

Schroon Lake Central School District

1125 US Route 9
Schroon Lake, NY 12870
(518) 532-7164

REQUEST FOR PROPOSAL

School District Legal Counsel

Issue Date: March 3, 2018

**Responses to be received no later
than 4:00 pm on April 12, 2018**

1. Introduction

The Schroon Lake Central School District is located in Schroon Lake, New York, Essex County. The school district is one of the top performing districts in the state, offering a wide range of programs to support a quality educational experience for the students of our community.

We are currently posting the request for proposals by direction of the Board of Education in order to maintain our commitment to the Schroon Lake Community ensuring competent review of legal counsel for the school district.

2. Statement of Purpose

The purpose of this document is to solicit proposals for additional school district legal counsel, commencing July 1, 2018.

Sealed proposals for School District Counsel are requested by the Board of Education of the Schroon Lake Central School District. All proposals should be submitted to Stephen Gratto, Superintendent of Schools on or before 4:00 p.m. on Thursday, April 12, 2018. Proposals received after this date will not be considered.

3. Timeline

RFP sent to prospective vendors: 3/3/18

RFP responses due: 4/12/18

Review of responses and selection of finalists: 4/23/18 - 4/27/17

Law firm selection by board: by 5/24/18

Law firm appointed by the Board of Education: 5/24/18

Law firm begins: 7/1/18

4. Brief Description of the District

Enrollment: 250 students K-12

Number of Employees:

- 4 District Administrators
 - Superintendent of Schools
 - Chief Business and Financial Officer
 - Director of Special Education and Student Services
- 68 full/part-time faculty and staff

Board of Education:

5 Member Board of Education, which meets at a minimum once a month

BOCES: Champlain Valley

Schools:

1 K-12 Building

Budget:

The 2017-18 Budget of \$7,792,747 was approved May 17, 2017 by district voters

5. Nature of Services

The School District Legal Counsel serves as chief legal advisor to the Board of Education and its administrative staff. Successful firms should be well versed in Education law; General Municipal law; Local Finance Law; Real Property Tax law; and Contract law (including construction law).

The firm will act as an additional legal counsel for the School District and/or its officers, agents, and employees, including being present at meetings as may be requested by the Board of Education and/or the Superintendent of Schools and/or designee.

Services shall include, but not be limited to, the following:

Employment Law 40%

- Employment law, including Civil Service Law Section 75 and Education Law Section 3020-a disciplinary proceedings, Public Employment Relations Board hearings, employee contract interpretation, harassment and discrimination investigations and report preparation; responses to Division of Human Rights/Department of Labor claims
- Participate in negotiations with bargaining units

Special Ed 35%

- Special Education matters, including guidance on specific situations, up to and including impartial hearings

General Counsel 20%

- The firm will act as legal counsel of the School District in all actions and proceedings brought against the School District, other than matters handled directly by attorneys for the School District's insurance carrier.
- Appeals to the Commissioner of Education
- Review of contracts for purchases of goods or services
- Staff training on topics as may be identified

Student Discipline 5%

- Student matters, including student discipline and superintendent's hearings;

6. Additional Information Submittal

The District seeks an additional law firm to handle various matters listed in section 5, as these areas reflect the breadth of issues that school districts are required to address. However, **bond counsel services** are distinguishable from other educational matters. Responding firms who fully meet the experience requirements in section 5, should indicate whether they also possess the expertise to serve as bond counsel. If a firm does not have this expertise, it is not a disqualification from responding to this RFP.

If a firm seeks only to propose bond counsel services, those responses will be considered and evaluated in relation to the breadth of services available from firms otherwise eligible to serve as general counsel. Bond counsel services should be proposed using the same format described herein, including fee structure, resume of assigned staff and experience.

The scope of bond counsel work includes the following:

- Preparation of resolutions and legal notices for capital acquisitions, including school buses and potential capital projects.
- Work with district financial staff and the appointed financial advisors to the district to advance both short-term financing (BAN's, TAN's) and issuance of bonds and/or leases.

7. Term of Engagement

This engagement is contemplated to be subject to annual review of the Board of Education; however, it is recognized that a longer-term of service is beneficial given the complexity of operations and the on-going nature of many issues. Assuming a mutually satisfactory working relationship, it is anticipated that the chosen firm would serve for five-seven years before another RFP would be issued. This agreement may be terminated upon 30 days' notice by the Board of Education subject solely to payment of fees and disbursements as of the date of termination.

8. Qualifications and Experience of the Firm and Firm's Staff

Proposals should detail the firm's experience and capacity in Education and Municipal Law including information on specific attorney(s) (partners and associates) to be assigned to the district. Include information and experience in specific areas of law. For example:

- Experience in representing similarly situated school districts in the field of education law.
- Litigation experience, including special education due process matters, including any specifically related to school districts or Education Law.
- Experience in participating in and presenting workshops and seminars in Education Law area.

Each proposal submitted must include a list of current school district clients or similar clients including any municipalities. The information should include contact names, title, address, and telephone number. If the firm represents fewer than three school districts, the applicant should include additional references and contact information relating to other similar clients.

9. Board of Education Process

THE BOARD OF EDUCATION RESERVES THE RIGHT TO ACCEPT OR REJECT ANY OR ALL PROPOSALS OR ANY PARTS OF PROPOSALS.

The original copy of all proposals received will be kept on file in the District Office.

The Board of Education and District Administration will evaluate proposals. During the evaluation process, the Schroon Lake Central School District reserves the right, where it may serve the District's best interest, to request additional information or clarifications from those submitting proposals. After review of submitted written proposals, finalists will be selected and invited for an interview.

It is anticipated that the selection of a firm will be completed by the end of May 2018. Following the notification of the selected firm, a retainer agreement will be executed between both parties as soon as possible thereafter.

10. Criteria for Selection

The selection process will include, but not be limited to evaluation in the following areas: Fee amount and structure, extent of experience in Municipal and Education Law with clients of similar size and complexity, demonstrated education law expertise and capacity, and the assessments of references.

11. Requirements for Proposals

All proposals must be received by Stephen Gratto no later than April 12, 2018 at 4:00 p.m. Any proposals received after this deadline will be returned unopened to the firm.

Each firm shall submit one original proposal and six (6) copies to the following address:

Schroon Lake Central School District Office
P O Box 338
Schroon Lake, NY 12870

Proposals are to be submitted in a sealed envelope clearly labeled "School District Legal Counsel Proposal".

All proposals and accompanying documentation become the property of the Schroon Lake Central School District. The District shall not divulge any information presented in the RFP to anyone outside the District without approval of the firm.

12. Proposal Information

Each proposal will clearly state the fees to be charged to the District. The District will entertain fee structures of a retainer plus hourly rates, fixed fees for specified types of services, straight hourly rates, or combinations thereof. The fee proposal should specify what, if any, legal services will be outside of that fixed retainer and the specific hourly rates (or other fee arrangement) that would be applicable to those services outside of the fixed retainer. The proposal should also explicitly state the services that will be included in the fixed retainer.

Names and resumes of attorney(s) to be assigned as School District Legal Counsel, including the specific attorney who would be principally responsible for the provision and/or coordination of the firm's representation.

A listing of experience in the performance of the requested services for school districts or municipalities in New York State and the years of such experience.

Responses to this request for proposals should include an affirmation that there are not conflicts of interest between the firm and the Schroon Lake Central School District.

Each proposal should include the firm name, address, telephone number, signature of official, and date.

Inquiries

All inquiries concerning this RFP should be directed to:
Stephen Gratto, Superintendent
Schroon Lake Central School District
P O Box 338
Schroon Lake, NY 12870
518-532-7164