent, who is appointed by the Board, is the chief administrative officer of the School District, with overall responsibility for all aspects of operations, including education and finance. The District has a budget of approximately 24 million dollars.

The School District operates three (3) elementary schools and one (1) secondary school. The schools are located in Hanover Township. The District also leases the Lyndwood Learning Center to LIU 18.

HANOVER JR/SR
HIGH SCHOOL
831-2300

MEMORIAL
ELEMENTARY
822-5102

HANOVER GREEN
ELEMENTARY
824-3941

LEE PARK
ELEMENTARY
824-4741

Specific Tasks

The successful legal firm may provide services including, but not limited to:

Mandatory attendance at monthly Board of Education Work Sessions and Public Board of Education meetings, including Executive Sessions.

Represent and advise the District and individual staff on detailed requirements of educational law, construction, real estate matters and tax assessments/appeals.

Consultation on personnel, labor relations, special education, student discipline and general school law both on the telephone and in person.

Contract analysis and interpretation.

Representation during collective bargaining negotiations both at the table and on a consulting basis, including mediation and arbitration.

Representation at meetings and before the Board of Education on school law matters, including student discipline hearing, employee discipline, non-renewals, reductions-in-force, dismissal, and expulsion hearings.

When appropriate, review of student records, proposed and existing IEP's and case files, including an initial assessment of all potential appeals. Additionally, representation at due process hearings for special education.

In-service meetings with district's administrators and/or staff.

Periodic advisory communications on school law matters.

Review and drafting of correspondence and policies on school matters.

Advise on legal Special Education issues.

TIMEFRAME

The successful legal firm will be expected to commence the provision of services on or about April 15, 2017. It is understood that collective bargaining and/or material pending and overly threatening litigation that is ongoing at that time will be completed by the current law firm.

PROJECT MANAGEMENT

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

PROPOSALS

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 2:00 p.m. on Monday, April 3, 2017. One original and one copy submitted to Andrew Kuhl, 1600 Souci Parkway, Hanover Twp. PA 18706. Questions regarding this RFP may be directed to Andrew Kuhl at 570 408-1163

All firms who are furnished a copy of this RFP, but who decide not to offer a Proposal to the District, are asked to submit a negative reply. Specific comments and observations are encouraged.

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

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. This summary must include your firm's experience in the areas of services described in Section 3, Scope of Services, provide detailed resumes of persons proposed to work directly with the District and indicate the level of responsibility of each person (professional staff only). Resumes are to include educational qualifications and previous work assignments that relate to this RFP.

References

Legal firms must have a minimum of five years' experience in all areas of law specified in the Scope of Services. A minimum of three (3) client references, which encompass the areas outlined in this RFP, especially other local school districts and governmental

agencies, should be submitted. 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. The District is not accustomed to paying a fixed retainer fee and has typically paid based on services actually performed. Therefore, each response must provide the following: (a) a single hourly rate for all partners and a separate single hourly rate for all associates; (b) an hourly rate for clerical, paralegal or other professional; and (c) a schedule of all out-of-pocket disbursements which you anticipate will 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 payment of excise taxes, transportation and sales taxes imposed by the Federal Government and/or 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 fee or commission, nor will the District contract with an intermediary entity.

Form of Contract

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. The form of contract for any award made as a result of this proposal will be a District purchase order, referencing this RFP. The amount will be based on the fees shown in this proposal, as modified if necessary during negotiations. If your firm will be requiring the District to sign an additional or separate contract, a copy of the proposed contract must be included with the proposal. In the event of a discrepancy between the firm's proposed contract and this RFP, the terms of this RFP shall govern.

7. EVALUATION AND AWARD

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

1. The legal firm's technical understanding of the scope of services and proposed professional services as evidenced by the proposal submitted
2. The background and experience of the legal firm in providing similar services as well as specific background, education, qualifications and relevant experience of key personnel to be assigned to work with the District.
3. Location of Firm's office
4. 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
5. Information obtained by the District from firm's references or other clients
6. Best interests of the District

Proposals in response to this RFP will be reviewed against the criteria listed above.

Selection Procedures

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

The District reserves the right to reject any or all proposals or part thereof for any reason, to negotiate changes to proposal terms, and to waive minor inconsistencies with the RFP.

The District will initially review all proposals to determine responsiveness. Any proposal that does not address all requested requirements or is incomplete will not be considered.

The District will evaluate all responsive and responsible proposals based on the criteria enumerated in Section 7 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.

The District may conduct an interview 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 select the successful law firm solely on the basis of the submitted proposals.

Conditions

Respondents responding to this RFP will be expected to adhere to the following conditions and must make a positive statement to that effect in its proposal submitted:

Have an office or facility in Pennsylvania. The specific location of the facility must be identified in the proposal submitted.

Have personnel/resources reserve sufficient to assure service continuity, and agree to maintain an adequate level of qualified personnel for the term of the business agreement.

Agree to maintain and preserve confidentiality in all services provided to the District.

Agree that the District and the legal firm may terminate services at any time. In the event of termination, the District shall pay the legal firm for any services rendered prior to termination. However, if the selected legal firm has damaged the District in any way, such payment may be withheld until the District determines whether or by how much such payment should be reduced.

Agree to accept and follow management direction from the District and specifically, the District's designated personnel.

Agree to conform to all applicable laws and ordinances and statutes of the Federal Government, Commonwealth of Pennsylvania and policies of the Hanover Area Board of Education.

Agree that periodic payments to the legal firm will be made after School Board approval.

Agree that the business relationship between the District and the legal firm shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania and the policies of the Hanover Board of Education.

PRINCIPALS/COLLUSION

By Submission of a proposal, the legal firm does declare that the only person or persons interested in this proposal as principal or principals is/are named therein and that no other person other than therein mentioned has any interest in this proposal; that this proposal is made without connection with any person, company or parties making a proposal, and that it is in all respects fair and in good faith without collusion or fraud.

CONFLICT OF INTEREST

Respondents shall provide a statement that no conflict of interest exists in rendering service to and in representing the Hanover Area School Board of Education.

ALTERNATIVES AND EXCEPTIONS

Only slight additions or changes would be expected to be negotiated with the successful legal firm in order to resolve any changes to the proposal. Legal firm may submit alternate proposals or take exceptions to this RFP which deviate from the RFP; however, alternates and exceptions shall be clearly identified as such, and shall include a discussion of the purpose and benefits to such alternate/exception, and the District is not bound to accept them if it determines that they are not in the best interest of the District.

ADDITIONAL INFORMATION AND REVISION TO PROPOSALS

Information may be provided to potential respondents for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Prospective respondents shall be afforded fair and equal treatment with respect to access to additional information and revision of proposals.