

SOUDERTON AREA SCHOOL DISTRICT
Request for Quote for Solicitor Services



This Request for Quote (“RFQ”) provides to those interested in submitting quotes sufficient information to enable them to prepare and submit quotes for the Souderton Area School District’s (SASD) consideration to fill the position of Solicitor.

The sole point of contact in SASD for this RFQ shall be:

Michael S. Taylor
Director of Business Affairs
Souderton Area School District
760 Lower Road
Souderton, PA 18963
215-723-6061; mtaylor@soudertonsd.org

Please refer any and all inquiries and questions to Mr. Taylor

1. INTENT

The District is soliciting quotes from qualified licensed full-service law firms to represent the District in basic legal matters and litigation, excluding matters related to special education and excluding litigation handled by attorneys selected by school district insurance carriers. The District anticipates entering into an agreement with the selected law firm beginning August 2022 and renewing annually with the Board of School Directors.

2. QUALIFICATION REQUIREMENTS

Respondents to this RFP must meet the following preferred 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.
- A minimum of three attorneys with experience in education law.
- Must have no conflict of interest in representing the District Board of School Directors.

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3. REQUEST FOR QUOTES

Respondents to this RFQ must provide quotes for the following:

3.1 Annual RETAINER COST to include the following services:

- Attendance at one (1) Board meeting and contiguous executive session per month
- Routine matters involving the representation of Client that are not addressed in the OTHER LEGAL MATTERS sections below.
- Regular opinions (not covered under OTHER LEGAL MATTERS) requested by either the Administration or the Board.
- General personnel issues.
- Preparation of routine agreements (except as described under OTHER LEGAL MATTERS).
- Review and/or revisions to routine policies of the Board or proposed administrative regulations of the Board.
- Preparation of routine resolutions related to Board actions.
- New board member training session and training manual in municipal election years.
- Attendance at the county assessment hearings for commercial appeals as directed by the Business Office of District subject to guidelines developed by District and approved by the Firm.

3.2 Cost of legal services for OTHER LEGAL MATTERS

- Personnel items involving demotions, discipline, seniority calculations, transfer of entities, investigations regarding violation of school policies, any investigations regarding management level employees as directed by Client, or other similar personnel actions.
- Appointments and/or contracts relating to administrators.
- Attendance at committee meetings or special meetings on an as-need basis.
- Student discipline issues or subsequent litigation (subject to insurance carrier requirements).
- Student and/or employee subpoenas and/or requests for production of documents.
- Responses to Right to Know requests pursuant to Pennsylvania law.
- Seeking advice related to Act 1 of 2006, Act 32 of 2008, or seeking exceptions or court petitions relating to any referendum requirements.
- Matters in which a case or controversy has arisen or may arise by virtue of threatened litigation or litigation that is imminent or likely.
- Student residency disputes.
- Establishing or terminating special entities, such as authorities, vocational-technical schools, foundations, joint school or departments, consortia, charter schools, or other similarly formed related entities.
- Special court actions required pursuant to the School Code or other law.
- Responding to Auditor General investigations or District Attorney investigations.

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- Issues relating to delinquent tax collection.
- School financing, including but not limited to bond issues, collateral exchanges, tax revenue anticipation notes, swap agreements, and loans.
- Specialized contracts calling for a tax opinion from the Firm
- Condemnation, construction litigation, land development and real estate issues, construction contracts and construction related issues, specification review, architects' contracts, rezoning issues, engineering contracts, court proceedings for the sale or disposition of real estate, condemnation proceedings, etc.
- Intellectual property advice or agreements, immigration advice or proceedings, or any advice or proceedings relating to the formation or dissolution of foundations formed pursuant to Section 501(c)(3) of the Internal Revenue Code, technology/acceptable use policies, software licensing agreements that are not addressed in other sections of this Agreement, copyright issues, negotiation of specialty contracts with their party administrators, insurance companies, brokers, pharmacy benefit providers, and other health benefit providers.
- Audit inquiry responses.
- Responses to grievances pursuant to a collective bargaining agreement and handling of arbitrations pursuant to a collective bargaining agreement.
- Collective bargaining where the Firm represents Client as its negotiator, as well as the handling of unfair labor practices, grievances, labor arbitrations, fact findings, non-binding and/or binding arbitrations, etc.
- Title IX training or responding to Title IX cases.
- Matters covered by insurance, subject to the insurance company representation guidelines and rates.

4. SUBMISSION REQUIREMENTS

Respondents to this RFQ should submit the following

4.1 SUBMITTAL LETTER

- Respondents shall submit a cover letter, addressed to the Director of Business Affairs, 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 quote.

4.2 TESTAMENT OF EXPERIENCE and CONFLICTS OF INTEREST

- 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 State of Pennsylvania, and detail on experience with public sector employment law, and education law.
- Respondents shall provide a statement that no conflict of interest exists in rendering service to and in representing the District and its Board of Education.

4.3 FEE(S) PROPOSAL

- Respondents are required to complete and submit a detailed itemized fee schedule and expected schedule of payment to perform services described in REQUEST FOR QUOTES.

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- 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. The District is exempt from payment of sales taxes imposed by the State of Pennsylvania.

4.4 **INSURANCE**

- Respondents are required to the declaration page from the Firm's current professional liability insurance policy

The District reserves the right and sole discretion to reject any quote received as a result of this RFQ.

<u>Calendar of Events</u>	<u>Date</u>
Deadline to submit any questions to Mr. Taylor	July 1, 2022
Answers to any firm's questions	July 5, 2022
Deadline for quote submission	July 8, 2022

To be considered for selection, copies of the Quotes must arrive at the District office (address listed above) on or before the date and time specified in the RFQ Calendar of Events. The District office will notify the selected law firms in writing of their selection for interviews or negotiation after the District has determined, taking into consideration the RFQ, the Quote that is the most advantageous to the District.