



*workforce* **CONNECTIONS**  
PEOPLE. PARTNERSHIPS. POSSIBILITIES.

Notice: Request for Proposals  
for  
**LEGAL SERVICES**

**Workforce Connections is soliciting proposals  
to provide Legal Services**

**Publication of Proposal  
November 8, 2011**

**Submission of Proposal Deadline  
December 8, 2011**

*workforce*CONNECTIONS is an  
Equal Opportunity Employer/Program  
Auxiliary aids & services available upon request for individuals with disabilities  
from *workforce*CONNECTIONS

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**REQUEST FOR PROPOSAL  
FOR  
LEGAL SERVICES**

**SUMMARY**

Workforce Connections has been designated by the Governor of the State of Nevada as a public agency whose primary responsibility is to provide the administrative oversight of employment and training services, and funding awarded to the Southern Nevada Workforce Investment Area. Workforce Connections' primary use of these funds is to provide employment and training services for businesses, disadvantaged youth, and unemployed and under-employed adults who reside in the Southern Nevada Workforce Investment Area. The Southern Nevada Workforce Investment Area encompasses the counties of Clark, Esmeralda, Lincoln and Nye, and cities of Boulder City, Henderson, Las Vegas and North Las Vegas.

**I. INTRODUCTION**

The intent of this solicitation is to obtain the most qualified and experienced individual or firm to provide legal services for the Workforce Connections' board of directors and staff. All proposals submitted in response to this solicitation must conform to all the requirements and specifications outlined within this document.

Workforce Connections reserves the right to cancel, delay, amend, and/or reissue any part of this Request for Proposals (RFP) at any time without prior notice. This RFP does not commit Workforce Connections to accept any proposals submitted, nor shall Workforce Connections be responsible for any costs incurred in the preparation of responses to this RFP. Workforce Connections reserves the right to reject any or all proposals, to accept or reject any or all items in the proposals, and/or to award a contract in whole or in part of the RFP specifications and requirements herein as is deemed to be in the best interest of Workforce Connections.

**II. REQUEST FOR PROPOSAL GLOSSARY**

- A.** The words, “proposer”, “respondent”, and “firm” used interchangeably throughout this document refers to the individual and/or company submitting a proposal in response to this Request for Proposals.
- C.** The term “**ex parte communication**” refers to communications that are directly or indirectly made by the respondent to influence a decision-making official,

which is generally off the record and out of the presence of other parties. Ex parte communications are restricted by State, Federal and local regulations.

### **III. INSTRUCTIONS FOR SUBMITTING PROPOSALS**

#### **A. PROPOSAL FORMAT**

- i. All proposals must to be addressed, mailed and/or delivered to the following Workforce Connections administrative office on or before Thursday, December 8, 2011, no later than 4:30 P.M.:**

**Workforce Connections  
7251 West Lake Mead Blvd., Suite 250  
Las Vegas, Nevada 89128  
Attention: Legal Services RFP**

**Workforce Connections' hours of operation are Monday through Friday, 8:00 A.M. to 5:00 P.M.**

- ii. All proposals must be submitted in a sealed envelope and plainly marked, "Request for Proposals" with the name of the proposed description of services (Legal) and also the name and address of the "Proposer" clearly marked on the outside, in the upper left hand corner of the sealed envelope.**
- iii. All proposals shall be time-stamped by Workforce Connections upon receipt. Proposals may not be sent via e-mail or facsimile. Please provide one (1) original, sealed, unbound response and two (2) stapled or bound copies of the proposal's response**
- iv. All respondents may request the withdrawal of a sealed proposal prior to the scheduled closing date and time provided. The request for withdrawal must be submitted in writing to Workforce Connections' Executive Director in writing.**
- v. All proposals submitted in response to this RFP shall remain valid for 120 calendar days from the scheduled closing date and time of the RFP.**
- vi. All completed proposals shall consist of no more than 20 typewritten pages utilizing 12 point font typing.**
- vii. All questions relating to the RFP must be submitted in writing to Workforce Connections' administrative office, located at **7251 W. Lake Mead Blvd., Suite 250, Las Vegas, Nevada 89128, and to the attention of Rosalie H. Boulware.** Questions can also be e-mailed to the following individual: [rboulware@snvwc.org](mailto:rboulware@snvwc.org)**

## **B. LATE PROPOSALS, MODIFICATIONS & ADDENDA**

- i. The RFP indicates a closing date and time by which the proposals must be received by Workforce Connections. Proposals received after the denoted closing date and time will not be considered and shall be returned unopened to the respondent.
- ii. Any respondent/ proposer may modify their proposal in writing at any time **prior to** the scheduled closing date and time for receipt of proposals. Proposal modifications must be submitted in the same manner required for the original proposal. No modification should reveal the proposal price but should provide the addition and/or decrease of respondent's modification. All proposals will be secured under lock and key so that the final prices or terms will not be known by Workforce Connections until the opening of the proposals.
- iii. If it becomes necessary for Workforce Connections to revise any part of this RFP, a written addendum will be provided via Workforce Connections' website, at: [www.nvworkforceconnections.org](http://www.nvworkforceconnections.org).

Workforce Connections is not bound by or responsible for any oral representations, clarifications, or changes made to this RFP by Workforce Connections' employees, unless such clarifications or changes are provided to proposers and/or interested parties of the general public in a written addendum from Workforce Connections via Workforce Connections' web site.

- iv. Each proposer/respondent, upon receiving an addendum, shall insert the information in the RFP package. Failure **to** acknowledge any addenda may result in disqualification and rejection of the proposal.

## **C. EX PARTE COMMUNICATION**

Workforce Connections prohibits ex parte communication with any Workforce Connections board member and/or staff member after the deadline of the publication and receipt of proposals. No board member and/or staff member shall initiate or accept oral communication regarding any RFP under consideration. Any communication by telephone, email, letter, face-to-face conversation, or other off the record contact, are strictly prohibited. The restriction against ex parte communication applies when a decision must be made on the record. Any discovered ex parte communication will be provided to Workforce Connections' Executive Director for review and appropriate action. Respondents who attempt to improperly influence the proposal review and evaluation process in any way shall be disqualified.

## **III. DISPUTES**

- A. Any respondent who has a dispute in connection with this request shall have the right to submit in writing, their protest to Workforce Connections. The written protest should be submitted to: **John Ball, Executive Director, and Workforce Connections at the Workforce Connection’s administrative office located at 7251 W. Lake Mead Blvd., Suite 250, Las Vegas, Nevada 89128.** The protest must be in a format as outlined in Workforce Connections’ Policy 5.7. This policy can be found on Workforce Connections’ website at: [www.nvworkforceconnections.org](http://www.nvworkforceconnections.org).
- B. Failure by the respondent to request clarification of any inadequacy, omission or conflict will not relieve the proposer/respondent of this responsibility. The signing of the proposal form; however, will be considered as implicitly denoting that the proposer/respondent has a thorough comprehension of the full intent and scope of this RFP.

#### **IV. PROPOSAL SCOPE OF WORK SPECIFICATIONS and REQUIREMENTS**

##### **A. Scope of Work Specifications and Deliverables**

Workforce Connections is soliciting proposals from entities to provide a wide range of legal services that are necessary and essential supplements to the daily functions and operations of Workforce Connections. The successful proposer/respondent shall be the legal advisor to Workforce Connections’ which includes: Workforce Connection’s board of directors, executive director and designated staff members. The services shall include, but are not limited to, the following:

*(Please note that the preceding is not intended to be an all-inclusive listing of the legal related activities that Workforce Connections may retain the successful proposer to provide, but is intended to be a representative listing of legal related activities that Workforce Connections has historically required.)*

- The successful proposer/respondent must be available to attend all Workforce Connections board of directors meetings and requested committee meetings, and ensure that Workforce Connections is represented and in compliance with applicable Nevada Open Meeting Law regulations;
- The successful proposer/respondent must review all board of directors meeting agendas and related meeting minutes;
- The successful proposer/respondent must present documented knowledge and evidence of their capability to review and provide sound legal guidance related to all local, state and federal laws, statutes, regulations, policies, procedures, contracts, Workforce Connections By-Laws and all other directives that are directly related to the governance of Workforce Connections.

- The successful proposer/respondent must provide legal counsel for employment issues, which may include, but not limited to, discrimination, wrongful termination, and worker’s compensation claims;
- The successful proposer/respondent must ensure that legal counsel is available to make appropriate court appearances involving claims filed against Workforce Connections.
- The successful respondent must be available for appropriate consultations with Workforce Connections executive staff and board of directors on issues directly related to the operations and functions of Workforce Connections.

Workforce Connections shall retain the right to have the successful proposer provide any additional legal services that are directly related to the functions and operations of Workforce Connections if, in the opinion of Workforce Connections’ Executive Director, John Ball, the firm is qualified to provide such services.

Please note that the successful proposer will only be requested to provide counsel for those issues commonly addressed by a legal entity. Workforce Connections, however, reserves the right, at any time during the ensuing contract period, and without penalty to the legal counsel, to procure and retain through competitive solicitations, additional legal counsel when, in the opinion of Workforce Connections’ Executive Director, it is in the best interest of Workforce Connections.

## **B. Requirements and Qualifications of Respondent**

Workforce Connections is seeking proposals from the most qualified and experienced firm and/or individual to provide legal services. In order for Workforce Connections to effectively and efficiently select the “best” legal service, proposals are required to contain the following information:

- An executive summary that shall not exceed five pages, which includes, but not limited to, respondent’s understanding of the scope of work to be performed; an outline of major points such as:
  - Understanding of Workforce Connections’ Scope of Service Delivery
  - Work History, Staff Members Experience and Qualifications
  - Knowledge of Applicable Laws, Statutes, Directives; Regulations and Policies;
  - Deliverable outcomes noted in the scope of work, and assurances of respondents capability to retain and provide the resources needed to make good on deliverables;
- Respondent’s current and prior work history which denotes the following:
  - (1) Respondent’s qualifications to perform proposed scope of work based on information from references of governmental entities, i.e., state level, cities, counties and/or local government of public agencies: *(provide at least two (2) names, from public entities, and the contact phone numbers of individuals who can attest to respondent’s present and/or past performance);*

- (2) Respondent's years of experience providing legal services to public agencies that are or were recipients of federal funds and required similar legal services;
  - (3) The work histories and resumes of individuals who will be assigned to perform legal services; *(a minimum of 2 (two) years of work history is required)*;
  - (4) Respondent's firm size and organizational structure and organizational chart;
- Respondent's associated knowledge of the applicable Workforce Investment Act laws and statutes as well as local, state and federal codes and regulations and policies that Workforce Connections is legally required to follow, specifically but not limited to, the areas of procurement of goods and services and contract administration. For example, but not limited to the following:
    - **Workforce Investment Act**
    - **Federal Acquisition Regulation (FAR)**
    - **Office of Management and Budget (OMB) Circular A-21**
    - **Office of Management and Budget (OMB) Circular A-87**
    - **Office of Management and Budget (OMB) Circular A-110**
    - **Office of Management and Budget (OMB) Circular A-122**
    - **Office of Management and Budget (OMB) Circular A-133**
    - **20 Code of Federal Regulation (CFR) Part 652 and Parts 660 through 671**
    - **29 Code of Federal Regulation (CFR) Part 95**
    - **29 Code of Federal Regulation (CFR) Part 97**
    - **Nevada Open Meeting Law**
    - **Nevada State Workforce Investment Act State Compliance Policies**
  - Number of years **respondent's staff assigned** to this project has been licensed to practice law in the State of Nevada;
  - Documentation that ascertains the respondent's license to practice law in the state and federal courts of Nevada;

**C. Proposed Fees for Services**

Please provide an all-inclusive proposed **hourly rate cost** estimates that the contractor will incur for noted **legal services rendered to Workforce Connections** including, but not limited to, the following: employee wages and benefits; clerical support; telephone calls; document copying; Workforce Connections related travel, etc. Additionally, please include the following applicable employee costs: (1)partner cost including clerical; (2)associate cost including clerical; (3)paralegal cost including clerical, and all other overhead related to the proposed legal services. Workforce Connections does not guarantee any minimum or maximum amount of work as a result of any award ensuing from this RFP. Fees for services will be paid through a cost reimbursement process.



Please provide, if applicable, information regarding pro bono and/or volunteer services the respondent may provide.

#### IV. PROPOSAL REVIEW AND EVALUATION

It is anticipated that responses will be evaluated and a final decision for the award of a contract shall be made within thirty (30) business days after the final date for the submission of proposal(s) which is, December 8, 2011.

The following criterion will be utilized by a panel of evaluators to review and evaluate each proposal received:

<u>REQUIREMENTS &amp; QUALIFICATIONS REPOSE</u>	<u>MAXIMUM POINT VALUE</u>	<u>CRITERION DESCRIPTION</u>
1. Understanding of Workforce Connections' Scope of deliverables	25 points	Executive Summary and respondent <u>UNDERSTANDING</u> of the scope of work to be performed and capability to provide services.
2. Work history, experience and qualifications of staff	30 points	The <u>EXPERIENCE</u> proposer/respondent displays for the work required, based upon the work history and the resumes submitted of the staff proposed to perform the work; the <u>PAST PERFORMANCE</u> of the proposer on prior work of the same or similar nature.
3. Knowledge of applicable laws, statutes, regulations, policies and codes	15 points	<u>LAWS, STATUTES, POLICIES, REGULATIONS</u> and CODES that <i>workforce</i> CONNECTIONS functions and operation must be in compliance with.
4. Licenses and experience	15 points	License and number of years providing legal services.
5. Cost of Services	15 points	All inclusive cost rate per hour for all staff involved in the delivery of legal services for Workforce Connections

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The total amount of points that can be designated for each proposal is **100**. Workforce Connections will evaluate and award points pertaining to the evaluation criteria Numbers of one (1) through five (5). The evaluator(s) shall review the responsive proposals that are submitted and award points pertaining to the evaluation criteria. Upon final completion of the proposal evaluation process, the evaluator(s) will forward the completed evaluations with their recommendation of a selection to the *Workforce Connections* board for final approval.

## **V. CONTRACT AWARD PROCESS**

It is anticipated that the length of duration for the legal services contract will be for approximately six months to a year with the option of renewal, based on performance, by Workforce Connections for additional one to two years. Each proposer/respondent submitting a proposal will be notified in writing or via e-mail of Workforce Connections' decision concerning their proposal. Formal notification to award a contract and the actual execution of a contract are subject to the following conditions:

- Receipt of funds from federal and state administering agencies;
- Results of negotiations between selected proposers/respondents and Workforce Connections' management and fiscal staff;
- Continued availability of *Workforce Connections* funds.

## **VI. PROPOSAL COVER PAGE INSTRUCTIONS**

**The following firm/agency information must be completed on the proposal cover page:**

- a. **Name** - Provide the name of the firm/agency responding to this RFP.
- b. **Address** - Provide your firm/agency's main office address.
- c. **E-Mail Address** - Provide the e-mail address of firm/agency submitting RFP.
- d. **Copy of Current Business License** – Provide copy of current local business license.
- e. **Federal Tax I.D. #** - Provide firm/agency's current federal tax I.D. number.
- f. **Phone Number** - Provide phone number of firm/agency and also phone number and address of contact person where *Workforce Connections* can submit information regarding the proposal.
- g. **Fax Number**- Provide fax number of firm/agency where Workforce Connections can submit information regarding the proposal.
- h. **Contact**-Provide name and phone number of contact person regarding the submitted proposal.

**i. References** - at least two (2) current references and their current contact information.

## PROPOSAL COVER PAGE

### 1. Organization/Agency Information: (Please Print all information on this page)

**Name:** \_\_\_\_\_

**Agency's Address:** \_\_\_\_\_

**E-Mail Address:** \_\_\_\_\_

**Federal Tax I.D. #:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Fax#:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_

**References: (1)** \_\_\_\_\_

**(2)** \_\_\_\_\_

### 2. Type of Organization and Business Relation: (Check All that Apply)

- Business, for profit
- Private, nonprofit
- Public Agency
- Have Relatives Working for Workforce Connections
- Any Partnership(s) with Workforce Connections Staff or Board Members
- Any Partnership(s) with Workforce Connections Local Elected Officials
- Other (Please Explain: \_\_\_\_\_)

**CERTIFICATE REGARDING**  
**DEBARMENT, SUSPENSION, INELIGIBILITY**  
**AND**  
**VOLUNTARY EXCULSION**

**Name of Firm/Organization:**

\_\_\_\_\_

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Persons' Responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (Pages 19160-19211).

- (1) The prospective recipient of federal funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
  
- (2) Where the prospective recipient of federal funds is unable to certify to any of the statements in this certification, such person shall attach an explanation to their Executive Summary of this proposal.

**Name of Firm:** \_\_\_\_\_

**Name and Title of Authorized Representative:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **AFFIRMATION**

### **Affirmation and Certification:**

**I affirm that the information within this proposal is true and accurate to the best of my knowledge. I acknowledge that I have read and understood the specifications and requirements of the Request for Proposal (RFP), and that my agency/firm is prepared to deliver the proposed activities as described herein. Further, I certify that I am duly authorized to submit this proposal on behalf of my agency/firm. I also understand that by signing any contract initiated as a result this proposal, my agency/firm is responsible for meeting each deliverable objective set forth in this RFP and/or established federal, state and local Workforce Investment Act directives. I fully affirm and understand that failure to deliver on the objectives set forth in this RFP and my agency/firm's proposal may result in my agency/firm's contract being terminated.**

**Name: (Print)** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Authorized Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_