

BIG WALNUT LOCAL SCHOOL DISTRICT

110 TIPPETT COURT

SUNBURY, OH 43074

(740) 965-3010

**REQUEST FOR PROPOSAL
SCHOOL DISTRICT LEGAL COUNSEL**

DRAFT

Issue Date:_____

Responses to be received no later than _____

on _____

1. Introduction

The Big Walnut Local School District is located in Sunbury, Ohio, Delaware County. The school district is one of the top performing schools in the state, offering a wide range of programs to support a quality educational experience for the students of our community.

We are currently posting a request for proposals by direction of the Board of Education in order to maintain our commitment to the Big Walnut Community ensuring competent review of legal counsel for the school district.

2. Statement of Purpose

The purpose of this document is to solicit proposals for the school district legal counsel, commencing January 1, 2024.

Sealed proposals for School District Counsel are requested by the Board of Education of the Big Walnut Local School District. All proposals should be submitted to Big Walnut Board of Education, 110 Tippet Court, Sunbury, OH 43074 on or before _____ on _____, 2023. Proposals received after this date will not be considered.

3. Timeline

RFP sent to prospective vendors: _____

RFP responses due: _____

Review of responses and selection of finalists: _____ - _____

Interviews with prospective finalists: _____, beginning at _____

Law firm selection by Board by: _____

Law firm appointed by the Board of Education: _____

Law firm begins: _____

4. Brief Description of the District

Student Enrollment PreK - 12: 4,197

Electronic Students: 92

Number of Employees:

8 Superintendent's Cabinet Members

- Superintendent of Schools
- Assistant Superintendent
- Treasurer
- Assistant Treasurer
- Student Services Director
- Director of Facilities
- Director of Academic Achievement
- Director of Administrative Services

13 Building Administrators

- 1 - HS Principal
- 2 - HS Assistant Principals
- 1 - HS Athletic Director
- 1- MS Principal
- 1 - MS Assistant Principal/AD
- 1 - IS Principal
- 1 - IS Assistant Principal
- 4 - Elementary Principals
- 1 - PreK Principal/Gifted Coordinator

Board of Education:

5 Member Board of Education, which meets at a minimum, once a month

Schools:

- 1 - High School
- 1 - Middle School
- 1 - Intermediate School
- 4 - Elementary Schools
- 1 - Preschool

Staff:

- 473 - Full/Part-time BW Staff Members
- 54 - Central Ohio Education Service Center Contracted Employees

Budget:

2022/2023 Budget \$50,000,000

5. Nature of Services

The School District Legal Counsel services as chief legal advisor to the Board of Education and its administrative staff. Successful firms should be well versed in Public Education Law; General Municipal Law; Local Finance Law, Employment Law; and Contract Law (including construction law).

The firm will act as legal counsel for the School District and/or its officers, agents and employees, including being present at meetings as may be requested by the Board of Education and/or the Superintendent of Schools and/or designee.

The district is in the midst of several litigation matters. It is anticipated that the district's current counsel will continue to handle those matters through resolution.

Services shall include, but not be limited to the following:

Employment Law

- Employment law, including Civil Service Law Section 75 and Education Law Section 3020-a disciplinary proceedings, Public Employment Relations Board hearings, employee contract interpretation, harassment and discrimination investigations and report preparation; responses to Division of Human Rights/Department of Labor claims.
- Participate in negotiations with bargaining units.

Special Education

- Special Education matters, including guidance on specific situations, up to and including impartial hearings.

General Counsel

- The firm will act as legal counsel of the School District in all actions and proceedings brought against the School District, other than matters handled directly by attorneys for the School District's insurance carrier.
- Appeals to the Commissioner of Education.
- Review of contracts for purchases of good or services.

Student Discipline

- Student matters, including student discipline and superintendent's hearings;

6. Additional Information Submittal

The District prefers a single firm to handle the various matters listed in section 5, as these areas reflect the breadth of issues that school districts are required to address. If a firm wishes to limit their services to a specific practice area, they may submit a proposal for consideration (*i.e. solely bond counsel services or solely employment law*).

If a firm seeks only to propose certain services, those responses will be considered and evaluated in relation to the breadth of services available from firms otherwise eligible to serve as general counsel on the full range of issues described in section 5.

7. Term of Engagement

This engagement is contemplated to be subject to annual review of the Board of Education; however, it is recognized that a longer-term of service is beneficial given the complexity of operations and the on-going nature of many issues. Assuming a mutually satisfactory working relationship, it is anticipated that the chosen firm would serve for five years before another RFP would be issued. This agreement may be terminated upon 30 days' notice by the Board of Education subject solely to payment of fees and disbursements as of the date of termination.

8. Qualifications and Experience of the Firm and Firm's Staff

Proposals should detail the firm's experience and capacity in Public Education and Municipal Law including information on specific attorney(s) (partners and associates) to be assigned to the district. Include information and experience in specific areas of law. For example:

- Experience in representing similarly situated school districts in the field of Public Education Law.
- Litigation experience, including special education due process matters, including any specifically related to school districts or Public Education Law.
- Experience in participating in and presenting workshops and seminars in Public Education Law area.

Each proposal submitted must include a list of current school district clients or similar clients including any municipalities. The information should include contact names, title, address, telephone number, and email. The applicant should include additional references and contact information relating to other similar clients.

9. Board of Education Process

THE BOARD OF EDUCATION RESERVES THE RIGHT TO ACCEPT OR REJECT ANY OR ALL PROPOSALS OR ANY PARTS OF PROPOSALS.

The original copy of all proposals received will be kept on file in the District Office.

The Board of Education and District Administration will evaluate proposals. During the evaluation process, the Big Walnut Local School District reserves the right, where it may serve the District's best interest, to request additional information or clarifications from those submitting proposals. After review of submitted written proposals, finalists will be selected and invited for an interview.

It is anticipated that the selection of a firm will be completed by July 1, 2023.

Following the notification of the selected firm, a retainer agreement will be executed between both parties as soon as possible thereafter.

10. Criteria for Selection

The selection process will include, but not be limited to evaluation in the following areas: Fee amount and structure, extent of experience in Municipal and Public Education Law with clients of similar size and complexity, demonstrated Public Education Law expertise and capacity, and the assessments of references.

11. Requirements for Proposals

All proposals must be received by the Big Walnut Board of Education no later than _____, 2023 at 4:00 p.m. Any proposals received after this deadline will be returned unopened to the firm.

Each firm shall submit one original proposal and seven (7) copies to the following address:

Big Walnut Board of Education
110 Tippett Court
Sunbury, OH 43074

Proposals are to be submitted in a sealed envelope clearly labeled "School District Legal Counsel Proposal".

All proposals and accompanying documentation become the property of the Big Walnut Local School District. The District shall not divulge any information presented in the RFP to anyone outside of the District without approval of the firm.

12. Proposal Information

Each proposal will clearly state the fees to be charged to the District. The District will entertain fee structures of a retainer plus hourly rates, fixed fees for specified types of services, straight hourly rates, or combinations thereof. The fee proposal should specify what, if any, the legal services will be outside of that fixed retainer and the specific hourly rates (or other fee arrangement) that would be applicable to those services outside of the fixed retainer. The proposal should also explicitly state the services that will be included in the fixed retainer.

Names and resumes of attorney(s) to be assigned as School District Legal Counsel, including the specific attorney who would be principally responsible for the provision and/or coordination of the firm's representation.

A listing of experience in the performance of the requested services for school districts or municipalities in the state of Ohio and the years of such experience.

Responses to this request for proposals should include an affirmation that there are not conflicts of interest between the firm and the Big Walnut Local School District.

Each proposal should include the firm name, address, telephone number, signature of official, and date.

13. Inquiries

All inquiries concerning this RFP should be directed to:

Big Walnut Board of Education
110 Tippett Court
Sunbury, OH 43074
Email: _____