

RFQ #2017-3 - CIRTA

**CIRTA REQUEST FOR QUOTES FOR
LEGAL SERVICES**

Released: September 18, 2017

Due Date: October 5, 2017

CENTRAL INDIANA REGIONAL TRANSPORTATION AUTHORITY
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INDIANAPOLIS, IN 462104

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01 RFQ/Selection Schedule

September 18 RFQ Released

October 5 Vendor Responses due by 4:00 p.m. EST

October 9-13 Vendor Interviews*

October 31 Staff recommendation to board for vendor selection

December 5 Final contract approval at CIRTA board meeting

*Optional. CIRTA reserves the right to select a vendor based on qualifications. Finalists will be contacted on October 6, should interviews be indicated. In person or phone interviews are acceptable, should they be scheduled. CIRTA also reserves the right not to hold finalist interviews or change the date and time for interviews, staff recommendation to board and final contract approval, if deemed necessary.

02 History/Context

The Central Indiana Regional Transportation Authority (CIRTA) is a form of regional government (IC 36-9-3) established in 2004, which works to expand transportation options for the 10-County region of Central Indiana (including Boone, Delaware, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, and Shelby Counties). CIRTA is governed by a 17-member board with representation appointed from elected leaders in the ten counties as well as municipalities, the governor, and a labor organization for public transportation employees. CIRTA, along with the Indianapolis Metropolitan Planning Organization (MPO) and IndyGo, is actively involved with planning and implementing the Central Indiana Transit Plan, as well as providing various transportation options throughout the region. CIRTA is funded through several sources, including local, state and federal funding.

CIRTA currently has seven full time employees and three services under its umbrella: Workforce Connect, County Connect and Commuter Connect. Workforce Connect includes workforce connector bus service to assist moving workforce across county lines to access employment. County Connect assists in cross-county transit trips. Commuter Connect is the regional rideshare program which promotes and encourages employee commuting options other than driving alone in single-occupancy vehicles.

03 Project Overview

CIRTA is requesting quotes for legal services. CIRTA has used outside counsel since its inception in 2004. CIRTA historically requires between one (1) and ten (10) hours of legal services per month. CIRTA has historically paid a flat annual retainer for legal services; however, it is open to other fee proposals.

Term of Engagement

The original term of engagement will be for one year with four renewal option terms of one year each thereafter. The original term shall commence January 1, 2018 and terminate December 31, 2018.

Scope of Work

CIRTA is seeking the highest quality, most professional legal representation available at reasonable rates. The type of work required will be that similar to general counsel for a small organization:

- General legal advice to the CIRTA board and staff
- Legal advice pertinent to public sector/governmental agencies
- Board governance and public meeting protocol
- Regulatory compliance – both state and federal
- Procurement and contracting
- Employment law - this area may involve typical employment and human resources issues such that commonly arise under the National Labor Relations Act as well as those unique to the public sector
- Attend board meetings, which are held every other month

04 Response Requirements

Vendors must submit a digital copy of their response; no paper copies are required. All digital files should be PDF. All responses must be submitted no later than **4:00 PM EST on Thursday, October 5, 2017**, and should be labeled with "RFQ #2017-3: CIRT Legal Services." Digital copies should be sent to the attention of Lori Kaplan at lkaplan@cirta.us.

At a minimum, the submission should include the following items:

Cover Letter: Indicate your interest in providing legal services to CIRT and any unique qualifications or experience that should be taken into consideration, as well as your basic approach to providing legal services to a public sector/government entity and the Scope of Work. Include information on lead individual and any other individuals who will work on this account. Also note other public sector or government agencies or projects that you have provided services for.

Completed Forms: Complete one each of Forms A, B, C, and E. Three (3) Form D forms are to be submitted, each filled out by one of the respondent's references. The forms are included in this RFQ packet and include:

- Form A: General Information
- Form B: Qualifications Statement
- Form C: References
- Form D: Client Reference Form
- Form E: Proposal Cost Form

Scope and Fee Proposal: Pricing shall be based either on a flat annual retainer, or on an hourly basis. If the proposed fee is based on a flat annual retainer, CIRT shall not be required to make further payments beyond the retainer, other than for prior approved special projects not included in the Scope. If vendor's fee proposal is for a flat annual retainer, please include information on rates to be charged for services outside the Scope of Work.

- Billing, as agreed upon, shall be submitted either as a flat annual retainer, or based on the number of hours accrued to the CIRT account each month.
 - o When billing is based upon an hourly rate, said billing shall be submitted in increments no larger than .1 of an hour (6 minutes) with invoices being separated into descriptions in time increments, the services performed by each attorney, paralegal or other person separately, the date such service was performed, the time spent by each person for such service, the cost per hour and total cost being charged. Upon request, cumulative billing information should be available for review.
 - o When billing is based on a flat annual retainer, reports shall be submitted to CIRT on a monthly basis and shall include the services performed by each attorney, paralegal or other person separately, the date such service was performed, and the time spent by each person for such service.
- Proposer must submit hourly rates for all personnel contemplated for the delivery of the subject services.

- A blended or consolidated rate for all professional personnel may be submitted in addition to a stratified rate structure.
- Proposers are also permitted to propose other compensation formats or methods as options for particular types of work, i.e., contingency basis collection work, but again must be in addition to the stratified rate structure requirement for hourly fee arrangements.

05 Supplemental Information

A submittal does not guarantee that the vendor will be contracted to perform any services, but only serves as notice to CIRTa that the vendor desires to be considered. CIRTa assumes no obligation to accept or take action on any response. CIRTa assumes no liability for any costs incurred in preparing or submitting a response.

An electronic version of the RFQ can be found at: <https://www.cirta.us/about/procurement-opportunities/>.

Bonds, Insurance, and Special Requirements:

There are no bonds required for this RFP.

The vendor shall maintain insurance during the performance of the contract from one or more insurance companies licensed in the State of Indiana to provide the following forms of insurance, said insurance companies to be reasonably satisfactory to CIRTa, unless granted a waiver by CIRTa.

Upon the execution of a contract, the vendor shall furnish CIRTa with certificates of insurance showing that CIRTa has been listed as an additional insured.

All insurance is to remain in full force and effect until all work under the contract has been satisfactorily completed and accepted by CIRTa.

a. Workers' Compensation

1. Employers' Liability \$500,000
2. All States Endorsement Statutory
3. Voluntary Compensation Statutory

b. Public Liability and Property Damage

1. \$100,000 for bodily injuries to or death of one person in any one occurrence.
2. \$500,000 for bodily injuries to or death of two or more persons in any one occurrence.
3. \$100,000 for damage to or destruction of property in any one occurrence.

c. Legal Malpractice Insurance

Please include a copy of your statement of liability insurance with your proposal.

Reserved Right: CIRT reserves the right to withdraw this solicitation at any time in the process prior to contracting, upon notification to all vendors in receipt of the solicitation documents by fax, letter or email to their last known business address. If such action is taken by CIRT, no vendor will have claim for recompense.

06 Vendor Instructions

Notice to Vendors: Vendors are furnished the following instructions to clarify conditions for work, development and presentation of quotes, clarification of contents, review of concerns, and other pertinent information from which knowledge of preparing and offering a responsible and responsive offer may be developed. All forms required must be completed or the response will be considered as non-responsive.

Limitation of Responsibility: CIRT is not responsible, and will not accept any responsibility, for the cost incurred by any vendor in the specific preparation or the associated activities aiding in the preparation of any project idea. CIRT is not responsible for returning submitted project ideas to any vendor.

Vendor Warrants and Sub-Contractor Restrictions: Vendor will warrant that all information provided by it in connection with this offer is true and accurate, and that vendor by virtue of its submission is capable of supplying all work requested herein without brokering or delegating to a third party.

Vendor will warrant that it will not delegate or sub-contract its responsibilities without the prior written permission of CIRT.

Taxes: CIRT is tax exempt from Federal and State income, excise, use, and sales taxes.

Independent Contractor: The successful vendor shall be considered, and shall accept status as being that of an "Independent Contractor" to CIRT, and shall recognize that they are not an employee or officer of CIRT.

Attachment A: Required Forms

- Form A: General Information
- Form B: Qualifications Statement
- Form C: References
- Form D: Client Reference Form
- Form E: Proposal Cost Form

Form A: General Information (submit one Form A)

Company Name:

Street:

City, State, Zip:

Primary Contact:

Telephone:

Email:

Web site:

Type of organization:

- ☐ Individual ☐ Partnership
☐ LLC ☐ Corporation
☐ Other (explain)

Is the vendor a: (check all that apply)

- ☐ Minority Business Enterprise (MBE)
☐ Woman Business Enterprise (WBE)
☐ Disadvantaged Business Enterprise (DBE)
☐ Veterans Business Enterprise (VBE)

Does the vendor presently carry legal malpractice insurance?

- ☐ Yes. Amount: \$ _____.
☐ No. Would the vendor do so if awarded a contract? _____.

Please attach the following items:

A brief history of the vendor. A current company brochure may be submitted, if available. The history should outline the vendor's experience with representation of public sector/government agencies.

Form B: Qualifications Statement (submit one Form B)

Project Manager

Name:

Years of relevant experience:

% of time for this client:

Street Address:

City, State, Zip:

Telephone:

Email:

Other Key Staff

Name:

Years of Relevant Experience:

Name:

Years of Relevant Experience:

Name:

Years of Relevant Experience:

Partnering Vendor

(if appropriate; if more than one vendor, attach separate sheet(s) with contact information)

Company Name:

Street Address:

City, State, Zip:

Telephone:

Email:

Web site:

Please attach the following items:

1. Relevant experience for Project
2. Resumes for key staff, including hourly rates

Form C: References (submit one Form C)

Reference #1 (specific to project, no CIRTAs references please)

Name:

Organization:

Street Address:

City, State, Zip:

Telephone:

Email:

Referenced Project:

Reference #2 (specific to project, no CIRTAs references please)

Name:

Organization:

Street Address:

City, State, Zip:

Telephone:

Email:

Referenced Project:

Reference #3 (specific to project, no CIRTAs references please)

Name:

Organization:

Street Address:

City, State, Zip:

Telephone:

Email:

Referenced Project:

Form D: Client References (submit a minimum of three (3) Form Ds)

Vendors shall supply this form to a minimum of three current or former clients to be completed by the client and submitted by vendor with the RFQ response.

To be completed by reference:

Name:

Organization:

Street Address:

City, State, Zip:

Telephone:

Email:

1. Please describe the nature of your organization, such as non-profit, for-profit, or governmental entity. If it is a governmental entity, please indicate the level of government under which your agency presides, such as state, local, regional, or federal government.
2. Please indicate if any sources of your funding are federal in nature, and if so, please indicate the source(s) of that funding (for example, a grant from a particular federal agency) and the total amount of funding that is federal in nature.
3. What tasks did this attorney perform for you? For example, was the attorney called upon to provide advice on issues unique to the public sector (public records, open door), human resources issues, litigation, contracts and/or federal procurement issues, state or federal grant compliance issues, or other issues?
4. Was the attorney successful in obtaining results hoped for? Why or why not?
5. Were communications with this attorney satisfactory? Why or why not?
6. Did this attorney fairly bill for services rendered? Why or why not?
7. Would you hire this attorney again? Why or why not?

Form E: Proposal Cost Form (submit one Form E)

_____ submits pricing CIRTA Legal Services in accordance with the Scope of Work, terms, and conditions of this RFQ.

Please indicate whether you are proposing a flat annual retainer fee or hourly rates:

\$_____ Proposed annual retainer for providing any and all legal services to CIRTA as outlined in this RFP (attach additional supporting information)

OR

\$_____ Proposed hourly fee for providing any and all legal services to CIRTA as outlined in this RFQ .

	Partner	Associate	Paralegal	Blended Rate (Optional)	Other (Specify)
Hourly Rate					

	Photocopies	Courier	Other (Specify)	Other (Specify)	Other (Specify)
Charge					

Authorized company officer or agent responsible for this submission:

(Officer or Agent Signature) _____
Date

(Printed Name)

Proposer must submit hourly rates for all personnel contemplated for the delivery of the subject services. A blended or consolidated rate for all professional personnel may be submitted in addition to a stratified rate structure. Proposers are also permitted to propose other compensation formats or methods as options for particular types of work, i.e., contingency basis collection work, but again must be in addition to the stratified rate structure requirement.