Sacramento Public Library Authority

Request for Qualifications SPLBID1140

2nd EXTENSION

LEGAL SERVICES
Due Date: Monday, April 27, 2020, 4:00 p.m.

To: Sacramento Public Authority
Legal Services SPLBID1140

Attn: Heather Wilde
Acting Clerk of the Board
828 I Street
Sacramento, CA 95814
REQUEST FOR QUALIFICATIONS (RFQ)
LEGAL SERVICES

SECTION I – INTRODUCTION
The Sacramento Public Library Authority (the Authority) invites qualified legal-services providers to submit proposals for the purpose of awarding a professional services contract for general counsel, contract preparation and review, support during labor negotiations and special projects for the period of July 1, 2020 to June 30, 2023. The Authority, upon selection of the firm, will prepare a three (3) year contract, with two (2) one-year renewal options at the Authority’s discretion.

The proposal process, terms, and conditions will be in strict accordance with the requirements and guidance contained herein.

Because of the COVID-19 pandemic, all proposals must be received via email addressed to rsass@saclibrary.org with a copy jkeller@saclibrary.org no later than 4:00 p.m. on Monday, April 27, 2020. Clearly specify in the Subject Line: “Response to RFQ No. SPLBID1140 for Legal Services.”

Proposals received later than the above date and time will be rejected. Sole responsibility rests with the Responders to see that their Proposals are received on time. No exceptions will be allowed. Only proposals emailed per the stated instructions and received by the stated time will be accepted.

The RFQ will be posted to the Library website at https://www.saclibrary.org/About/Our-Governance/Request-For-Proposals/. Any additions or corrections will be addressed in the form of addenda posted to the same location on the website.

In consideration of a contract award, the Authority will not discriminate against any individual on the grounds of race, national origin, color, religion, sexual orientation, age, or disability.

The firm selected, if any, will be that one whose proposal is most responsive to this RFQ, and is deemed to be to the best advantage of the Authority. Proposals must be valid for one hundred twenty (120) days after the proposal due date. The Authority reserves the right to modify and/or suspend any and all aspects of this procurement, to obtain further information from any firm or person responding to the RFQ, to waive any informality or irregularity as to form or content of this RFQ or any response thereto, to be the sole judge of the merits of the proposals received, and to reject any or all proposals.

SECTION II – BACKGROUND

The Authority
Sacramento Public Library is the fourth largest library system in California serving more than 1.4M residents in Sacramento County, including the cities of Citrus Heights, Elk Grove, Galt, Isleton, Rancho Cordova and Sacramento. The system is a Joint Powers Authority (JPA), governed by a 15-Member Board including elected officials from each of the member jurisdictions, with representation based on each jurisdiction’s population. The Authority operates 28 libraries as well as mobile outreach services. More
than 300 FTE staff welcome more than 780,000 cardholders and more than 4 million visitors who check out more than 8 million physical and digital items each year. The system has a collection of more than 1.5 million items, and an annual budget of approximately $50 million. The Library Director serves as the Chief Executive Officer of the Authority. More information about the Library Authority is available on its website at www.saclibrary.org.

The Authority's operating budget is funded through annual appropriations from the member jurisdictions. Library services at branches within the City of Sacramento include funding from three sources: a general fund contribution and two voter-approved parcel taxes, Measure B and Measure X which are used for core library services, youth services operating hours and collections. Operating costs for branches in the County of Sacramento and the incorporated cities served by the JPA are funded by a portion of property tax.

The Sacramento Public Library Authority’s Joint Powers Agreement provides that the Authority Board shall be responsible for appointing legal counsel. Authority Counsel shall serve at the pleasure of the Authority Board.
SECTION III - SCOPE OF SERVICES

Following is a description of the Authority’s requirement for legal services.

1. Provide general counsel, legal opinions and assistance to the Library Director and Library Staff.

2. Work with the Library Director, Clerk of the Board and key Library staff in preparing and reviewing policies, reports, documents, contracts and other information to be presented at Library Authority Board meetings.

3. Serve as legal representative of the Sacramento Public Library Authority Library Authority Board meetings, budget-audit committee, finance advisory committee and other task groups and committees as needed.

4. Prepare and review contracts and legal documents relating to Authority activities and organizational needs.

5. Work with key Library staff to review and ensure that the Library Authority is in compliance with applicable federal, state, and local, statutory and regulatory requirements.

6. Work with the Library Director, Human Resources Manager and key Library staff in preparing and reviewing documents relating to discipline, including but not limited to counseling memos, performance improvement plans, letters of reprimand, suspension and termination.

7. Work with the Library Director, Human Resources Manager and key Library staff in preparing for and conducting personnel investigations; assemble and review final documents.

8. Provide legal analysis and otherwise assist the Library Authority in connection with labor negotiations.

9. Work with Library Director to determine when specialized legal services may be required.

SECTION IV - PROPOSAL CONTENTS AND FORMAT

It is expected that proposals submitted to the Authority will be of professional caliber in content and appearance. All descriptions and information should be clear, concise and provide sufficient information to minimize questions and assumptions. The Authority accepts no financial responsibility for any costs incurred by others in the preparation of proposals. Upon receipt at the Authority’s offices, all proposals submitted in response to this RFQ will become the property of the Authority.
COVER LETTER

Your proposal cover letter must:

- be signed by an officer authorized to bind your company contractually;
- state that the proposal is firm for a 120-day period from the proposal submission deadline;
- provide the name, title, address, and telephone number of the individual to whom correspondence and other contacts should be directed during the consultant selection process;
- provide the name, title, address, and telephone number of the individual who will negotiate with the Authority and who can contractually bind your firm; and
- mention any proposed co-venture arrangements or subcontractors.

PROPOSER INFORMATION and UNDERSTANDING of AUTHORITY NEEDS

In this section, you must provide the following information:

- your firm’s name, address, and telephone number;
- a list of principal partners;
- a brief discussion demonstrating the proposer's understanding of the nature of the services to be provided.

CAPABILITIES and EXPERIENCE

It is the intent of the Authority to award a contract to the best qualified firm(s) submitting a proposal that demonstrates substantial experience in providing legal services of the kind required by the Authority.

Your proposal must provide:

- an overview of the breadth and depth of professional resources of the firm(s) participating in the proposed team, in particular as they relate to the scope of work described in Section III;
- a brief description of similar assignments for which your firm or team has provided services in the past 3 years, including client names; and
- résumés for all key team members.

SERVICES and MANAGEMENT APPROACH

In this section, you should describe your approach to the delivery of services included in Section III, above. In particular, your proposal must:

- identify the project manager, his or her availability, strengths, and history with the firm;
- identify the key team members and their proposed roles and availability;
- describe your approach to cost control; and
• describe your approach to client communications and ongoing coordination.

Proposals must discuss workload for all key team members, indicating their expected availability, the percentage of their time that will be devoted to the Authority’s contract, and any other assurances as to their ability to provide the requested services in a responsive and timely manner.

COST PROPOSAL

Discuss your proposed fee arrangement.

• Provide a separate schedule of the hourly billing rates for team members.
• Provide a “not to exceed” fixed fee by fiscal year including associated fees (e.g. printing costs, travel, attendance at meetings, etc.). Please use the following format.

<table>
<thead>
<tr>
<th>SERVICE</th>
<th>FY 2020-21</th>
<th>FY 2021-22</th>
<th>FY 2022-23</th>
</tr>
</thead>
<tbody>
<tr>
<td>All services as outlined in Section III-Scope of Services, including but not limited to General Legal Counsel, contract preparation and review, Authority Board preparation and review, meeting participation (Authority Board and Library staff)</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Labor Negotiations Counsel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$</td>
<td>$</td>
<td>$</td>
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ASSURANCES AND MISCELLANEOUS

You must provide at least three references (names and current telephone numbers) from similar work for the Project Manager and other key team members. The references must include a brief description of the projects, and the roles of the respective team members.

In addition, you must provide the following:

• A list of contracts terminated (partially or completely) by your clients for convenience or default within the past three (3) years. For each contract, the list must include contract value, description of work, sponsoring organization, contract number, name and the telephone number of the contracting entity;

• Discuss commitments you will make to staff continuity, including your staff turnover experience in the last three years.

• Describe how and why your firm is different from other firms being considered, and why selection of your firm is the best decision for the Authority.
SECTION V - EVALUATION CRITERIA/METHOD OF AWARD:

Proposals will be evaluated by a selection committee appointed by the Finance Manager, and scored (maximum of 100 points) using the following criteria:

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Understanding of Authority Needs</td>
<td>35</td>
</tr>
<tr>
<td>2. Capabilities and Experience</td>
<td>25</td>
</tr>
<tr>
<td>3. Services and Management Approach</td>
<td>20</td>
</tr>
<tr>
<td>4. Cost</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total Points</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

During the evaluation process, emphasis will be placed upon each proposer’s overall qualifications to perform the services and work described in this RFQ, including the firm’s understanding and response to the tasks in Section III. In addition, the Authority will also consider the qualifications and experience of the proposed personnel.

Proposers may be invited, at the Authority’s sole discretion, to a briefing and interview with the selection committee. Costs of participating in the interview are the responsibility of the firm.

Once the top proposer has been identified, Authority staff will start contract negotiations with that proposer. If contract negotiations are not successful, another proposer may be asked to negotiate a contract with the Authority. The award, if any, will be made to the responsive proposer whose proposal is most advantageous to the Authority, considering experience, cost and other factors.

The Authority reserves the right to select any firm or reject any or all firms as determined by the Authority; to make such selection without holding interviews or oral presentations; to request additional information; and to negotiate the final terms and conditions of an agreement with the selected firm.

COST EVALUATION AND CRITERIA

Among the Authority’s requirements is the expectation that proposers will use reasonable costs, based on industry standards.

If it is determined that a proposer's supporting cost data are not accurate, purposely misleading, and/or cannot be linked to the total price, the proposal will be considered non-responsive and it will be rejected in total.

The Authority reserves the right to ask for clarification from any proposer. The proposal should include contact information for the purpose of clarification. The evaluation panel will collectively recommend a vendor who can best provide the services requested in the RFQ to the Library Director. The Library Authority Board will approve the final vendor selection and contract.

All proposals must be made on the basis of, and either meet or exceed, the requirements contained in the scope of services.
SELECTION PROCESS TIMELINE

<table>
<thead>
<tr>
<th>Activities</th>
<th>Due Date</th>
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<tbody>
<tr>
<td>Release of RFQ</td>
<td>March 9, 2020</td>
</tr>
<tr>
<td>Deadline for submission of written questions to the Authority <em>(4:00 p.m.</em>)</td>
<td>April 6, 2020</td>
</tr>
<tr>
<td>Authority Responds to Written Questions <em>(if necessary)</em></td>
<td>April 10, 2020</td>
</tr>
<tr>
<td>Proposals Due and Bid Opening <em>(4:00 p.m.</em>)</td>
<td>April 27, 2020</td>
</tr>
<tr>
<td>Invitation to Interviews Issued <em>(if necessary)</em></td>
<td>April 30, 2020</td>
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<tr>
<td>Interviews <em>(if necessary)</em></td>
<td>May 6, 2020</td>
</tr>
<tr>
<td>Recommendation for award</td>
<td>May 28, 2020</td>
</tr>
<tr>
<td>Contract negotiations with selected proposer</td>
<td>Week of June 1, 2020</td>
</tr>
<tr>
<td>Award Contract by Authority Board <em>(subject to change)</em></td>
<td>Week of June 8, 2020</td>
</tr>
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SECTION VI - OTHER TERMS AND CONDITIONS

The Proposer agrees to the following:

1. To examine the RFQ and conditions thoroughly. At the time of the opening of proposals, each Proposer will be presumed to have read and to be thoroughly familiar with the plans, specifications, and contract documents (See Attachment A for Authority Professional Services Agreement). The failure or omission of any Proposer to examine any form, instrument, or document shall in no way relieve any Proposer from any obligation in respect to their proposal.

2. To provide for appropriate insurance, deposits, and performance bonds as required.

3. To comply with all federal, state, and local laws, ordinances, and rules.

4. Note any exceptions or objections to the terms and conditions of the Professional Services Agreement (Attachment A).

Authority expressly reserves the following rights:

1. To waive or reject any and/or all irregularities in the proposals submitted.

2. To waive or reject any and/or all proposals or portions thereof.

3. To reject all proposals and negotiate with an individual Proposer or any other person or entity.

4. To base awards with due regard to quality services, experience, compliance with specifications, and other such factors as may be necessary due to circumstance.

5. To make the award to any Proposer whose proposal is in the best interest of the Authority.

6. To negotiate different terms and conditions with any Proposer the Authority may choose.

7. To utilize concepts submitted to the Authority, via proposal, without compensation.

Authority Not Bound by Oral Statements. The Authority will not be bound by any oral statement or representation contrary to the written specifications.
Ownership and Use of Documents. All documents, reports, proposals, submittals, working papers or other materials submitted to Authority from the Proposer shall become the sole and exclusive property of Authority, in the public domain and not the property of the Proposer and are subject to public disclosure under the California Public Records Act. See the Professional Services Agreement (Attachment A) for additional information. The Proposer shall not copyright, or cause to be copyrighted, any portion of any of said documents submitted as a result of this solicitation. Further, the Authority may utilize concepts submitted via proposal without compensation.

Qualifications of Proposer. The Authority may make such investigations as deemed necessary to determine the ability of the Proposer to perform the work, and the Proposer shall furnish all information and data for this purpose as Authority may request. Authority reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Proposer fails to satisfy Authority that such Proposer is properly qualified to carry out the obligations of the contract and to complete work contemplated therein. Conditional proposals will not be accepted.

Informality. The Authority reserves the right to waive any informality, irregularity, or defect in the proposal process and to select any Proposer, even if the selected proposal does not meet all requirements of this RFQ. Any such waiver by the Authority shall not be deemed a waiver with respect to any subsequent informality, irregularity, or defect in the proposal process.

Execution of Contract. No contract shall be binding on the Authority until it has been approved by the Authority Governing Board, approved as to form by the Counsel of the Authority, or designated entity, and executed by the Library Director.

General Provisions. Proposer must review Attachment A – Professional Services Agreement and note any exceptions or objections to the terms and conditions.

Contract Term. The term of the contract shall be for the period of three (3) years with a two (2) year extension option, unless terminated, canceled or extended as provided in the professional services agreement Attachment A.

QUESTIONS

Questions about this RFQ should be directed to Heather Wilde, Acting Clerk of the Board, via email to: hwilde@saclibrary.org. All questions received and responses will be posted at the Sacramento Public Library’s website located at http://www.saclibrary.org/About/Request-For-Proposals/.