

**MIDDLESEX COUNTY COLLEGE
SPECIAL QUOTE # 10147 - LEGAL COUNSEL
REQUEST FOR PROPOSAL**

I. GENERAL REQUIREMENTS FOR PROPOSALS

A. NOTICE

Information provided in this request is confidential and is to be used only for the purposes of preparing a proposal detailing the scope and cost to provide Legal Counsel to Middlesex County College. It is expected that firm will read the request with care, as failure to meet certain specifications or conditions may invalidate a proposal.

Proposals are being solicited by the Board of Trustees (hereafter referred to as the Board) of Middlesex County College (hereafter referred to as MCC). The Board reserves the right to accept, reject, or negotiate any or all proposals or any portion thereof. Price shall not be the sole criteria for selecting a legal firm. Rather, scope of available services, experience with similar clients, and references of the prospective legal firms shall also be considered.

Information contained herein is believed to be accurate, but is not to be considered a warranty.

B. ADDITIONAL INFORMATION

Additional information may be obtained from the following:

David Fricke
Director of Purchasing and Inventory Control
732-906-2519

Susan Perkins
Vice President for Finance and Administration
732-906-2505

C. GENERAL INFORMATION

1. Agreement
A written agreement will be drawn up between the Board, as the client, and the selected legal firm specifying the terms and conditions of the agreement.
2. Terms
The initial agreement would be for one year. In addition, the agreement may be renewed at the option of the Board for one year provided services are satisfactory.
3. Records
Records, files, data and legal work product regarding MCC remain the property of the Board.

D. PREPARATION OF PROPOSALS

Four copies of the proposal must be submitted. The total proposal shall include all costs associated with the services provided by the firm.

NOTE: THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES ONLY. THIS IS NOT AN OFFICIAL BID DOCUMENT.

E. PERIOD OF VALIDITY

All proposals must remain valid for a period of 60 days after the due date specified.

F. INTERPETATION OF SPECIFICATION

If any person contemplating submitting a proposal is in doubt as to the meaning of any part of this request, he/she may submit a request in writing or email to David Fricke (DFricke@Middlesexcc.edu) for an interpretation. Any such request must be submitted not later than **October 8, 2014**. Any interpretation of the specifications will be returned in written format. Oral explanations will not be binding.

G. CONSIDERATION OF PROPOSAL

Susan Perkins and David Fricke shall represent and act for the Board in all matters pertaining to this request for proposal. The Board reserves the right to reject any or all proposals.

H. PROPOSAL FORMAT

The Proposal should include a discussion of your understanding of the scope of legal services required and should indicate your plan and time schedule to initiate the engagement. A concisely outlined proposal providing the scope of services and corresponding costs sheet indicating hourly fees, hourly litigation cost and any supplemental cost for specific services (if applicable).

Include in your proposal the following:

1. A short (one page or less) executive summary of why your firm should be selected.
2. Resume of the primary representative as legal counsel for MCC.
3. Resumes of others who may work on MCC legal affairs.
4. A list of New Jersey County College of similar size that your firm has represented in any matter since January 2004.
5. A brief synopsis regarding each suit, claim or grievance brought against the firm, including its attorneys, since January 1, 2004.
6. The address and telephone number of the firm's main office and any branch office that may be involved in providing services to MCC.
7. Names, addresses, phone numbers, and contact persons for at least three Education or Higher Education clients for which legal services have been provided and which may be contacted as references.

I. ACCEPTANCE OF PROPOSAL

The Board anticipates that it will enter into an executed agreement with the selected legal firm on November 17, 2014 (at which time the selected legal firm will be required to provide evidence of professional liability insurance.)

II. SPECIFICATIONS

A. MISSION

To serve MCC and the Board as its general counsel by providing legal advice.

B. GENERAL RESPONSIBILITIES

Advise and alert the Board regarding how the law may affect current and emerging business and policy decisions of the college. Monitor proposed legislation and changes in the law that may impact MCC and notify the Board of such changes or proposed legislation in a timely fashion.

Provide legal opinions, advice and assistance to the College, and the Board, employees, and other service providers. Provide opinions, advice and counsel to the College on matters pertaining to claims and claims management.

Assist the Board, when requested, in reviewing proposals and contracts for services.

Prior to Board meetings, review Board agenda, and anticipate and prepare responses to legal issues on the agenda. Notify the Board Chair and the President of recommendations for additional agenda items prior to the Board meetings. Attend Board meetings and meetings of standing and ad hoc committees. When requested, draft Board resolution or proposals of policies or procedures. Review minutes following Board meetings.

Prompt availability and fully accessible at all times for all College staff, including telephone, in-office and on campus meetings.

Prompt analysis and response on all staff inquiries, including telephone, in person, and written dialogue, as appropriate.

Provide advice and counsel on personnel issues and union grievances.

Handle all litigation, either directly as trial counsel or a liaison to insurance retained counsel for matters covered by any applicable liability insurance.

C. LAW FIRM QUALIFICATIONS

Has demonstrated expertise in public higher education law, corporate law, and public law, including:

Attorney-client privilege and attorney work product

Laws impacting public higher education

Governmental immunity

Indemnity

Freedom of information act

Open meetings act

Immigration and naturalization services

Construction contract interpretation and claims assistance

Employee pension and benefits

Bargaining unit contract negotiation and labor and employment issues

General risk management

General legal counsel

Torts and civil

Audit compliance
Property acquisition and disposition

D. CONFLICT OF INTEREST

The College and its Board are very sensitive to matters of conflict of interest. The proposal must address the firm's policy and procedure for addressing conflict of interest issues.

E. PRIMARY REPRESENTATIVE QUALIFICATIONS

The Board shall select the Primary Representative and any subsequent replacement, interim and otherwise. The Primary Representative:

Shall be a partner of sufficient standing to effectively call upon and utilize the resources of the law firm

Must have knowledge and experience representing public, institutions of higher education in New Jersey, specifically County Colleges.

Must have extensive knowledge and interest in higher education law issues

Must have strong interpersonal and communication skills and demonstrate the ability to work with a diverse organization

Identifies and disclosed potential conflicts of interest and obtains consent where appropriate

Responds in a timely fashion

F. COMPENSATION & BILLING

The selected law firm shall provide a monthly itemized billing statement. The statement must include a description of the subject matter of work, the attorney or legal assistant/paralegal, the time spent. The fee will be paid monthly.

Hourly charges for litigation work beyond the scope of the agreement will be paid monthly.

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