Request for Proposal
Number #537-12

Contract Attorney

Due:

November 29, 2012 at 2:00pm

Buyer:
Steve Boyd
Purchasing and Contracts Manager
802 Grand Avenue
Glenwood Springs, CO 81601
sboyd@coloradomtn.edu

COLORADO MOUNTAIN COLLEGE
REQUEST FOR PROPOSAL #537-12
Contract Attorney

I. INTRODUCTION

Background:

Colorado Mountain College (CMC) is a junior college district with seven campuses serving 11 locations in many of Colorado's most beautiful mountain communities. With 24,000 degree and non-degree seeking students, our mission is to create better futures for our students while providing a unique learning experience in an ideal environment for experiencing the outdoor adventures of the Colorado Rocky Mountains.

You may learn more about our school at www.coloradomtn.edu.

From time to time our Board of Trustees needs legal representation on a contract or other negotiation. The CMC Trustees are currently seeking an experienced attorney to help negotiate certain personnel matters. This is expected to be a one-time engagement. If you would like to be considered for this engagement, please submit the following:

a. Your resume or CV
b. A description of the make-up and capabilities of your firm
c. Other information you would like the CMC Board of Trustees to consider in its selection

Please follow the submittal instructions below.

II. TIMELINE

CMC reserves the right to modify this timeline at any time. Any changes will be posted to the CMC Purchasing Department's website as soon as the information is available. All times are Mountain.

	CMC RFP 537-12 Contract Attorney	DATE	TIME
1	ISSUE DATE	11-15-12	4:00 PM
4	REQUEST FOR PROPOSALS (RFP) DUE	11-29-12	2:00 PM
7	TARGET AWARD DATE	12-12-12	4:00 PM

NOTES:

1. PLEASE EMAIL QUESTIONS TO STEVE BOYD, PURCHASING AND CONTRACTS MANAGER, SBOYD@COLORADOMTN.EDU. WE WILL ATTEMPT TO ANSWERS ALL QUESTIONS RECEIVED BY 11:45 PM ON SUNDAY, NOVEMBER 25, 2012. ALL QUESTIONS WILL BE COMPILED AND ANSWERED TOGETHER IN AN ADDENDUM THAT WILL BE POSTED TO THE CMC WEBSITE BY 4:00PM ON TUESDAY, NOVEMBER 27, 2012.
2. CMC MAY RELEASE ADDITIONAL INFORMATION ON THE SCOPE OF THIS AGREEMENT. IF YOU WOULD LIKE TO RECEIVE THAT VIA EMAIL PLEASE SEND AN EMAIL TO SBOYD@COLORADOMTN.EDU AND YOU WILL BE INCLUDED IN THE DISTRIBUTION LIST FOR THIS RFP.

III. INSTRUCTIONS TO PROPOSERS

- CMC endeavors to provide a uniform distribution of information to vendors and conduct a fair selection process. We ask that you please follow all of these instructions carefully. Any submittal that does not meet the requirements set forth in this document and any Addendums cannot be considered by the College Selection Committee.

- All information related to this Proposal will be posted in the Bids, RFP's… section of the Purchasing Office's website at www.coloradomtn.edu/Purchasing. Please click on "Bids, RFP's…" and find this solicitation. This location will hold the most current and accurate documentation available for this project. Please look to this link for answers to your questions. The Rocky Mountain E-Purchasing System may not contain the most recent addendums and/or other information related to this project.

- Questions regarding this RFP should be directed to the Purchasing Manager, Steve Boyd, via email at sboyd@coloradomtn.edu. The College will attempt to answer all legitimate questions related to this RFP that are submitted to this email address. However, inquiries seeking information that is already posted on the College website will not be answered. Answers will be posted to the college website and may not appear on Rocky Mountain e-Procurement, or any other platform. Please do not contact other College personnel, Trustees or Selection Committee members directly regarding this solicitation. Any attempt to do so may result in disqualification.

- To promote sustainability and a fair Proposal process, CMC utilizes Rocky Mountain E-Purchasing System to generate awareness and collect responses. Therefore, http://www.govbids.com/scripts/CO1/public/home1.asp will serve as the ONLY way to submit a qualified initial response for this project. Proposers must have an existing Rocky Mountain E-Purchasing System account or may establish one (currently) free of charge. Please be sure to allow time for technical or other difficulties in submitting responses. CMC will only consider submittals that have been placed successfully with E-Purchasing System **PRIOR TO CLOSING, there are no exceptions to this - REALLY.** The Rocky Mountain e-Procurement system will not accept bids after the closing time posted. This will be the official and only determinant of timely bids. Proposers may contact Rocky Mountain E-Purchasing System staff directly or the Buyer via email if you are experiencing difficulty. The Buyer also encourages feedback on your E-Purchasing System experience. Please note that the CMC Purchasing website will contain all information related to this project. Updates and other information may or may not be posted to the E-Purchasing System, the CMC Purchasing website listed above is the official venue for information. No college Purchasing staff or other personnel has access to any information, including the number or identity of bidders, regarding bid submittals until the closing period has expired. Therefore we cannot confirm acceptance prior to closing. However, to date we have not experienced problems accepting submittals. If you submit your bid prior to closing without receiving an error message you may reliably assume successful submittal.

IV. SELECTION CRITERIA

Our selection committee for this project will evaluate submittals to identity the best value for the College. Specifically, the selection committee will select the winning proposer based on the following criteria in **no order of importance or weighting**:

A. Experience in the negotiation of personnel and other performance matters
B. Hourly rates and other costs
Criteria may be modified in subsequent Addendums

V. TERMS & CONDITIONS

A. *Submittal Instructions*: All submittals must adhere to the instructions provided above to be considered by the Selection Committee. Responses that do not address ALL of the required items requested in this RFP's introduction section (III) above CANNOT BE CONSIDERED. You may submit your proposal early and are encouraged to do so.

B. *Copies*: No electronic or paper copies of submittals are required other than your post to E-Purchasing System.

C. *Proprietary Information:* If you are submitting any information you consider proprietary, please clearly mark it "Proprietary Information." If the Purchasing Manager concurs, this information will not be considered public information. At the discretion of the Purchasing Manager, submittal information may be posted to the College Purchasing website upon award. Please do not submit anything that you do not want posted publicly without clear indication to our Purchasing Department. Notwithstanding the prior statement, the Purchasing Manager may make your entire submittal public information at his or her discretion, or may be compelled to release certain information under the Freedom of Information Act or a court order. CMC will take all reasonable steps to avoid distributing any information that may impair a submitter's competitive position.

D. *Signature Block:* All proposals must be signed by an authorized agent of your firm. Any firm or individual submitting a signed proposal shall be deemed to have read and understood all the terms, conditions, and requirements of this Request for Proposal.

E. *Refusal:* CMC reserves the right to refuse any and/or all proposals, or any part thereof.

F. *Withdraw Proposal*: You may withdraw your proposal at any time prior to the date and time set for closing.

G. *Discussions/Negotiations*: CMC reserves the right to conduct discussions with Proposers, to accept or not accept revisions of Proposals, and to negotiate price changes and other terms at the sole discretion of the Purchasing Manager. During this discussion period, CMC will not disclose any information regarding Proposal submittals other than (in some cases) the number of qualified proposals the College received and the name of the Proposer.

H. *Award:* Awards shall be made to all responsible proposers whose submittals are determined to be advantageous to CMC based on the evaluation factors described above. Price, although a consideration, will not be the sole determining factor. CMC reserves the right to ask for the "Best and Final Offer" from any or all Proposers.

I. *Pre-award Presentations*: The College may ask highly ranking firms to attend one or more interviews.

J. *Contract*: The successful proposer is expected to enter into a standard contract with Colorado Mountain College that will include the College's standard terms and conditions attached to all purchase orders.

K. *Indemnification*: Successful Proposers shall indemnify and save CMC harmless, to the extent permitted by law, from any and all claims, demands, suits, and actions which may arise from errors or omissions caused by the Proposer in conjunction with its contractual obligations including, but not limited to, obligations for the preparation of any and all documents required by CMC in conjunction therewith, and shall defend all suits, in the name of CMC when applicable, and shall pay all costs and judgments which may issue thereon.

L. *Insurance*: Successful Proposers shall have their insurance company send the CMC Purchasing Department a currently in-force Certificate of Insurance which indicates that insurance coverage has been obtained, including professional liability, which meets the minimum requirements as are required by Colorado law for work performed by the Proposer. "Colorado Mountain College" shall be named as an additional insured. The Proposer shall be responsible for notifying the CMC Purchasing Department of any modification to, or cancellation of, these policies during the contractual period; including, but not limited to, any pending or paid claims against the aggregate amount of the policy.

M. *Illegal Aliens:* By submitting a proposal, a Proposer certifies pursuant to C.R.S. § 8-17.5-102(1) that, at the time of proposal submission, it does not knowingly employ or contract with an illegal alien and that the contractor has participated or attempted to participate in the Basic Pilot Program that is administered by the United States Department of Homeland Security in order to verify that it does not employ any illegal aliens.

N. *Limitation of Multiple-Fiscal Year Obligations*: All financial obligations of Colorado Mountain College (CMC) under this contract subsequent to the fiscal year in which signed are contingent upon funds for this purpose being appropriated, budgeted, and otherwise made available by the CMC Board of Trustees. This contract shall not be deemed to create any multiple-fiscal year direct or indirect debt or other financial obligation whatsoever for purposes of Section 20(4) (b) of the State Constitution (Amendment 1).

VI. SIGNATURE BLOCK

Note: Please return this page with your proposal.

The undersigned, an authorized agent of his/her company, hereby certifies:

( ) the receipt of _____ addendums,

( ) familiarization with all terms, conditions, and specifications herein stated,

( ) vendor is qualified to perform work and services as proposal,

( ) that the proposal is valid until _____ (date).

_____	_____
Company Name	Authorized Signature
_____	_____
Mailing Address	Printed Name
_____	_____
City, State, Zip Code	Title
_____	_____
Federal Employer ID Number	Phone Number
_____	_____
Type of Entity (S-Corp, LLC, etc?)	Official EMAIL Address
_____	_____
Web Site, if available	Solicitation Number (from cover page)