REQUEST FOR QUALIFICATIONS/PROPOSALS for
COMMUNITY COLLEGE DISTRICT GENERAL COUNSEL LEGAL SERVICES

Date: April 22, 2015

Coast Community College District
Purchasing Department
1370 Adams Avenue
Costa Mesa, Ca 92626
REQUEST FOR QUALIFICATIONS/PROPOSALS (RFP) NO. 2051
FOR
COMMUNITY COLLEGE DISTRICT
GENERAL COUNSEL LEGAL SERVICES

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NOTICE TO PROPOSERS

The Coast Community College District is presently accepting Statement of Qualifications and Proposals for Community College District General Counsel Legal Services, as more described herein, until 4:00 P.M., May 19, 2015. Any questions concerning the contents of this document should be e-mailed to John Eriksen at purchasing@cccd.edu. Any changes and notices related to this solicitation will be posted by the District on the Purchasing Department’s website at www.cccd.edu/purchasing/Pages/bids.aspx. In the event this RFP is obtained through any means other than the District’s direct distribution, the District will not be responsible for the completeness, accuracy, or timeliness of the final RFP document.

To facilitate the evaluation process, one (1) complete electronic version on a flash drive, (1) original AND (6) additional copies of the Statement of Qualifications/Proposal shall be provided. All Statements of Qualifications are preferred to be typed on 8½” x 11” paper, 12 point (or larger) Arial or Times New Roman font with 1” page margins on all sides. Mistakes may be crossed out and corrections made adjacent, however, each correction must be initialed by the person signing the Statement of Qualifications/Proposal.

Delivered Statements of Qualifications/Proposals shall be enclosed and sealed in an envelope or container clearly marked RFP No. 2051, Community College District General Counsel Legal Services and addressed to Coast Community College District, Attn: Chancellor’s Office. Statements of Qualification may be delivered in one of the following methods:

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EMAIL OR FAXED STATEMENTS OF QUALIFICATION/PROPOSAL WILL NOT BE ACCEPTED.

STATEMENTS OF QUALIFICATION/PROPOSAL DELIVERED TO OTHER THAN THE ABOVE STATED ADDRESS WILL BE REJECTED AND RETURNED TO THE PROPOSER UNOPENED. It is the Proposer’s sole responsibility to ensure that his/her Statement of Qualification/Proposal is received at the proper place, at the proper time. Postmarks will not validate Statements of Qualifications/Proposals which arrive after the deadline date/time listed above. Any Statement of Qualification/Proposal received after the scheduled closing time for receipt of Statement of Qualifications/Proposal may be discarded without further consideration. Statements of Qualification/Proposal may be withdrawn by submitting a written request to purchasing@cccd.edu prior to the scheduled closing time for receipt of Statements of Qualification/Proposal.

Proposers shall be bound to the pricing terms contained within their submitted Statements of Qualification/Proposal, which shall remain in effect as stated until at least October 30, 2015. Statements of Qualification/Proposal shall be signed by an authorized individual or officer of the firm submitting the Statement. If the Proposer is a corporation or limited liability company, the Statement of Qualification/Proposal shall be executed by either the chairman of the board, president, or vice president, the secretary, or the chief financial officer.

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Section 1 – Request for Statement of Qualifications Overview

1.1 General Overview

The Coast Community College District (“District”) is a California community college district, and political subdivision of the State of California. The District comprised of three community colleges, Orange Coast College in Costa Mesa, CA, Golden West College in Huntington Beach, CA, and Coastline Community College in Fountain Valley, CA. The District also has its Administrative Offices in Costa Mesa, CA. The District serves the communities of Seal Beach, Huntington Beach, Westminster, Garden Grove, Fountain Valley, Costa Mesa, Newport Beach, Corona Del Mar, and also serves portions of other cities surrounding the district's boundaries.

The District is governed by a locally elected, independent five member Board of Trustees, with each trustee serving a defined trustee area within the District. The District's day to day business affairs are administered by the District's Chancellor, appointed as the Chief Executive Officer by the Board of Trustees.

1.2 Purpose of Request for Qualifications

The District is seeking Statement of Qualifications/Proposals from law firms with significant experience and expertise in providing General Counsel legal services to public and private higher education institutions.

The District shall receive responses to this RFP and may conduct individual interviews in order to select firms, which in the opinion of the District, are best suited to perform General Counsel legal services for the District.

Proposer is hereby informed that this RFP is intended as an informal solicitation of Statement of Qualifications/Proposal only. It is not intended, nor is it to be construed as engaging in formal competitive bidding pursuant to any statute, ordinance, policy, or regulation.

1.3 Anticipated Statement of Qualification Review Dates

The following table identifies the estimated dates/time frame for receipt, evaluation, and notice of acceptance as a legal resource of District. Please note the following key dates when preparing your response to this RFQ.

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<tr>
<th>Description</th>
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<tr>
<td>Release of RFQ</td>
<td>April 22, 2015</td>
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<td>Last day for Proposers to submit questions</td>
<td>May 06, 2015</td>
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<td>Last day for District to respond to questions</td>
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<td>STATEMENTS OF QUALIFICATIONS DUE</td>
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<td>Firm Interviews by District (if any)</td>
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<td>Notification of Selection as a Legal Resource for District</td>
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* The above noted dates are subject to change without notice.
1.4 Statement of Qualification/Proposal Evaluation

The Statement of Qualification/Proposal review process used to select qualified law firms will be as follows:

a. The District will review and evaluate all Statements of Qualification/Proposal received using the criteria below, and will develop a resource pool of qualified firms for General Counsel Legal Services. Incomplete Statements of Qualification/Proposal may be rejected as non-responsive, and may result in being excluded from this legal resource pool.

b. A District Evaluation Team may select firms for interviews. The Board of Trustees may request selected firms to make an oral/visual presentation in connection with the oral interview.

1.5 EVALUATION CRITERIA

Proposers submitting Statements of Qualification/Proposal are advised that all responsive documents will be evaluated to determine each firm’s ability to best meet the needs of the District. The District’s evaluation will include, but is not limited to, a consideration of the following criteria:

a. Responsiveness. Responsiveness of the Statement of Qualification/Proposal in clearly stating the firm's practice areas, services, and in meeting the requirements of the RFP for General Counsel.

b. Experience/Ability. The extent of the firm’s previous experience of the firm working with institutions of higher education, and specifically with community colleges, on legal matters. Such experience will also include assessment of the firm's outcomes for particular matters handled by the firm for higher education institutions.

c. Qualifications. Qualifications of the firm, financial and otherwise, to provide the District with prompt, responsive General Counsel legal services, including appropriate support staffing; firm research and other resources; and demonstrated history of competence in handling legal affairs experienced by higher education institutions.

d. References. Information obtained by the District from the firm’s provided references and other clients.

e. Costs. The firm's proposed legal fees for services provided, including detailed fee schedules for different classifications of attorneys, support staff, research and search tools, and a detailed explanation of billing practices (i.e. time billing increments). The District is a member of the Statewide Association of Community Colleges Joint Power Authority, (SWAC JPA). In addition to the proposed hourly rate fees, the District will consider alternative billing proposals submitted by law firms.
Section 2 - Board Policy 2905 General Counsel

The General Counsel serves as the District’s chief legal advisor and is responsible for oversight of assigned legal activities involving the District. General Counsel, though, may advise the Chancellor and Board of Trustees of potential legal problems.

The General Counsel provides legal services to the District, as authorized by the Chancellor, Board of Trustees, acting as a whole, Vice-Chancellors, College Presidents, the District’s Chief Human Resource Officer, and Risk Manager including legal advice, research, training, and opinions to the Chancellor and Board of Trustees. The General Counsel works closely with the Board President, the Chancellor, the Board Clerk, the Board Secretary, and other administrators designated by the Chancellor, and reports directly to the Chancellor and Board of Trustees. General Counsel may be invited to attend Board committee meetings by their Chairs as needed.

The General Counsel is responsible for the oversight of all litigation involving the District, including hearings and arbitrations, and, working directly with the District’s Risk Services Manager, recommends the engagement of, and supervises the work of, outside law firms, taking into consideration both the nature of the services they can provide and the fees that they charge. The General Counsel works to insure that legal services are provided in a manner that serves the District's best interests.

The General Counsel regularly reports to the Chancellor and Board of Trustees regarding legal activities at the District.

The General Counsel provides additional legal reports and advice as requested by the Chancellor or Board of Trustees, acting as a whole.

Section 3 – Statement of Qualifications

3.1 Statement of Qualifications Format and Content

The Proposer’s Statement of Qualifications should fully state its General Counsel experience. The submitted Statement of Qualifications should be organized and indexed in a format that ensures the District can easily review to effectively evaluate the Proposer's Statement of Qualifications.

Suggested Format

I. LETTER OF INTEREST

I.A. Identify the submitting organization.

I.B. A listing of all principals of the firm;

I.C. Identify the name and title of the person authorized by the organization to contractually negotiate and obligate the organization;

I.D. Identify the name, title and telephone number of the person(s) being proposed as General Counsel

I.E. Identify the names, titles and telephone numbers of persons to be contacted for clarification;

I.F. Be signed by the person authorized to contractually obligate the organization.
II. **SUBMISSION OF STATEMENT OF QUALIFICATIONS**

II.A. Brief History of the firm, including a resume or Curriculum Vita of the personnel proposed to provide General Counsel Legal Services.

II.B. The location and listing of resources of the local office (e.g., number of partners, associates, clerical staff, etc.), and the distance from this office to the District.

II.C. Professional memberships, certifications, licenses, and other qualifications for key individuals assigned to the District.

II.D. Company’s experience and qualifications for similar types of engagements; this summary must include your firm’s experience in each of the areas of specialty listed herein for which the Proposer is submitting a Statement of Qualifications.

II.E. A listing of cases and outcomes relating for higher education clients that have been handled by the firm through negotiation, settlement, mediation, arbitration, or litigation.

III. **RATE/FEES SCHEDULE**

III.A. Proposer will include a fee proposal specifically reflecting the method of determining charges for work performed; and include hourly rates for the following

   i. Principal  
   ii. Senior Partner 
   iii. Partner 
   iv. Senior Associate 
   v. Mid-Level Associate 
   vi. Associate 
   vii. Of Counsel Attorney 
   viii. Graduate Legal Assistant 
   ix. Law Clerk 
   x. Paralegal Staff  
   xi. Travel

III.B. Proposer shall include other necessary costs and expenses, to include, but not limited to the following:

   i. Hourly rate for telephone consultation 
   ii. Cost for fax transmission/receiving 
   iii. Cost per hour for court litigation and administrative proceedings 
   iv. Cost per hour for attendance at the Board of Trustees meetings (evening) 
   v. Hourly rate for travel time (Is time charged from portal to portal?)

III.C. Proposer shall indicate how Proposer’s fees are charged (i.e., 1/10th Hour increments, quarter hour increments, fixed fee, per transmission, etc.).

IV. **CERTIFICATE OF NON-DISCRIMINATION (Exhibit A)**

V.A. Proposer shall complete, sign, date, and include with its Statement of Qualifications the Certificate of Non-Discrimination attached to this RFQ
V. REFERENCES FORM (Exhibit B)

VIII.A A minimum of three (3) verifiable references from a California public or private educational institution shall be listed on the “References” sheet provided in this RFP; this list may include current and former clients (with reason for cancellation if applicable), with all references being able to fully comment on the Proposer’s related experience;

VI. ADDITIONAL MATERIALS (optional)

IX.A. Proposers may include other materials that they feel may improve the quality of their Statement of Qualification/Proposal submissions and/or are pertinent to this RFP.

IX.B. Proposers are encouraged to include letters of reference and/or testimonials in their Statements of Qualifications/Proposals.

All costs related to the Proposer’s Statement of Qualifications/Proposal submission are the sole responsibility of the Proposer. All Statements of Qualifications/Proposal that are submitted are the property of the District.

All information contained in Statements of Qualification/Proposals submitted may be subject to the California Public Records Act (California Government Code Section 6250 et seq.), and information’s use and disclosure are governed by this Act. Any information deemed confidential or proprietary should be clearly identified by the Proposer as such. Such information may then be protected and treated with confidentiality to the extent permitted by state law.

3.2. Request for Clarification/Information (RFC/RFI)

Questions regarding the meaning of the Scope of Work, Technical Requirements, or other pre-proposal documents shall be directed to John Eriksen at purchasing@cccd.edu.

3.3. Request for Qualifications/Proposal (RFP) Submittals

For the purpose of this Request for Qualifications/Proposal, it should be noted that the documents submitted by prospective Proposers are informal, sealed Statements of Qualification/Proposals, and are not competitive sealed bids.

When submitted Statements of Qualification/Proposals are opened, prices and other information shall not be made public unless the firm submitting the Statement of Qualifications/Proposal is selected as a legal resource by the District. At that time, any executed retainer agreement or other executed contract between Proposer and District shall become public information, subject to disclosure under the California Brown Act through publication on the District's Board Agenda.
EXHIBIT A

CERTIFICATION OF NON-DISCRIMINATION

TO BE EXECUTED BY PROPOSER AND SUBMITTED WITH STATEMENT OF QUALIFICATIONS

Proposer hereby certifies in performing work or providing services for the District, there shall be no unlawful discrimination in its hiring or employment practices because of age, sex, race, color, ancestry, national origin, religious creed, physical or mental disability, medical condition, marital status, or sexual orientation, or veteran status, except as provided for in Section 12940 of the California Government Code. Proposer shall comply with applicable federal and California anti-discrimination laws, including but not limited to the California Fair Employment and Housing Act, beginning with Section 12900 of the California Government Code.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Non-Discrimination this _____________ day of ____________________, ___.

PROPOSER

__________________________________________________________________

(Type or print complete legal name of firm)

BY

__________________________________________________________________

(Signature)

Name

__________________________________________________________________

(Type or print)

Title

__________________________________________________________________

Address

__________________________________________________________________

City ______________________ State ___________ Zip ____________

__________________________________________________________________
EXHIBIT B

REFERENCES
Proposer shall provide a minimum of three (3) College/University Customer References with three (3) or more years’ experience with the Proposer.

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(ATTACH ADDITIONAL SHEETS IF REQUIRED OR DESIRED)
STATEMENT OF QUALIFICATIONS/PROPOSAL SUBMITTAL CHECKLIST

This checklist is provided to assist in the preparation of Proposer’s Statement of Qualifications/Proposal. It is only intended as a guide.

Proposers are encouraged to use the following checklist when preparing their proposed Statement of Qualifications/Proposal:

☐ LETTER OF INTEREST – all requested information included, and signed by authorized representative

☐ RESPONSE TO MANDATORY REQUIREMENTS – include narrative, resumes, experience and qualifications, and a brief summary of the firm’s past three years of financial statements.

☐ FEE PROPOSAL – all requested information included, including hourly rates, billable hours, increments, and other expenses that may be incurred by the District

☐ EXHIBIT A – Certification of Non-Discrimination – completed and signed by authorized representative

☐ EXHIBIT B - References – complete as requested

☐ ADDITIONAL MATERIALS (OPTIONAL) – Attach as desired