

Long Beach Community College District

**REQUEST FOR QUALIFICATIONS - RFQ 19-D1003
(Reissue of RFQ 19-D1001)
DISTRICT LEGAL AND CONSULTING SERVICES**

PLEASE NOTE:

The District is seeking a diverse group of legal service providers offering a broad base of disciplines to support our complex educational programs and services. This replacement RFQ is issued to attract an enhanced pool of legal service providers with experience across the issues facing Long Beach Community College every day.

*The new RFQ 19-D1003 process replaces RFQ-D1001 in its entirety. All firms who previously submitted their response to RFQ 19-D1001 by the November 7, 2018 deadline are encouraged to submit a new response as outlined in Section 6.0 by using Attachment C - **AUTHORIZATION TO USE PREVIOUSLY SUBMITTED RFQ 19-D1001 RESPONSES FORM.***

At Long Beach Community College District (LBCC), we celebrate equity, diversity and ensure a positive and inclusive and accessible working and learning environment for all students, faculty, staff, administrators, and the community we serve. LBCC believes diversity and accessibility fosters awareness, promotes mutual understanding and respect, and provides suitable role models for all who benefit from our programs and services.

The Long Beach Community College District (District) is inviting responses from qualified legal firms, partnerships, corporations, associations, or professional organizations who show that they embrace these same values and has practices in place to ensure the services provided meet or exceed the District's expectations. The proposals will be from firms interested in providing comprehensive legal representation, consulting, and training services to the District.

The firm or firms chosen from this RFQ process will each be awarded an agreement outlining the services and areas of legal expertise chosen at the District's discretion, for engagements from June 1, 2019 through May 31, 2022. No guaranteed amount of engagements or billing will be part of these "on-call" legal contracts.

The Request for Qualifications documents may be accessed on the District's website at <https://www.lbcc.edu/pod/current-bid-rfp-opportunities>. If you have accessing these documents please contact Blanca Morales (bmorales@lbcc.edu) or Sota Sunleng (ssunleng@lbcc.edu)

LONG BEACH COMMUNITY COLLEGE DISTRICT
PURCHASING AND CONTRACTS

Please submit one (1) original response, three (3) printed copies, and an electronic thumb drive with a version of all requested materials outlined in the attached Request for Qualifications (RFQ) document. Responses must be no more than 50 pages in length *including* resumes, marketing materials, and attachments.

All responses shall be labeled “**RFQ 19-D1003 DISTRICT LEGAL AND CONSULTING SERVICES**” and addressed to:

Long Beach Community College District
Purchasing and Contracts Department
Attn: Alan Moloney, Deputy Director
4901 E. Carson Street - Mail Code: G-4 – Building T
Long Beach, CA 90808

All responses must be received at or before 4:00 p.m. April 2, 2019. Responses received after April 2, 2019 at 4:00 p.m. may, at the sole discretion of the District, be rejected as non-responsive and returned without review. It is the responsibility of the Proposer to submit the response by the proper time and all responses received must be date/time stamped by the time stamp located in Building T, Room 2031. No oral, email, electronic, facsimile, or telephonic responses or modifications will be accepted.

All questions, requests for information, correspondence, and conversations regarding this RFQ process must be solely directed to Alan Moloney at amoloney@lbcc.edu with a copy to Blanca Morales at bmorales@lbcc.edu. Do not contact any other of the District’s Management or Staff regarding this RFQ. Failure to follow the procedures outlined in the RFQ may result in your RFQ responses being rejected as non-responsive.

Sincerely,



Alan Moloney
Deputy Director, Contracts and Purchasing

Cc: Blanca Morales
Sota Sunleng

REQUEST FOR QUALIFICATIONS (RFQ) RFQ 19-D1003 DISTRICT LEGAL AND CONSULTING SERVICES

PLEASE NOTE:

The District is seeking to broaden the pool of legal firm responses it received from the RFQ 19-D1001 process. The new RFQ 19-D1003 process replaces RFQ-D1001 in its entirety. All firms who previously submitted their response to RFQ 19-D1001 by the November 7, 2018 deadline are encouraged to submit a new response by using the AUTHORIZATION TO USE PREVIOUSLY SUBMITTED RFQ 19-D1001 RESPONSES FORM provided in Attachment C.

1.0 BACKGROUND

Since 1927, Long Beach City College has been at the heart of the Long Beach, Signal Hill, Lakewood, and Avalon communities providing educational programs with a commitment to excellence in student learning in a culturally diverse and vibrant environment.

LBCC is a two-year community college that encompasses state of the art, technology-rich learning environments, a broad range of academic and career technical instructional programs, strong community partnerships, and economic and workforce development initiatives that prepare students to be successful in the 21st century.

As one of the largest of the 114 community colleges in California, Long Beach City College is governed by the five-member, elected Long Beach Community College District Board of Trustees and serves the cities of Long Beach, Signal Hill, Lakewood, and Santa Catalina Island. It offers many associate degrees and certificate programs which prepare students for transfer to four-year institutions, career advancement, and personal development.

With four schools to house its instructional programs, LBCC provides program offerings in Career and Technical Education, Language Arts and Communication, Social Sciences, Business, and the Arts, and Health, Science, Kinesiology, and Mathematics.

Long Beach City College continues to have a deserved reputation for excellence for its instructional programs and its graduates achieve tremendous success after transferring to four-year colleges or entering the workforce. The college's reputation is further enhanced by key partnerships and economic development initiatives. With its many accomplishments, LBCC is well-positioned to build on its tradition of success in serving the diverse needs of a vibrant community for generations to come.

The District's feels it is important for all firms interested in submitting a proposal to understand the Mission and Values of LBCC and its commitment to accessibility for students, faculty, staff, community, and visitors:

MISSION STATEMENT:

Long Beach City College is committed to providing equitable student learning and achievement, academic excellence, and workforce development by delivering high-quality educational programs and support services to our diverse communities.

LONG BEACH CITY COLLEGE'S VALUES:

PURPOSEFUL

The College provides students clear pathways and support to attain their career and educational goals.

NURTURING

The College provides an environment in which students, faculty, and staff build relationships that are understanding and supportive.

RESPECTFUL

The College values and celebrates the exemplary contributions of faculty, staff, and its community partners in supporting students.

FOCUSED

The College embraces a long-term commitment to innovative student success.

CONNECTED

The College is recognized as integral to an inclusive, vibrant, and prosperous local, regional, and global community

ACCESSIBILITY OF SERVICES AND A LEARNING ENVIRONMENT

The District is committed to providing an accessible environment which is supportive of Section 508 of the Rehabilitation Act of 1973 in 1998. All entities contracted by the District must adhere to these laws in performing the duties on behalf of the District. All deliverables provided to the District must be created an accessible manner as outlined in Section 508 laws (both defined by the Federal Government and the State of California. For example, all presentation videos, electronic documents, training materials, software, or websites provided to the District for their use as part of the services must be in compliance with Sec. 508.

2.0 SCOPE OF WORK

Long Beach Community College District wishes to identify and choose innovative and proactive legal firms which have seasoned and well trained professionals that encompass a diverse cultural and educational background and specialize in the area of legal representation, legal advice, consulting, and training services. The areas of legal expertise the District is seeking covers general counsel services, legal support for Board of Trustees, public works construction, general contracts, employment law/labor relations, student affairs and business & financial affairs. The District is seeking statements of qualifications from qualified entities which have an on-going legal practice representing other California Community Colleges for a minimum of five (5) years in one or more of these areas listed above.

3.0 DESIRED QUALIFICATIONS

- Substantial knowledge and experience in the interpretation of state, federal and local laws and codes as they relate to California Community College Districts.
- Substantial experience in working with agencies and public boards with multi-million dollar annual budgets.
- Substantial expertise and experience in all aspects of contract law as it pertains to Public Contracts Code, Government code, Field Act, Title 5 and Title 9 Education Code, Sec 508 et al.

Must have verifiable successful experience preparing and successfully defending all documents and legal advice related to education facilities planning, construction and renovation in California. Construction law firm must be able to demonstrate a track record for preparing documents and legal advice that will limit the District's exposure to litigation and change orders, and then minimizing the impact of change orders and effectively handling any potential post-construction litigation.

- Knowledge of labor relations, personnel, purchasing, codes and regulations of the State of California.
- Knowledge of the Education Code with specific experience in Article 41 (including student and professional issues)
- Knowledge of the Brown Act, Political Reform Act, and Govt. Code 1090.
- Member of the California State Bar; The selected firm will be required to declare that it will represent the District to the exclusion of all other clients having potential conflicts with the interests of the District.
- Support an inclusive and diverse workforce which includes beliefs that diversity fosters awareness, promotes mutual understanding and respect, and provides suitable role models to your clients.

4.0 TYPICAL DUTIES

Typical duties are provided below for each category, but this list is not exhaustive of the possible work to be assigned:

4.1 General Counsel:

- Provide general legal advice.
- Provide advice on college business and administration.
- Provide advice on labor relations and personnel matters.
- Provide advice on consulting and training services.

- Provide advice on real estate matters.
- Provide advice on student affairs.
- Provide advice on Board policies and procedures.
- Provide advice on California Public Records Act.
- Provide interpretation of and advice on Education Code, Public Contracts Code and Government Code as it pertains to business matters and public construction.
- Public Safety issues.
- Represent the District in administrative, litigation and court proceedings.
- Maintain knowledge base of issues facing college and school districts and be prepared to offer legal opinions.
- Contracts-as-needed or asked to prepare, review, consult, and approve.
- Board of Trustees action items -- review and approve legislative documents.
- Board of Trustees and Elected official issues – liability.
- Work with other assigned District counsel as needed.
- Attend work sessions and regular Board meetings (open and closed sessions) and special Board meetings/workshops with Board and staff when requested.
- Advise on Brown Act and Board agenda items.
- Report to and receive assignments from the Superintendent/President or delegate.
- Provide advice on Sec 508 interpretations, processes, determination of compliance, and training.

4.2 Employment Law/Labor Relations:

- Provide legal review of collective bargaining issues.
- Provide mediation and fact-finding or other impasse situations.
- Assistance in regards to labor negotiations.
- PERB proceedings (representation and unit matters, unfair practices charges, etc.).
- Assist in the arbitration of employee grievances.
- Hearings or litigation arising out of the Education Employment Relations Law.
- Termination, Discipline, staffing issues and other related disputes.
- Review drafted Board policies, regulations and personnel procedures.
- Supplemental advice on Worker's compensation and personal injury issues.
- Employee compensation and fringe benefit issues (i.e. STRS, PERS, COBRA, FICA).
- Wage and labor issues under FLSA.
- Discrimination and sexual harassment, including the Americans with Disabilities Act and the Older Workers' Benefits Act, Section 504.
- Education Code.
- Equal Employment Opportunity.
- California Title 5 and Federal Title 9.
- Investigation of complaints and grievances.
- Serve as District spokesperson for labor negotiations when designated.

4.3 Student Affairs:

- Provide advice on Student Services and Instructional issues.
- Provide advice on Student discipline and code of conduct.
- Federal Title 9.
- Provide advice on Federal programs (financial aid, VA, etc.).

- First amendment/freedom of expression issues.

4.4 Business and Financial Affairs:

- Provide advice and assistance with Intergovernmental agreements, partnerships and Complex Contracts (drafting, reviewing, negotiating and related litigation).
- Provide advice related to Real property (acquisition, leasing and Education Code requirements).
- Provide advice related to Budget, Finance, Audits and auditors.
- Advice on Foundations and Auxiliary organizations.
- Advice on Financial Aid (Bankruptcy, filings).
- Public finance, including reporting obligations and audit.
- Provide supplemental advice on Insurance contracts, claims and litigation.
- Provide interpretation and advice on contracts drafting, reviewing, negotiating and related litigation in accordance to Public Contracts Code, Education Code, Government Code requirements.
- Provide advice and guidance on Competitive bid requirements (Public Contracts Code, Title 5 and Title 9 Education Code et al.).
- Provide interpretation and advice on contracts drafting, reviewing, negotiating and related litigation in accordance to Smaller Classes, Safer Schools and Financial Accountability Act (“Proposition 39”).
- Provide interpretation and advice related to Sec 508 of the Federal Rehabilitation Act.

4.5 Public Construction:

- Provide interpretation and advice on Public works and construction related contracts drafting, reviewing, negotiating and related litigation in accordance to Public Contracts Code, Education Code, Government Code, Field Act requirements.
- Provide advice and guidance on Competitive bid requirements (Public Contracts Code, Government code, Field Act, Title 5 and Title 9 Education Code et al.).
- Provide interpretation and advice on contracts drafting, reviewing, negotiating and related litigation in accordance to Smaller Classes, Safer Schools and Financial Accountability Act (“Proposition 39”).
- Provide advice on Labor compliance and reporting obligations.
- Community workforce agreements with local labor agencies.
- Advice and direction on Public works and construction, including liability and claims:
 - Construction claims and litigations
 - Bid and contractor compliance
 - Environmental compliance and CEQA
- Must have experience with the Department of the State Architect (DSA)
- Provide advice on Real estate acquisitions/disposals and leases, Eminent domain and easements.
- Legal advice on Public and private financing of facilities, including reporting obligations, audits, etc.
- Provide guidance and advice on ADA and barrier removal compliance.
- Provide advice and guidance as required on various construction and construction management delivery methods, such as:
 - CM, CM at Risk, CM Agency, Design-Build, Design-Bid-Build, etc.

- Advise the District's Governing Board, Superintendent/President and designated Administrators on various legal and construction issues.

5.0 SELECTION PROCESS AND ANTICIPATED TIMELINE

The District hopes to identify the final firms which best meet the requirements and needs of the District through this RFQ process. The selection process will include a review of the written responses submitted by the deadline by the District's selection committee.

All questions regarding this RFQ and process must be submitted in writing by emailing amoloney@lbcc.edu and copying bmorales@lbcc.edu. No oral questions will be accepted. The deadline for submitting questions is March 22, 2019. All questions will be answered in the form of an addenda and posted to the District's website and emailed to the entities who are on file as requesting the RFQ documents.

Once the selection committee finishes reviewing the written responses, the committee at their discretion may invite the firms who they feel best meet the needs of the District for in person interviews.

The District anticipates notifying the firm(s) chosen of a contract award by the end of June 2019. The District will then issue contracts for the firms chosen and the areas of legal representation, consultation, and training and those contracts will be approved by its Board of Trustees at a regularly scheduled meeting.

The District reserves the right to award a single or multiple contracts for up to a three (3) year period.

6.0 RFQ RESPONSE SUBMISSION INSTRUCTIONS:

Note: If your firm submitted a response to RFQ 19-D1001 before the deadline please review Attachment C for additional submittal options.

Please submit one (1) original response, three (3) printed copies, and a thumb drive with an electronic version of all requested materials outlined in the attached Request for Qualifications (RFQ) document. Responses must be no more than 50 pages in length *including* resumes, marketing materials, and attachments. It is the responsibility of the Proposer to submit the response by the proper time and all responses received must be date/time stamped by the time stamp located in Building T, Room 2031. No oral, email, electronic, facsimile, or telephonic responses or modifications will be accepted.

All responses shall be labeled **"RFQ 19-D1002 DISTRICT LEGAL AND CONSULTING SERVICES"** and addressed to:

Long Beach Community College District
Purchasing and Contracts Department
Attn: Alan Moloney, Deputy Director
4901 E. Carson Street - Mail Code: G-4 – Building T
Long Beach, CA 90808

All responses must be received at or before 4:00 p.m. **April 2, 2018**. Responses received after April 2, 2018 at 4:00 p.m. may, at the sole discretion of the District, be rejected as non-responsive and returned without review.

All questions, requests for information, correspondence, and conversations regarding this RFQ process must be solely directed to Alan Moloney at amoloney@lbcc.edu with a copy to Blanca Morales at bmorales@lbcc.edu. Do not contact the District's Management or Staff regarding this RFQ. Failure to follow these rules may result in your RFQ responses being rejected as non-responsive.

The District shall not be responsible for, nor accept as a valid excuse for late response delivery, any delay in mail service or other method of delivery used by the firm.

All responses shall be enclosed in a sealed package(s) plainly marked with the words ***"Response to District Legal and Consulting Services RFQ 19-D1003"***

All responses shall be firm offers subject to acceptance by the District and may not be withdrawn for a period of 120 calendar days following the last day to accept responses. Responses may not be amended after the due date except by the consent of the District.

7.0 INSTRUCTIONS FOR SUBMITTING A RESPONSE, QUESTIONS, AND FORMS

Please include in your response the following:

- 7.1 Response Submittal Cover Sheet – The response submittal cover sheet found in **Attachment B** must be submitted as the first page of your proposal. Failure to submit a proposal using this sheet may at the sole discretion of the District, be rejected as non-responsive and returned without review.
- 7.2 Table of Contents - A Table of Contents of the material contained in the response should follow the Cover Sheet.
- 7.3 Executive Summary - The Executive Summary should contain an outline of your general business approach, a brief summary of your qualifications to engage in a professional legal relationship

with Long Beach Community College District, an outline of how your firm attracts and develops a diverse workforce, and meets LBCC's needs as described in the Scope of Work.

- 7.4 Financial Responsibility and Ability to Provide Services – Please submit a statement stating that the Firm is solvent and able to conduct business in a professional manor throughout the life of the contract. Please include a statement certifying that the firm is not debarred, suspended or ineligible to enter into a contract with a public agency.
- 7.5 Please explain fully any exceptions or caveats you are placing on this cost proposal. Be thorough and specific as this may form the basis of any contract for services that may be presented by the District.
- 7.6 Statement of Care – Please provide a statement outlining the firms commitment to the level of care it will commit to providing on all assignments from the District if the firm is awarded a contract. Please identify any methodologies, standards, processes, and commitments you are able to commit to for continuous process improvement in the services you provide.
- 7.7 Proposer Corporate Information – Please provide the following information:

- Type of Firm:
Corporation: _____ Proprietorship: _____ Partnership: _____
Joint Venture: _____ Other (please describe): _____
- Business License Number: _____
- Number of years in business under firm name: _____
- Has the firm changed its name within the past 3 years?
YES NO
If yes, provide former name(s): _____

- Have there been any recent (within the last three years) changes in control/ownership of the firm?
YES NO
If yes, explain. _____

- Have officers or principals of the firm ever had their business license suspended or revoked for any reason?
YES NO
If yes, please explain. _____

7.8 General Overview of the Firm:

7.8.1 Identify the area of Service the Proposer will be submitting the proposal for (Proposers have the option to submit their Proposal in all areas of specialization and or choose one or more areas, based on the expertise of the Firm). Please check the appropriate boxes:

- _____ General Counsel
- _____ Employment Law/Labor Relations
- _____ Student Affairs
- _____ Business and Financial Affairs
- _____ Public Construction

7.8.2 Please provide the size of the firm, including the total number of attorneys state-wide and the size of any Los Angeles or Orange County, CA office(s).

7.8.3 Number of attorneys with experience under the category of service you are submitting this proposal under; General Counsel, Employment & Labor Relations, Student Affairs, Business and Financial Affairs, Public Construction on behalf of community college districts, broken down by partner and associate: General Business Counsel; Employment & Labor Relations; Student Affairs; Business and Financial Affairs: and Public Construction.

7.8.4 Describe the District's priority to your firm as compared to the time demands of other clients, including response time to questions and requests for on-site meetings.

7.8.5 Describe the level of attorney (e.g. senior or junior partner, senior associate, etc.) to be used on various aspects of District legal matters.

7.8.6 Provide a summary of the firm's experience (under the category of service you are submitting this proposal under; General Counsel, Employment & Labor Relations, Student Affairs, Business and Financial Affairs, Public Construction) broken down by type of entity (e.g. community college, K-12, public sector entities, private sector clients).

7.8.7 Provide a summary of your firm's Community college experience and the experience of the staff to be assigned to the District under; General Counsel, Employment & Labor Relations, Student Affairs, Business and Financial Affairs, Public Construction.

7.8.8 For each attorney, please state the number of jury and/or bench trials, mediations, and arbitrations (binding and non-binding) that s/he has had (under the category of service you are submitting this proposal under; General Counsel, Employment & Labor Relations, Student Affairs, Business and Financial Affairs, Public Construction) in the last ten years.

7.8.9 Describe how you determine to staff a case for your public entity clients.

7.8.10 Explain the creative, problem solving and technical competency of the proposed team/staff to be dedicated to the District.

7.8.11 What is the proposed team's approach to working across the diversity of the District and what training and development are provided to your team to understand the diversity of the culture found at the District?

7.8.12 Does your firm provide monthly status reports on the matters you handle for public agency clients? If so, describe the type of information the status reports contain. Do you charge your public agency clients for preparing monthly status reports? If so, how much?

7.8.13 For the attorneys that you will assign to work on District matters, approximately how many closed sessions have such attorneys attended in the last ten years?

7.8.14 Does your firm provide preventive risk counseling or training? If so, describe the type of preventive risk counseling/training that your firm provides to public agency clients.

7.8.15 What is your approach, process and methodology for cost control? Site examples if any of cost control initiatives implemented with Public clients comparable to the District's size and scope.

7.8.16 Does your firm provide training to public agency employees in the areas of labor, general business and construction law? If so, describe the type of training your firm has provided to other public agencies. Do you charge your public agency clients for training services, and if so, how much?

7.8.17 Does your firm have experience in determination of applicability of the laws regarding Sec 508 Accessibility Standards, defense of claims against districts under Sec 508, or training resources for Districts related to Sec 508 Compliance? If yes, please explain.

7.8.18 Does your firm provide budgets for legal fees and costs for each matter you handle for public agency clients? If so, describe the type of budget information the report contains. Do you charge your public agency clients for preparing budget reports, and if so, how much?

7.8.19 The law is a very complicated field. When you provide written responses, what is your approach to presenting something that a lay person can understand? How does your

firm typically communicate with clients (e.g., verbal responses, email, or formal written legal opinion)?

- 7.8.20 What experience do you have working with a Public Information Office and the press to get ahead of issues that may be publicized? How can you help the District manage public perception of legal issues?
- 7.8.21 Describe and provide evidence regarding your firm's malpractice insurance coverage, including amounts of coverage.
- 7.8.22 Is there now pending any legal action alleging malpractice or violations of law in connection with any partner of the firm or any attorney employed by the firm, or in connection with any matter for the type of services your firm would like to provide for the District? Have there been any settlements or judgments involving such actions within the last five (5) years? Please describe each such settlement or judgment, including the nature of the action and the amount of recovery.
- 7.8.23 Are there pending legal or disciplinary matters involving such actions against the firm by any state or federal regulatory agency? Please describe. Please include information about any criminal indictments or convictions against the firm or its attorneys where the charges involved an offering of municipal securities anywhere in the United States. Also, include information about any material pending legal action or settlement or judgment involving a claim of fraud, whether civil or criminal.
- 7.8.24 Describe any existing or potential conflict of interest arising from your relationships with, or representations of, other parties that should be considered as a factor in determining your objectivity. Please provide sufficient facts, legal implications and possible effects in order for the District to appreciate the significance of each potential conflict.
- 7.8.25 If your firm is awarded a contract as a result of this proposal process the District expects all firms to be knowledgeable of the operations, policies, procedures, culture, and environment which makes LBCC unique. What would be your process for making sure all members of your firm who interact and represent the District are trained and well versed in the LBCC and its needs? Do you have an on-boarding process for new clients? Please explain.

8.0 PROPOSED STAFF EXPERIENCE:

For **each** of the proposed lawyers or paralegals which will be assigned to the account please provide the following information in this format (duplicate this form as needed):

NAME	
Title	
Office Location	
Role	
Qualification	
How Long in Current Position?	
How Long in Relevant Practice?	
How Long Licensed in California?	
Number of Community College Transactions Individual Has Participated?	
Brief Profile	
Other Relevant Experience	
Office Location (City and State)	

9.0 PROPOSED FEES AND RATES

Please provide the following information regarding the various proposed fees and annual rates:

TYPE OF SERVICE: (General Counsel / Employment & Labor Relations/ Student Affairs/ Business and Financial Affairs/ Public Construction)	2019-20	2020-21	2021-22
Hourly rate for partner	\$	\$	\$
Hourly rate for Attorney	\$	\$	\$
Hourly rate for Associate	\$	\$	\$
Hourly rate for Paralegal	\$	\$	\$
Hourly rate for telephone consultation	\$	\$	\$
Hourly rate for court litigation	\$	\$	\$
Hourly rate for administrative proceedings	\$	\$	\$
Hourly rate for travel (portal-to-portal)	\$	\$	\$
Hourly rate for attendance at Board Meetings & Closed Sessions	\$	\$	\$
Cost for fax transmission/receiving	\$	\$	\$
Cost for printing/duplication	\$	\$	\$

List any other types of services or staff categories not covered which will generate a cost to the District which are not included in the fees shown above, plus a formula or explanation as to how these additional costs will be determined and billed to the District.

Pricing should be submitted for years one (1) through three (3) of the proposed contract period. Fees for all three (3) years shall be firm.

10.0 GENERAL REQUEST FOR QUALIFICATIONS TERMS AND CONDITIONS

- 10.1 Offer Held Firm: The Proposer agrees that it will not withdraw its offer for a period of *ONE HUNDRED TWENTY (120)* calendar days from the opening date.
- 10.2 Right to Reject: The Proposer understands that the District reserves the right to reject any or all proposals and to waive any informality in the evaluation of proposals. The District intends to verbally negotiate with the Proposers to reach a final agreement.
- 10.3 Proposer Certification: The Proposer certifies that this proposal/bid is made without previous understanding, agreement or connection with any person, firm, or corporation making a bid on the same services, and is in all respects fair and "without collusion or fraud."
- 10.4 Exceptions to Specifications: In submitting a proposal, the Proposer affirms acceptance of the complete Conditions Specifications and Service Requirements associated with the District's RFQ document, unless otherwise stipulated. Any variances or exceptions which the Proposer wishes to note with respect to any of the Conditions, Specifications, or any District Service Requirements are to be stated herein or in an attachment to the bid submittal which is to be titled "Exceptions."

- 10.5 Conflicts of Interest: All Proposers must disclose the name of any Board of Trustees member, officer, director, or agent who is also an employee of the Long Beach Community College District, which includes any District employee. Further all Proposers must disclose the name of any District or District employee, or Board of Trustees member, who has, directly or indirectly, any financial interests in the Proposer's firm or any of its branches. Submit this information on an attachment to the proposal which is titled "Conflict of Interest" and include the person's name, interest or position, and percent of ownership, if applicable.
- 10.6 District's Right to Award: The signer hereby acknowledges that the District reserves the right to make the award to the Proposer(s) which the District judges to have submitted the proposal most favorable to the District, with the District being the sole judge thereof.
- 10.7 All proposals must include a fully executed Non-Collusion Statement found in **Attachment A**.

11.0 REFERENCES

Each Proposer must be able to present both current and past evidence of satisfactory experience in providing services requested. The District is particularly interested in evaluating references of 2-year public community colleges similar to size and function of Long Beach Community College District. Please list three (3) current and three (3) past references for California educational or governmental entities that can be contacted for an assessment of current or past client satisfaction using the format outlined below.

11.1 CURRENT REFERENCES

Name of Entity: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Number of Years Using Your Firm's Services: _____

Type of Legal Services Provided: _____

Number of administrative hearings conducted and the outcomes of those hearings:

11.2 PAST REFERENCES

Name of Entity: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Number of Years Using Your Firm's Services: _____

Type of Legal Services Provided: _____

Number of administrative hearings conducted and the outcomes of those hearings:

12.0 W-9

All RFQ responses must include a fully executed W-9.

13.0 ADDENDA

Changes or corrections to the proposal document will be issued via a numbered addendum format by email to all firms who submit an interest in submitting a response to RFQ 19-D1001 DISTRICT LEGAL AND CONSULTING SERVICES. Record below the number(s) and date(s) of addenda received, if applicable.

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

Addendum # _____ Date Received: _____

ATTACHMENT A
Noncollusion Declaration

**NONCOLLUSION DECLARATION TO BE EXECUTED BY PROPOSER AND
SUBMITTED WITH PROPOSAL**

State of California)
) ss.

County of _____)

_____, being first duly sworn, deposes and says that he or she is _____ of _____ the party making the foregoing proposal that the proposal is not made in the interest of, or on behalf of, any undisclosed person, Proposer, company, association, organization, or corporation; that the proposal is genuine and not collusive or sham; that the Proposer has not directly or indirectly induced or solicited any other Proposer to put in a false or sham proposal, and has not directly or indirectly colluded, conspired, connived, or agreed with any Proposer or anyone else to put in a sham proposal, or that anyone shall refrain from submitting a proposal; that the Proposer has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the proposal price of the Proposer or any other Proposer, or to fix any overhead, profit, or cost element of the proposal price, or that of any other Proposer, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the proposal are true; and, further, that the Proposer has not, directly or indirectly, submitted his or her proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, Proposer, company association, organization, or to any member or agent thereof to effectuate a collusive or sham proposal.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

ATTACHMENT B

REQUEST FOR QUALIFICATIONS - RFQ 19-D1001
DISTRICT LEGAL AND CONSULTING SERVICES
Due by 4:00 p.m. April 2, 2018

PROPOSAL COVERSHEET

Proposal covers the following Legal Services Areas (Please check all that apply):

- _____ General Counsel
- _____ Employment Law/ Labor Relations
- _____ Student Affairs
- _____ Business and Financial
- _____ Public Works and Construction

Firm Name: _____

Address: _____

Name of Contact For This Proposal: _____

Contact Email: _____

Contact Phone Number: _____

Certification of Submission Statement:

I, (name) _____, (title) _____ as an officer of this firm verify that all of the information included in this proposal is truthful, that as of this date there is no pending litigation or business reasons why this firm would be unable to perform the services outlined in the proposal, and that I have the vested power to submit this proposal on behalf of the firm.

(Signature) _____ Date _____

(Print Name and Title)

ATTACHMENT C

**REQUEST FOR QUALIFICATIONS - RFQ 19-D1003
DISTRICT LEGAL AND CONSULTING SERVICES
Due by 4:00 p.m. April 2, 2019**

**AUTHORIZATION TO USE PREVIOUSLY SUBMITTED RFQ 19-D1001 RESPONSES
(MATERIALS SUBMITTED FOR RFQ 19-1001)**

The District is seeking to broaden the pool of legal firm responses it received from the RFQ 19-D1001 process. The new RFQ 19-D1003 process replaces RFQ-D1001 in its entirety. All firms who previously submitted their response to RFQ 19-D1001 by the deadline listed in that document are encouraged to submit a new response to RFQ 19-D1003 using either of the options below:

Option 1: Sign and submit this form to authorize the District to use your RFQ response from RFQ 19-D1001 as your response to RFQ 19-D1003. Any updates to the original documents must be included with this form.

Option 2: Resubmit in entirety all documents using the forms provided in RFQ 19-D1003.

By signing below I am authorizing the use of RFQ 19-D1001 documents submitted prior to the November 7, 2018 deadline as my response for RFQ 19-D1003.

Failure to submit this form by 4:00 p.m. April 2, 2019 and follow all instructions will result in response being deemed non-responsive.

Firm Name: _____

Certification of Submission Statement:

I, (name) _____, (title) _____ as an officer of this firm verify that all of the information included in this proposal is truthful, that as of this date there is no pending litigation or business reasons why this firm would be unable to perform the services outlined in the proposal, and that I have the vested power to submit this proposal on behalf of the firm.

(Signature) Date _____

(Print Name and Title)

Submit this firm according to the instructions outlined in the RFQ.