**LEHIGH CAREER & TECHNICAL INSTITUTE**

**4500 EDUCATION PARK DRIVE**

**SCHNECKSVILLE, PA 18078**

**REQUEST FOR PROPOSAL**

**BOND COUNSEL SERVICES**

**MARCH 7, 2016**



**Lehigh Career & Technical Institute**

**(State Public School Building Authority)**

**Request for Proposal**

**Bond Counsel Services**

**MARCH 7, 2016**

1. **DESCRIPTION OF SCOPE OF SERVICES**

Lehigh Career & Technical Institute (the Institute) is soliciting proposals for Bond Counsel Services in connection with a current refunding of its School Lease Revenue Bonds, Series of 2007. The Institute anticipates issuing approximately $40.0 million of School Lease Revenue Bonds, Series of 2017 through the State Public School Building Authority (SPSBA), as a conduit issuer, to refund the Institute’s outstanding School Lease Revenue Bonds, Series of 2007.

1. **Instructions to Bidders**

**Two (2) hard copies** of the proposals must be submitted in a Sealed Envelope clearly marked in the lower left corner **RFP Bond Counsel Services and your Company Name**. All proposals should be addressed to the following:

Lehigh Career & Technical Institute– Business Office

Attn: Patricia T. Bader, PRSBA

4500 Education Park Drive

Schnecksville, PA 18078

**One (1) electronic copy** of your proposal should be emailed to Patricia T. Bader at [baderp@lcti.org](mailto:baderp@lcti.org) and also received by the due date.

All proposals must be received in the Business Office no later than 2:00 PM, Local Prevailing Time, **Wednesday, March 23, 2016.**

NOTE: NO FAX COPY WILL BE ACCEPTED. PROPOSALS RECEIVED AFTER THE BID DUE TIME LISTED ABOVE WILL NOT BE CONSIDERED AND RETURNED TO THE PROPOSER.

Questions concerning the submission of your proposal or concerning the services to be rendered under this RFP should be addressed in writing to Patricia T. Bader at baderp@lcti.org.

1. **PROPOSAL REQUIREMENTS**

Your proposal must contain the following information in approximately the following format:

* 1. **Confirmation of Office of General Counsel (OGC) Bond Counsel Pool**: Please provide a written statement confirming your firm is prequalified in the OGC Bond Counsel Pool for SPSBA debt issues.
  2. **Public Finance Attorneys**: List the attorney who will have primary responsibility for the engagement as well as other attorneys expected to play a role in the representation. Describe the qualifications and experience of each such attorney or consultant. For each attorney, specify his/her educational background, relevant professional activities (e.g., seminars given) and other qualifications (including membership in such organizations as the American Institute of Bond Counsel, Pennsylvania Association of Bond Lawyers, the National Association of Bond Lawyers, etc.), the number of years of practice in the public finance area as well as experience in the Pennsylvania municipal bond market.

1. **Public Finance Practice**: Describe the size, scope, and ranking of your firm’s public finance department. Describe the firm’s experience in career & technical education centers and non-profit financings.
2. **References**: Please provide the names of at least five (5) individuals who are in a position to speak knowledgeably as to the quality of your work as Bond Counsel. In each case provide their full name, title, address and phone number, and describe the transaction on which you worked with them. We prefer (but do not require) as references, managers or other officials from similarly local governments for whom you have acted as Bond Counsel within the past five (5) years.
3. **Conflicts of Interest**: Please note and describe any potential conflicts of interest your firm might have, or which might arise, due to your involvement with the Institute. The Institute’s Bond Counsel will have continuing obligation to disclose to the Institute any actual or potential conflicts with respect to its representation of the Institute. During the course of any financing for the Institute, do you envision undertaking and being compensated for the representation of any other parties in the transaction?
4. **Fees**: Please describe the basis upon which your fees for professional services will be calculated. Provide an estimate of your expected range of fees for an issue of approximately $40.0 million (current refunding) and out of pocket expenses for such transaction. Also, please provide a “capped” or not to exceed fee amount. Explain whether you would bill for miscellaneous advice requested outside of a specific financing, and how such fees would be calculated. Please address whether payment of your fee is contingent upon the successful consummation of the Bond issue.
5. **Small Diverse Business Information:** The Commonwealth of PA (Commonwealth) encourages participation by small diverse businesses as prime contractors, and encourages all prime contractors to make significant commitment to use small diverse businesses as subcontractors and suppliers. For this RFP, the Commonwealth will only consider for scoring purposes commitments made for the provision of professional or para-professional legal services. A Small Diverse Business is a DGS-verified minority-owned business, woman-owned business, veteran-owned business or service-disabled veteran-owned business. Questions regarding this Program can be directed to:

Department of General Services

Bureau of Small Business Opportunities

Room 611, North Office Building

Harrisburg, PA 17125

Phone: (717) 783-3119

Fax: (717) 787-7052

Email: [gs-bsbo@pa.gov](mailto:gs-bsbo@pa.gov)

Website: [www.dgs.state.pa.us](http://www.dgs.state.pa.us)

To receive credit for being a Small Diverse Business or for subcontracting with a Small Diverse Business for the provision of professional or para-professional legal services, an Offeror must include proof of Small Diverse Business qualification in the Small Diverse Business participation submittal of the proposal. To satisfy this requirement, please fill out the attached letter of intent template (Appendix A).

1. **Miscellaneous**: Describe any other qualifications or services which you may believe may be useful for the Institute to be aware of.
2. **Requirements of the Proposer**
3. The Vendor shall be an equal opportunity employer and shall conform to all Affirmative Action and other applicable requirements. The Vendor shall not discriminate nor permit discrimination in its operations or employment practices against any person or group of persons based on race, color, religion, national origin, or sex in any manner prohibited by law.
4. The Vendor agrees to indemnify, hold harmless, and defend the Institute and its officers and employees from any claim, damage, liability, injury, expense or loss, including defense costs and attorney’s fees, arising out of Vendor’s performance under this agreement or as a consequence of the existence of the agreement.
5. The Vendor shall maintain in force at all times during the term of the contract, the following minimum insurance coverages with an insurance carrier acceptable to the Institute:

Professional Liability $3,000,000 aggregate

$1,000,000 per occurrence

1. Vendor must possess the necessary authority to do business in the Commonwealth of Pennsylvania (Pennsylvania Business Corporation Law, approved May 5, 1933, P.L. 364 as amended).
2. References must be supplied for contracts similar in nature as to the services requested under this proposal.
3. **Criteria for Award**
4. Vendor is fully compliant with the Request for Proposal. It is imperative that all the required information be provided in the proposal. Failure to include this information may render the proposal as non-responsive.
5. Award will be made to the most “Responsible Vendor”. The Institute may evaluate proposals and award the contract without discussions with the respondents. The Institute may ask for clarifications of minor issues in the proposal and the Vendor agrees to provide this information in the time period requested by the Institute or have their proposal deemed “non-responsive”.
6. The Institute may waive any informalities or irregularities of Proposals.
7. Criteria to be used in evaluating “Responsible Vendor” will include:
8. Qualification Statement
9. Depth of experience of the Vendor
10. Capacity of the Vendor to service the Institute account (counsel, availability of staff, supervision, etc.).
11. Financial stability of the Vendor.
12. Price
13. Small Diverse Business (SDB) Participation
14. All proposals will be evaluated in light of the above criteria with the final award being made to the Vendor who best meets the needs of the Institute. Price will be an important factor in the selection process but, it will not be the only factor.
15. The Institute reserves the right to interview candidates to determine the best fit for the Institute.
16. **Execution of the Contract**
17. Within ten (10) calendar days after the award of the contract, Vendor will furnish required insurance certificates as required by this Request for Proposal.
18. No Proposal can be withdrawn after submission unless Vendor makes the request, in writing, to the Institute (Business Office) and the request is received prior to the Proposal Due Date.
19. No received and opened Proposal can be withdrawn for a period of 90 days after the Proposal Due Date.

1. **Terms & Conditions**
2. All services must be rendered to the Institute at the prices quoted. Proposals containing reservations to pass on possible price changes will be rejected
3. All proposals must be effective for a period of 90 calendar days.
4. Payment for purchases made by the Institute is expected to be made within 30 days after the service has been received complete by the Institute.
5. Notwithstanding the term of the agreement, the Institute, with written notice, can terminate at any time by certified mail with return receipt with not less than thirty (30) days prior notice. The Institute is obligated to pay only to the effective date of the termination.
6. THE JOINT OPERATING COMMITTEE RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS OR ANY PART THEREOF.
7. **Proposal Submission Timeline**

Date of RFP March 7, 2016

Date Vendor RFP Questions are Due March 14, 2016

Date RFP Addendum will be March 16, 2016

Distributed (if applicable)

**Date of Proposal Submission March 23, 2016**

Staff Proposal Review March 29 – April 11, 2016

Finalist Interviews (if necessary) April 14 -15, 2016

Governor’s Office of General Counsel April 18 – May 18, 2016

Review

Date of Award – Joint Operating Committee May 25, 2016

Date of Service to Commence Mutual Agreement

**Appendix A**

**SMALL DIVERSE BUSINESS**

**LETTER OF INTENT**

**[DATE]**

**[SDB Contact Name)**

**Title**

**SDB Company Name**

**Address**

**City, State, Zip**

Dear [SDB Contact Name]:

This letter serves as confirmation of the intent of [Offeror] to utilize [Small Diverse Business (SDB)] on RFP [RFP and Title] issued by the Lehigh Career & technical Institute

If [Offeror] is the successful vendor, [SDB] shall provide [identify the specific work, goods or services the SDB will perform, and the specific timeframe during the term of the contract and any option/renewal periods when the work, goods or services will be performed or provided].

These services represent [identify fixed numerical percentage commitment] of the total cost in the [Offeror’s] cost submittal for the initial term of the contract. Dependent on final negotiated contract pricing and actual contract usage or volume, it is expected that [SDB] will receive an estimated [identify associated estimated dollar value that the fixed percentage commitment represents] during the initial contract term.

[SDB] represents that it meets the small diverse business requirements set forth in the RFP and all required documentation has been provided to [Offeror] for its SDB submission.

We look forward to the opportunity to serve the Lehigh Career & Technical Institute on this project. If you have any questions concerning our small diverse business commitment, please feel free to contact me at the number below.

Sincerely, Acknowledged,

Offeror Name SDB Name

Title Title

Company Company

Phone number Phone number