



**Request for Qualifications (RFQ)
Legal Services for First 5 San Benito**

BACKGROUND

Proposition 10

In November 1998, the California voters passed Proposition 10, the California Children and Families First Initiative, which added a 50 cent-per-pack tax on tobacco products. Revenue from the tax is deposited into a trust fund, then disbursed with the intent to promote, support and improve early development of children from the prenatal stage through five years of age. Eighty percent (80%) of these revenues are allocated annually to the 58 individual California counties to benefit children from prenatal to five years old. Each local Commission has control over their own funds and by law is empowered to make local decisions about how funds should be spent. The remaining 20% of the revenues supports statewide programs and research.

State Commission

The California Children and Families Commission is responsible for state-level administration including developing program guidelines, reviewing county plans, and conducting annual program review and evaluation. The nine-member commission also spends 20% of the available revenues annually on mass media communications, parent and provider education, child care, research and administration.

First 5 San Benito

The San Benito County Board of Supervisors established the First 5 San Benito Children and Families Commission in 1999 to administer and allocate the County's portion of the Proposition 10 funds. The Commissioners represent county government, public health, social services, education, and early care and education. This Commission is required to adopt a strategic plan to guide how funds will be spent and progress will be measured. Local planning must be consistent with state guidelines, and programs must be reviewed and evaluated annually.

Through the history of the organization, First 5 San Benito has made efforts to respond to the needs in the community and direct funding in a manner that will address identified needs and develop effective systems. Since local funding began in 2001, First 5 San Benito has distributed more than \$8 million within the community in the form of grant funding. In the FY 2011-12 strategic plan, the Commission restructured its investments in the community by decreasing funding to grantees and increasing F5 SBC's role in providing direct services in order to serve more children and their families. The 2013-14 strategic plan further refined this funding strategy, and the 2014-17 strategic plan builds on the Commission's prior decisions to invest its resources in a manner that achieves the maximum impact.

Statewide, Prop 10 tax revenue has been declining, and is projected to continue declining in the future. However, First 5 California has included San Benito County in its small-county allocation and established a baseline of \$650,000 per year for the next three years.

PURPOSE

Under the direction of the First 5 San Benito Commission, the contractor will provide quality legal services.

GENERAL SCOPE OF SERVICES

The legal services under consideration in this Request For Qualifications involve (but are not limited to):

1. Providing a variety of high-quality and timely legal opinions to the First 5 San Benito Commission (Commission) and Executive Director (ED)
2. Attending regular meetings of the commission and occasional special-called meetings
3. Being intimately familiar with the First 5 Commissions origination codes, by-laws, policies and procedures, and other applicable First 5 CA state requirements, processes, etc.
4. Providing advice to the First 5 San Benito Commission and Executive Director on a variety of legal matters
5. Representing the commission as counsel in legal matters
6. Reviewing Commission meeting agendas, contracts, and occasionally drafting resolutions, organizational changes, and other documents as requested by the Commission or ED
7. Reviewing and making recommendations on a variety of projects and proposals which have legal ramifications
8. Staying abreast of new or proposed state and First 5 CA compliance requirements affecting the Commission

STATEMENT OF QUALIFICATIONS SUBMISSION:

For consideration, all interested parties should submit a written Statement of Qualifications to complete this project. The statement should be based on the applicant's professional and logistical qualifications, address the following criteria and be submitted in this order (*The attached Statement Of Qualifications Form may be used*):

1. Name of firm, owner, address and telephone number.

2. Personnel qualifications. Identify the key Attorney who will serve in the position of legal counsel; provide their resume and summarize their experience. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.

3. Specialized legal services competence. Provide information about the attorney and firm's experience in providing legal services to similar organizations. Provide at least two references from these organizations including names, contact persons and phone numbers.

4. Capacity and capability. Provide information about the attorney and firm's capacity and capability to perform on short notice and in a timely manner.

5. Approach to communicating with the Commission and ED. Describe the attorney and firm's approach to communicating with the Commission in regard to agendas, contracts, recommendations, status of opinions, etc.

6. Understanding of services to be provided. Describe the attorney or firm's understanding of the scope of work and include any prior work experience with First 5 commissions.

7. Work schedule and availability. Provide a plan for service delivery.

8. Conflict of interest. The attorney or firm, by submitting a proposal, certifies that to the best of its knowledge or belief, no Commission member is financially interested, directly or indirectly, in their firm or in the purchase of services as described in this RFQ. They also certify that the information contained in the Statement of Qualifications is correct and complete to the best of their knowledge.

9. Costs for Providing Services. Please provide an estimate of the costs for providing the services described above. Such costs should include a base fee for providing routine opinions and services including attendance at Commission meetings, and additional fees related to non-routine services such as representing the Commission in certain lawsuits, providing non-routine opinions and research, etc.

Deadline: position will remain open until position is filled

Statements of Qualifications may be mailed, or hand delivered to the following:

**Lisa Faulkner
Executive Director
First 5 San Benito
351 Tres Pinos Road, Suite 100A
Hollister, CA 95023**

No other location is acceptable for delivery. The Commission is not responsible for delayed or lost proposals that miss the submission deadline.

Submissions should be type-written. There is no page limit requirement, but submissions should be as brief as possible, while providing a clear picture of the applicant's qualifications to conduct the work required.

Questions:

Any questions in regards to this RFQ should be submitted in writing to: Lisa Faulkner, Executive Director. Questions may be submitted by email at lisa@first5sb.org or delivered to the address above. Answers to all questions will be provided to all individuals/firms who have requested provided their contact information to Lisa Faulkner, at lisa@first5sb.org for the purposes of receiving further information regarding this RFQ.

Other Information:

A. First 5 San Benito reserves the right to:

1. Reject any or all submittals.
2. Request clarification of any submitted information.
3. Waive any informalities or irregularities in any qualification statement.
4. Not select any respondent.
5. Cancel this process at any time.
6. Amend this process at any time.
7. Evaluate the qualifications submitted.
8. Interview respondents prior to award.
9. Negotiate all final terms and conditions of any agreements entered into.
10. Issue similar RFP's or RFQ's in the future.
11. Request additional information during the interview.
12. Make inquiries as may be necessary to verify qualifications.

B. Respondents are liable for all errors or omissions contained in their responses.

C. Respondents will not be allowed to alter submittals after the deadline for submission. First 5 reserves the right to make corrections or amendments to documents due to clerical errors identified in submittals by First 5 or the respondent.

D. Any and all costs arising from preparation of this RFQ and participation in the selection process incurred by any respondent shall be borne by respondent without reimbursement by First 5.

E. Respondents assume the risk of the method of dispatch chosen. First 5 assumes no responsibility for delays caused by delivery service.

F. All qualifications submitted will become public record and subject to disclosure.

G. The individual/organization submitting an application agrees that by submitting an application, the individual/organization grants authorization for the Commission to verify any or all information and/or references given in the application.

H. All work solicited from the consultant, including any data collected, any analysis, and any reports prepared by Contractor during the course of any project, in whatever form, shall be the sole property of the Commission.

Statement Of Qualifications Form

1. Name of firm, owner, address and telephone number:

2. Personnel Qualifications:

3. Specialized Legal Services Competence:

4. Capacity and capability:

5. Approach to communicating with the Commission and Executive Director:

6. Understanding of services to be provided, include any prior work with First 5 commissions:

7. Work schedule and availability:

8. Costs for Providing Services:

9. Certification:

I certify that the above information is correct and complete to the best of my knowledge. I also certify that to the best of its knowledge or belief, no elected or appointed official of First 5 Commission is financially interested, directly or indirectly, in my firm or in the purchase of services as described in this RFQ.

Name / Title *Date*