



**Region 1 Northwest Indiana Jasper, Lake, La Porte, Newton,
Porter, Pulaski, Starke Counties**

Request for Proposals (RFP)

for

Legal Services

Release Date: September 8, 2022

Turning Research, Relationships, and Resources into Results.

PART I.	Overview and Proposal Preparation Instructions.....	2
	A. Overview.....	2
	B. Questions.....	2
	C. Responsive Proposals.....	2
	D. Demonstrated Ability to Perform	3
	E. Selection Process and Contract Award	3
	F. Conditions of this RFP.....	3-4
PART II.	Scope of Work and Specifications	
	A. Scope of Work	4
	B. Project Specifications.....	4-5
	C. Proposed Budget and Narrative.....	5
	D. Assurances and Certifications.....	5
	E. References.....	5
PART III.	Financial Requirements.....	5-6
	A. Staff.....	5
	B. Cost and Price Analysis.....	6
	C. Funding Period	6
	D. Contract and Payment Method.....	6
	Attachments	
	Attachment A Assurances and Certifications.....	7-10

PART I: OVERVIEW AND PROPOSAL PREPARATION INSTRUCTIONS

A. Overview

Center of Workforce Innovations (CWI) is a 501(c)3 workforce development organization in the Northwest Indiana counties of Jasper, Lake, La Porte, Newton, Porter, Pulaski, and Starke governed by a Board of Directors.

CWI is a multi-faceted organization serving as an intermediary to convene community and industry groups to facilitate solutions, provide data and labor market information, offer information about resources, and seed best practices that assist in formulating solutions. CWI also directly delivers services such as career advising, provides credit recovery programming, and has community learning centers for adult education services.

CWI also provides programmatic and fiscal oversight for sub-recipients of adult education providers, youth oriented workforce providers, and for the American Job Centers, referred to as WorkOne in Indiana, which is governed by a Board of Directors known as the Northwest Indiana Workforce Board. The board is comprised of business, education, labor, community, and economic development leaders responsible for the strategic vision of workforce development and as previously mentioned the governance of WorkOne system in Northwest Indiana.

CWI is issuing this Request for Proposals (RFP) to solicit interest by experienced entities to provide legal services.

B. Questions

Questions relating to this RFP may be submitted prior to deadline of **September 22, 2022**. Questions must be in writing and directed to Tamara Stump, tstump@cwicorp.com

C. Responsive Proposals

To be considered responsive, proposals must meet the following minimum criteria:

1. A proposal with electronic signature must be e-mailed to tstump@cwicorp.com with an **incoming timestamp of 2:00 pm CST, September 30, 2022**. The timely delivery of a proposal is entirely the responsibility of the proposer. Proposals received after the date and time will not be accepted.
2. Providing incomplete or erroneous information or omitting important information could result in disqualification of the proposal or contract termination.
3. Acceptable proposals will meet the specifications contained in this RFP and the requirements of all applicable statutes, regulations, and policies.

D. Demonstrated Ability to Perform

CWI intends to make awards to organizations or independent contractors who have demonstrated the ability to perform successfully under the terms and conditions of a contract. Reviewers shall take into consideration whether the proposer has:

- Ability to meet the RFP design specifications at a reasonable cost;
- Satisfactory record (must be validated) of past performance in delivering the proposed or similar services;
- Satisfactory record of integrity and business ethics; and
- The necessary organization, experience, accounting and operational controls and technical skills to perform this work

E. Selection Process and Contract Award

No changes, modifications, or additions to a proposal may be made by the proposer after the proposal deadline unless requested by Board staff. Proposals will be evaluated by a Proposal Review Panel comprised of CWI staff and other preselected reviewers. Cost Effectiveness will be a factor in selection criteria. Proposers should not have any communications with the Proposal Reviewers, CWI staff or Board committee members regarding proposals, recommendations or any other issues related to the RFP process. Such communication will disqualify the Proposer.

Contracts may be awarded based on offers received, without discussion of such offers with the proposers. Each offer should be submitted in the most favorable terms, from a price and technical standpoint that the proposer can make. The Board reserves the right to request additional data, oral discussion, or presentation in support of written proposals at a pre-contract meeting.

F. Conditions of this RFP

The cost of developing proposals in response to this RFP is entirely the responsibility of the Proposer and shall not be chargeable to CWI/Northwest Indiana Workforce Board under any circumstances. This RFP does not commit CWI to award a contract, to pay any costs incurred in advance of the execution of a contract, or to procure or contract for services or supplies. CWI on behalf of The Northwest Indiana Workforce Board reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with all qualified sources for additional services, or budget line items, or to cancel in part, or in its entirety, this RFP if it is in the best interest of CWI to do so. The Board staff may require the proposers selected to participate in negotiations and to submit price, technical, programmatic, or other revisions of their proposals in writing.

The following conditions are applicable to all proposals. CWI reserves the right to:

- Return non-responsive proposals without review.

- Waive informalities and minor irregularities in proposals received.
- Not fund part or all of a proposal even though it is found to be in the competitive range if, in the opinion of CWI, the services proposed are not needed, or the costs are higher than CWI finds reasonable in relation to overall funds available, or if past management concerns lead CWI to believe the bidder has undertaken more services than it can successfully provide.
- Negotiate any and all proposed costs, staffing levels, service/activity mix, geographical locations, and all other specifics.
- Request additional data, technical or price revisions, or to request oral presentations in support of the written proposal.
- Fund a lower-ranked proposal over a higher ranked proposal because of valid policy considerations, including but not limited to geographical considerations, leveraging of outside resources, and target populations.
- Conduct a pre-award review that may include, but is not limited to, a review of the proposer's record keeping procedures, management systems, accounting and administrative systems, training facilities, and training materials.
- Use additional or de-obligated grant monies to increase the funding of successful programs.
- Change specifications and modify contracts as necessary to facilitate compliance with the legislation, regulations, and policy directives; to manage funding; and to meet the needs of the participants, as WIOA guidance may occur during this RFP process.
- End contract negotiations if acceptable progress, as determined by Board and staff, is not being made within a reasonable time frame.

PART II: Scope of Work and Specifications

A. Scope of Work

CWI is seeking a law firm that will provide legal services for the Center of Workforce Innovations, Inc. to advise and or assist in addressing a lease dispute with a current property housing one of the American Job Centers. Specific work includes:

1. Review of current lease
2. Consultation on options regarding possible termination of the lease

The opposing party/landlord is Richard and Carole Barnes, and the property is located at 200 Russell Street, 5th Floor, Hammond, IN 46320.

B. Project Specifications

Please provide a complete written response to this RFP, which is double-spaced and does not exceed 15 single-sided pages. Proposals should include:

1. A Proposal Cover Sheet with:
 - Proposer Name

- Mailing Address including city, state, and zip code
 - Type of Organization: Sole Proprietor, Partnership, or Corporation
 - Contact Personnel and person authorized to negotiate and sign (if different from contact personnel)
 - Fee Structure. If hourly rate, identify rate for partners, associates and paralegals
 - Sign cover page in blue ink.
2. A description of your organization including length of existence, vision, mission, and goals.
 3. A description of your expertise in real estate and/or contract law.
 4. A clear explanation of how your entity will address the scope of work to be conducted with Center of Workforce Innovations, Inc.
 5. Credentials and qualifications of key personnel who will take responsibility for working directly on this project.

C. Proposed Budget and Budget Narrative.

Provide a detailed line item budget that clearly shows the method of computation. Costs must be actual costs incurred for the proposed monitoring and at a minimum include the following:

1. a) List all proposed staff positions to be paid through the contract that may be awarded, indicating the percent of time each staff position will work on the proposed services to be delivered. (See fee structure above)
 - b) Travel costs
 - c) Materials/supplies
 - c) If providing a flat rate for staffing, please indicate if the rate includes all expenses
2. Provide a budget narrative that justifies each proposed expense in terms of its being necessary, allowable and reasonable to the delivery of services being proposed.

D. Assurances and Certifications

(Attachment A) Respond to all statements and sign the page in blue ink, certifying accuracy and accepting responsibility.

E. References

Include references for which you have operated same or similar programs. This may be included under Previous Experience and Organization Background or as a separate attachment. Proposers may include up to three (3) letters of reference/letters of support not related to CWI.

PART III. FINANCIAL REQUIREMENTS

A. Staff

CWI will only reimburse personnel costs for time actually worked.

B. Cost and Price Analysis

All proposals will be evaluated on the basis of obtaining the most cost-effective price possible while achieving the highest quality service delivery. To accomplish this, CWI shall conduct a cost and price analysis on proposed costs during the proposal review process. Agencies are encouraged to submit their best offer for providing the services solicited and to thoroughly describe and justify the costs.

The cost and price analysis shall be conducted to ensure that the proposed costs are necessary, fair, and reasonable; to determine if the proposed costs are allowable and allocable; to determine if there is a duplication of costs with other programs; to ensure that the costs are directly associated with carrying out only the proposed services; and to ensure that the proposed costs will benefit the program.

C. Funding Period

The funding period for contracts awarded under this grant will be September 2022 and continue through June 30, 2023.

D. Contract and Payment Method

Contracts are negotiated on a cost reimbursement basis. Proposers are advised that any contract awarded under this RFP may be modified to incorporate legislative and policy changes, revisions to the program design, alterations of any services and activities provided or a reduction or increase in the amount of funding available.

ATTACHMENT A

ASSURANCES AND CERTIFICATIONS

The Contractor will not award a grant where the Proposer has failed to accept the ASSURANCES AND CERTIFICATIONS contained in this section. In performing its responsibilities under this agreement, the Proposer hereby certifies and assures that it will fully comply with the following:

- A. **Debarment and Suspension Certification (29 CFR Part 98)**
- B. **Certification Regarding Lobbying (29 CFR Part 93)**
- C. **Drug free Workplace Certification (29 CFR Part 98)**
- D. **Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 38)**
- E. **American with Disabilities Act (ADA) (29 CFR Part 32)**

By signing the agreement, the Proposer is providing the above assurances and certifications as detailed below:

A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – PRIMARY COVERED TRANSACTION.

The prospective Proposer certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (A) (2) of this certification; and,
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause of default.

Where the prospective Proposer is unable to certify to any of the statements in this certification, such prospective Proposer shall attach an explanation to this proposal [or plan].

B. CERTIFICATION REGARDING LOBBYING.

The undersigned (i.e. Proposer) certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employees of Congress, or employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.
3. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS.

Pursuant to the Drug-Free Workplace Act of 1988 and its’ implementing regulations codified at 29 CFR 98, Subpart F. I, the undersigned Proposer attest and certify that the Proposer will provide a drug-free workplace by the following actions:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Proposer’s workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing an ongoing drug-free awareness program to inform employees concerning:
 - a. The dangers of drug abuse in the workplace.
 - b. The policy of maintaining a drug-free workplace.
 - c. Any available drug counseling, rehabilitation and employee assistance programs.

- d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (C) (1).
4. Notifying the employee in the statement required by paragraph (C) (1) that, as a condition of employment under the contract, the employee will:
 - a. Abide by the terms of the statement.
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
5. Notifying the Contractor in writing ten (10) calendar days after receiving notice under subparagraph (C) (4) (b) from an employee or otherwise receiving actual notice of such conviction. We will provide such notice of convicted employees, including position title, to every Grant officer on whose Grant activity the convicted employee was working. The notice shall include the identification number(s) of each affected contract/grant.
6. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph (C) (4) (b), with respect to any employee who is so convicted.
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 as amended.
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local, health, law enforcement or other appropriate agency.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this entire certification.

D. NONDISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE.

As a condition to the Proposer, the Proposer assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Innovation and Opportunity Act (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participate in any WIOA Title 1B-financially assisted program or activity

2. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance;
3. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities by organizations that receive financial assistance from any federal department or agency;
4. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance; and
5. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational program or activity receiving federal financial assistance.
6. Section 504 of the Rehabilitation Act and the implementing regulations at 29 CFR Part 32 and the American with Disabilities Act (ADA), facilities and programs are accessible and usable by individuals with disabilities. Recipients must meet applicable accessibility obligations

The Proposer also assures that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I – financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I – financially assisted program or activity. The Proposer understands that the Department of Economic Opportunity (DEO) and the United States have the right to seek judicial enforcement of the assurance.

Name and Title of Authorized Representative

Proposer Organization

Date