



REQUEST FOR PROPOSAL FOR LEGAL SERVICES

INQUIRIES AND PROPOSALS SHOULD BE DIRECTED TO:

Dayna Heitz
Executive Director
Kankakee Valley Park District
893 W Station Street
Kankakee, IL 60901
Dheitz@kvpd.com

I. GENERAL INFORMATION.

- A. **Purpose.** The purpose of this Request for Proposal (RFP) is to engage the services of a qualified attorney (or attorneys) and law firm (or firms) to provide legal services for the Kankakee Valley Park District (KVPD).
- B. **Who May Respond.** Attorneys currently licensed to practice law in **Illinois**, or law firms including such attorneys, may respond to this RFP.
- C. **Instructions on Proposal Submission.**

- 1. **Closing Submission Date.** Proposals must be submitted no later than **4:00 pm on August 30, 2019**
- 2. **Inquiries.** Inquiries concerning this RFP should be mailed to:

**Dayna Heitz
Executive Director
Kankakee Valley Park District
893 W Station Street
Kankakee, IL 60901**

Or e-mailed to: dheitz@kvpd.com

- 3. **Conditions of Proposal.** All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Proposer and will not be reimbursed by the Kankakee Valley Park District (hereinafter referred to as KVPD).
- 4. **Instructions to Prospective Legal Consultants.** Your proposal should be addressed as follows:

**Dayna Heitz
Executive Director
Kankakee Valley Park District
893 W Station Street
Kankakee, IL 60901**

It is important that the proposal be submitted in a sealed envelope clearly marked in the lower left-hand corner with the following information:

Request for Proposal

4:00 pm, August 30, 2019

SEALED PROPOSAL For Legal Services

Failure to do so may result in premature disclosure of your proposal. It is the responsibility of the Proposer to ensure that the proposal is received by KVPD, by the date, time and in the manner specified above. Late, unsealed proposals will not be considered.

5. **Right to Reject.** KVPD reserves the right to reject any and all proposals received in response to this RFP. An agreement for the accepted proposal will be drafted based upon the factors described in this RFP.

 6. **Notification of Award.** It is expected that a decision selecting the successful proposal will be made within four (4) weeks of the closing date. Upon conclusion of final negotiations regarding the successful proposal, all other Proposers will be informed, in writing, of the name of the successful Proposer. It is expected that the contract shall be a two-year contract.
- D. **Description of Entity.** The Park District was established in 1925 to provide recreation programs and facilities for residents of all ages. The park system operates on revenue received from the District's share of real estate property taxes, user fees and grants. The District serves 36,000 residents of Aroma Park and Kankakee Townships.

The District is governed by an elected Board of Park Commissioners who serve six-year terms of office without pay. The Board meets the fourth Monday of each month at the Bird Park Admin Building Conference Room. Committee meetings are held on the second Monday of each month at the Bird Park Admin Building Conference Room. Board members set policy for the District, which is administered by an Executive Director and a staff of recreation professionals. The Board receives community input through its citizen advisory committees, emails, public comment forms, verbal communications, appointed community volunteers, and social media.

The District employs 11 full-time staff and approximately 70 part-time, seasonal, and temporary workers. KVPD is a member of PDRMA, IAPD, and periodically IPRA, and NRPA.

The KVPD Mission: The Kankakee Valley Park District exists to acquire, develop and maintain parks; promote the conservation of natural and historical resources, and provide recreational facilities, programs, and services for the benefit of all District residents.

Additional information on KVPD is available in our Annual Report, which can be found at our web site www.kvpd.com under the tab "About KVPD."

II. SCOPE OF SERVICES. The Proposer shall be readily available to perform the following legal services, as requested by the Executive Director and/or Board of Directors: The Attorney provides all legal services needed by the Park District to support the needs of the organization through the Board and Executive Director, excepting occasional services that require unusual expertise such as labor negotiations, serving as bond counsel, or other matters requiring specific expertise at the discretion of the Board or Executive Director. The following description of legal services to be provided is illustrative and comprehensive but is not intended to be all-inclusive or to limit the potential extent of services to be provided.

- A. Provide clear and concise legal advice and consultation (oral and written) as requested or required to the Board and Executive Director on a variety of matters pertaining to all aspects of governance.
- B. Must be accessible by phone, fax and e-mail in a timely manner. Contacts are usually made by email or telephone, and a twenty-four-hour response time is typically expected unless otherwise unavailable.
- C. Research and interpret laws, court decisions and other authorities for preparing legal opinions and to advise the Board and Executive Director on legal matters pertaining to the Park District matters.
- D. Draft, review, and/or revise documents when directed, including but not limited to memoranda concerning legal issues, contracts, ordinances, resolutions, license agreements, development agreements, Park Board policies, notices, open records, leases, deeds, and permits. Clear, concise, well-organized writing is a prerequisite.
- E. Make recommendations for updating existing Park ordinances, resolutions and other policies/practices.
- F. Provide Executive Director with assistance, legal research and counseling on matters such as the acquisition or sale of property, preparation of leases, deeds and easements, contracts and agreements, operations governed by law, liability situations, and government ethics.
- G. Assist in the representing of the Park District in intergovernmental projects and other matters, as requested.
- H. Coordinate the work of outside legal counsel, as needed and directed by the Board or Executive Director.
- I. Prepare correspondence and other legal documents on behalf of the Board as directed by the Board and/or Executive Director.
- J. Provide information regarding legislation or judicial opinions to the Board and Executive Director that have potential impact on the Park District.
- K. Represent and advise the Board in all matters of law pertaining to their offices.
- L. Attend regular and special Board meetings (open and closed sessions) as requested and advise the Board and/or Executive Director on matters on the agenda as well as procedural matters that may arise during and following the meeting.

- M. Represent the Park District before governmental bodies and agencies to promote the interest of

the Park District as requested by the Board and Executive Director.

- N. Provide guidance and legal advice on Illinois Open Meetings Law and parliamentary procedure.
- O. Work with Board and Executive Director in evaluating circumstances and determining whether to initiate/continue prosecutions in specific cases.
- P. Perform other duties as directed by the Board and Executive Director.

III. NON-ROUTINE LEGAL SERVICES:

At the discretion of the Board or Executive Director the Attorney may represent the Park District in:

- A. Litigation and mediation (civil, tort, liability, construction law, etc.).
- B. Proceedings before local, State, and Federal courts.
- C. Proceedings before local, State, and Federal administrative agencies.

IV. PROPOSAL CONTENTS. The Proposer, in its proposal, shall, as a minimum, include the following:

A. **Legal Experience.** The Proposer should describe its experience related to the areas outlined in the scope of services above. Additionally, if applicable, provide a description of any experience advising organizations comparable to KVPD that offer similar programs and government-funded services.

B. **Organization, Size, Structure, and Areas of Practice.** The Proposer should describe its organization in terms of the following:

- size
- structure,
- areas of practice
- office location(s)
- small or minority-owned business

Please include a copy of the Equal Opportunity/Affirmative Action Policy, if available.

C. **Attorney Qualifications.** The Proposer should separately attach a description of the qualifications of attorneys to be assigned to the representation. Descriptions should include:

1. Professional and education background of each attorney.
2. Overall supervision to be exercised.
3. Prior experience of the individual attorneys with respect to the required experience listed above. Include resumes only of attorneys likely to be assigned to the representation. Education, position in firm, years and types of experience, and continuing professional education will be considered.

- D. **Price.** The Proposer's proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research, copies, faxes and electronic communication. Also include a retainer amount that would be charged to advise KVPD on routine matters that could be handled over the telephone or otherwise without extensive research or other legal work. KVPD reserves the right to negotiate with the Proposer on the structure of the billing and/or retainer fee.

V. PROPOSAL EVALUATION.

- A. **Submission of Proposals.** All proposals shall include one (1) original and five (5) copies.
- B. **Evaluation Procedure and Criteria.** KVPD's Executive Director and appropriate staff will review proposals and make recommendations to the Board of Commissioners for final approval. The Executive Director and/or Board of Commissioners may request a meeting with some qualified Proposers prior to final selection.

Submittal of proposal indicates acceptance by the firm of the conditions contained in this Request for Proposal unless clearly and specifically noted in the proposal submitted and confirmed in the contract or service agreement between the Board and the firm(s) selected. Firms are requested to provide information in the following format:

- i. Experience and qualifications of the firm.
- ii. Provide a narrative description of the firm.
- iii. Describe the general experience of the firm and areas of specialized expertise with municipal issues including:
 1. Drafting and reviewing municipal ordinances and resolutions
 2. Public meetings, public records, and administrative law
 3. Government ethics
 4. Dispute resolution
 5. Contracts
 6. Employment and labor law
- iv. Identify other municipal clients.
- v. Describe the firm's philosophy on providing municipal legal services; e.g. what level of legal oversight is needed for meetings, contracts, ordinance development, etc.
6. Proposed Attorney or Attorneys
 - Name and describe the attorney. Clearly identify the lead Attorney and name assisting attorney(s) if applicable.
 - Provide a resume or similar description for attorney and assisting attorney(s) if applicable.
 - If specialty attorney(s) or additional resources are available through your firm (in addition to the named team) to meet special or unusual needs, please briefly identify such specialties as well.
 - Please list any clients that may present a conflict of interest in the performance of the firm's responsibilities to the Park District and describe how the firm will identify and manage conflicts of interest.

7. References

1. Provide three references for the Attorney(s). The references should include municipal government experience.

8. Compensation. Propose a compensation package, inclusive of all services to be provided. Outline hourly fees for each attorney or paralegal assigned to the engagement, specifying if different hourly rates are charged for different activities (attending Board meetings, travel time, etc.). Please indicate the smallest increment of time used for billing purposes (fifteen or thirty minute minimum for a five-minute phone call). Invoices for services provided on an hourly or cost-plus basis shall include detail of the attorney(s) and support staff time and activity description. The District is open to a variety of approaches, including hourly rates, a flat monthly rate with add-ons or a combination.

9. Exclusions and Other Instructions

2. Bond counsel is not to be included as part of this request for proposal.
3. The board reserves the right to employ any legal counsel when there is a conflict of interest, if any attorney with special expertise in a given area is needed, or any other reason when this should occur at the discretion of the Board or Executive Director.

C. **Required Format for Proposals.** All proposals must follow the required format. Failure to follow the required format may result in disqualification of a proposal:

1. Page Limit: 12, including cover page
2. Attorney Qualifications section should be attached and is not included in the page limit
3. Page Size: 8 ½ x 11; portrait
4. Font Size: 12
5. Font Type: Times New Roman
6. Double-spaced
7. Margins: 1" minimum on the top, bottom, and sides of all pages
8. All pages must be numbered; double-sided printing is acceptable
9. Do not use material in proposals dependent on color distinctions, animated electronics, etc.
10. Do not place proposals in notebooks or binders. Metal clips may be used to bind pages together.
11. Do not include attachments other than those requested or required by this RFP.

VI. PROPOSAL TIMELINE.

During the period from your organization's receipt of this Request for Proposals and until a contract is awarded, your organization shall not contact any employee of KVPD for additional information except in writing directed to Dayna Heitz at dheitz@kvpd.com

VII. QUESTIONS.

Questions for the purpose of clarifying the RFP must be submitted **in writing by email** and must be received no later than **4:00 p.m. on August 21, 2019.**

Questions must be emailed to Dayna Heitz at dheitz@kvpd.com . Questions and responses will be posted as an “Addendum to the Kankakee Valley Park District RFP for Legal Services” on the KVPD website at www.KVPD.com by 4:00 p.m. on August 23, 2019. Please note that submissions of questions for response do not in any way enhance or guarantee the chances of receiving a contract through this proposal.

VIII. GENERAL INFORMATION.

A. Contract Award

KVPD reserves the right to award the contract in a manner deemed to be in the best interests of KVPD.

B. Stability of Proposed Prices

Any price offerings from Proposers must be valid for a period of 60 days from the due date of the proposals.

C. Amendment or Cancellation of the RFP

KVPD reserves the right to cancel, amend, modify, or otherwise change this RFP at any time if it deems it to be in the best interests of KVPD.

D. Proposal Modifications

No additions or changes to any proposal will be allowed after the proposal due date, unless such modification is specifically requested by KVPD. KVPD, at its option, may seek Proposer retraction and clarification of any discrepancy or contradiction found during its review of proposals.

E. Proposer Presentation of Supporting Evidence

Proposers must be prepared to provide any evidence of experience, performance, ability, and/or financial surety that KVPD deems necessary or appropriate to fully establish the performance capabilities represented in their proposals.

F. Proposer Demonstration of Proposed Services and/or Products

Proposers must be able to confirm their ability to provide all proposed services.

G. Erroneous Awards

KVPD reserves the right to correct inaccurate awards. This includes revoking the awarding of a contract to a Proposer and subsequently awarding the contract to a different Proposer. Such action shall not constitute a breach of contract on the part of KVPD because the contract with the initial Proposer will be deemed voided as if no contract were ever in place.

H. Ownership of Proposals

All proposals shall become the property of KVPD and will not be returned.

I. Ownership of Subsequent Products

Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of this RFP shall be the sole property of KVPD unless otherwise stated in the contract.

J. Oral Agreement or Arrangements

Any alleged oral agreements or arrangements made by Proposers with KVPD will be disregarded in any proposal evaluation or associated award.

K. Not a Contract

This RFP is not a contract and, alone, shall not be interpreted as such. Rather, this RFP serves only as the instrument through which proposals are solicited. KVPD will pursue negotiations with the highest scoring proposal. If, for some reason, KVPD and the initial Proposer fail to reach consensus on the issues relative to a contract, then KVPD may commence contract negotiations with other Proposers. KVPD may decide at any time to start the RFP process again. The selected Proposer will be required to sign a formal contract.