Legal Affairs Committee  
(Following the Facilities and Property Committee)  
Thursday, October 25, 2007  
Board of Supervisors’ Meeting Room  
2nd Floor, J. S. Clark Administration Building  
Southern University - Baton Rouge

AGENDA

1. Call to Order  
2. Roll Call  
3. Adoption of the Agenda  
4. Public Comments  
5. Request for approval of RFQ for Outside Counsel Legal Services  
6. Other Business  
7. Adjournment
SOUTHERN UNIVERSITY SYSTEM
BOARD OF SUPERVISORS

REQUEST FOR QUALIFICATIONS

For

OUTSIDE COUNSEL LEGAL SERVICES

Issue Date: October 29, 2007
Response Date and Time: November 29, 2007 at 4:45 p.m.

Johnny G. Anderson, Chairman
Southern University System—Board of Supervisors
TABLE OF CONTENTS

1. Terms Defined .................................................................................................................. Page 3
2. Scope of Services ............................................................................................................. Page 4
3. Minimum Qualifications ............................................................................................... Page 5
4. Disclaimer/Reserved Rights ........................................................................................... Page 5
5. Equal Employment Opportunity Statement ................................................................ Page 6
6. Due Date .......................................................................................................................... Page 6
7. Submission Requirements ............................................................................................... Page 6
8. Clarification and Addenda .............................................................................................. Page 8
9. Evaluation/Selection Criteria ........................................................................................ Page 8
10. Award of Contract .......................................................................................................... Page 9
TERMS DEFINED

The following terms shall have the meanings as set forth below:

Addenda—written or graphic documents issued prior to the proposal due date which clarifies, corrects or changes any or all of the contents of the Request for Qualifications (RFQ).

Applicant(s)—refers to a Corporation, LLC, APLC, PLC, Partnership or Joint Venture, other business organizations and/or an individual attorney.

Collusion—is a secret combination, conspiracy, or concert of action between two or more persons for fraudulent or deceitful purposes.

Contractor—is any person having a contract with a governmental body or firm(s)/attorney(s) responding to this RFQ.

Firm(s)—collectively refers to a Corporation, LLC, APLC, PLC, Partnership or Joint Venture and other business organizations.

Person—is any business, individual, corporation or other business organization or group of individuals.

Procurement—is the purchasing, buying or otherwise obtaining of any professional, personal, consulting or social service or any combination of these services.

Professional Services—is work rendered by an independent contractor who has a professional knowledge of some department of learning or science used by its practical application to the affairs of others, which includes, but is not limited to lawyers.

Scope of Services—is work to be performed under this RFQ.

Services—are the rendering by a contractor, of its time and effort, rather than the furnishing of a specific end product, other than reports which are merely incidental to the required performance of services.

Submittal(s)—is the Statement(s) of Qualifications and all supporting documents/attachments thereto.
REQUEST FOR QUALIFICATIONS
For
OUTSIDE COUNSEL LEGAL SERVICES
For the
SOUTHERN UNIVERSITY SYSTEM
BOARD OF SUPERVISORS

The Southern University System—Board of Supervisors ("Board") is requesting the submittal of Statements of Qualifications from firms or attorneys licensed to practice law in the State of Louisiana interested in providing a high level of professional services on a broad range of legal matters (excluding tort and workers' compensation) to the Board, the Southern University System ("SUS") and institutions under their management and control.

1. SCOPE OF SERVICES

Responsibilities of the attorney or firm selected shall include, but are not limited to:

- Providing legal counsel and guidance in the ordinary and special activities of the Board, the SUS and institutions under their management and control to ensure maximum protection of their legal rights and to maintain operations within the limits prescribed by law.
- Preparing or reviewing proposed contracts, leases, formal agreements and other legal instruments to safeguard interests of the Board, the SUS and institutions under their management and control.
- Collaborating or cooperating with counsels associated with legal matters affecting the Board, the SUS and institutions under their management and control.
- Drafting, reviewing and/or revising policies, procedures and regulations affecting operations of the Board, the SUS and institutions under their management and control.
- Providing counsel on staff and faculty labor law problems and assisting with internal grievances and hearings involving administrative agencies.
- Performing legal research.
- Negotiating settlements involving legal issues or transactions.
- Providing legal representation for the Board, the SUS and institutions under their management and control at the administrative, state and federal court levels.
- Conducting in-service training programs for administrative staff regarding legal issues, new legislation and court decisions.
- Performing other related duties as assigned or requested. The Board reserves the right to add or change duties at any time.
2. MINIMUM QUALIFICATIONS

The primary interest of the Board is to secure the highest quality of legal representation at a reasonable cost.

Applicant(s) must have a J.D. based on a strong academic record from an ABA accredited school of law, admitted to the Louisiana Bar in good standing, at least ten (10) years of experience in the practice of law and must be admitted to state, federal district and appellate courts.

Preferred qualifications include experience and knowledge in the areas of Education, Labor, Employment, Civil Rights, and Administrative Law with a general knowledge of Corporate Law; experience in jury and bench trial litigation; federal and state appellate experience; excellent oral and written communication skills; demonstrated ability to work collegially with diverse constituencies and sensitivity and diplomacy required to balance competing campus interests; experience with other organizations as internal counsel; experience within an academic institution or governmental agency, will be highly favored; experience with government contracts, compliance and regulatory affairs, transactional matters, real estate, contracts, tax exempt bond financing, student affairs, employee benefits, taxation, charitable giving, administrative procedure and constitutional law; direct experience with legal issues peculiar to colleges and/or universities with knowledge of student and faculty issues; strong understanding of non-profit compliance, development, investment and endowment management regulation; knowledge of legal issues involving contract management, financial aid management, risk management and human resources related to university operations; possess superb professional judgment and impeccable professional discretion; possess ability to exhibit strong customer service orientation for all levels of university constituencies and members of the public and should possess a working knowledge of Public Sector Law.

3. DISCLAIMER/RESERVED RIGHTS

Costs associated with the preparation of each submittal shall be borne by the applicant(s). The Board, the SUS and institutions under their management and control are not responsible for any costs associated with responding to and/or interviewing for this RFQ.

The Board reserves the right to cancel this RFQ, accept or reject any/all submissions, waive any technicalities and/or informalities or re-advertise, for any reason, particularly when in the best interest of the Board, the SUS and institutions under their management and control. The Board further reserves the right, at its sole and absolute discretion, to extend any of the actual or proposed dates.

This document shall be governed by the laws of the State of Louisiana. Any disputes resulting must be resolved accordingly. Jurisdiction for any/all lawsuits, disputes
and/or agreement arising out of this RFQ shall be in the Nineteenth Judicial District Court, State of Louisiana.

Any Addenda to this RFQ shall become binding and made a part of the same.

Submittals by firms/attorney(s) in default of any agreement with the Board, the SUS or institutions under their management and control, or who have failed to perform obligations under a previous agreement with said entities may be deemed non-responsive.

4. EQUAL EMPLOYMENT OPPORTUNITY

In the execution of this Agreement, the Contractor shall comply with the requirements of Title VI and Title VII of the 1964 Civil Rights Act, as amended by the Equal Opportunity Act of 1972, Federal Executive Order 11246, the Federal Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran’s Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Act of 1975 and not discriminate against any employee or applicant for employment because of race, sex, sexual orientation, ethnic or national origin, religion, age, disabled status or status as a disabled veteran or veteran of the Vietnam era. Such actions shall include, but not be limited to: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training.

5. DUE DATE

All Statements of Qualifications must be received by November 29, 2007 at 4:45 p.m. Responses should be directed to:

Johnny G. Anderson, Chairman  
Southern University System—Board of Supervisors  
J.S. Clark Administration Building, 4th Floor  
Baton Rouge, LA 70813  
225-771-4600 (Telephone)  
225-771-5770 (Facsimile)

Any Statement of Qualifications received after November 29, 2007 at 4:45 p.m. shall be deemed non-responsive. It shall be the sole responsibility of the applicant(s) to assure that this submittal is delivered promptly.

6. SUBMISSION REQUIREMENTS

Firm(s)/attorney(s) interested in performing services described in the RFQ must submit one (1) clearly marked original Statement of Qualifications and seven (7)
copies. Each submittal shall be bound, indicating the name of the applicant(s), municipal street address, telephone number and shall be signed by the applicant's duly authorized representative, and must include the following:

A. Letter of Interest should be submitted to describe firm's/attorney's ability to perform the required legal services, and a stated position to ensure quality representation. More specifically, this letter should include a summary of the firm's/attorney's qualifications and a proposed approach to working with and meeting the needs of the Board, the SUS and institutions under their management and control. A description of the firm's/attorney's relevant experience in performing the described services should be included emphasizing (i) specialized experience (ii) technical competence; and (iii) past experience or work with other government agencies and/or institutions of higher learning. Names and contact information for at least three (3) references from current and former clients for whom the firm has performed similar work, is also requested.

B. Organizational Description: provide an organizational chart illustrating organization and areas of responsibility. Indicate Person-in-Charge/Principal and key individuals proposed to be utilized during the term of the contract.

C. History/Experience: enclose resumes of the Person-in-Charge/Principal, key individuals, and all other personnel to be assigned under the contract. Provide a summary of experience outlining similar projects, if any.

D. Insurance Coverage: identify the extent of the normal Professional (Errors and Omissions) and General Liability Insurance Coverage maintained for the firm(s) and/or attorney(s). Submit a copy of insurance certificate(s).

E. Business Information: provide a certified copy of articles of organization, incorporation, partnership documents, corporate resolution(s) or other notarized document(s) depicting the duly authorized representatives of the firm or business operation.

F. Certification that the firm is not suspended, debarred, or otherwise ineligible to receive contracts from the Board, the SUS and institutions under their management and control; is in compliance with all applicable laws or regulations relevant to the provision of services contemplated by this RFQ; has paid and filed all applicable State of Louisiana taxes and tax returns; and, to its knowledge, receipt of contracts from the Board would not create any conflicts of interest or related ethical concerns for Board members or employees of the SUS and institutions under their management and control.
G. Miscellaneous: any other information the applicant deems relevant.

7. CLARIFICATION AND ADDENDA

Inquiries concerning elements, either procedural or technical must be submitted in writing to the following contact:

Dale N. Atkins, Esq.—Board Member
Southern University System—Board of Supervisors
P.O. Box 10878
Baton Rouge, LA 70813
225-771-4600 (Telephone)
225-771-5770 (Facsimile)

Only signed written communications will be recognized. The issuance of an addendum is the official method whereby interpretation, clarification or additional information will be given. The Board shall not be responsible for any other interpretations, clarifications or information inconsistent with this provision.

In any addenda are issued to this RFQ, the Board will attempt to notify all applicants who have secured the same; however, it is the responsibility of each applicant, to contact Dale N. Atkins, Esq. at 225-771-4600 to determine if addenda were issued.

8. EVALUATION/SELECTION CRITERIA

During the evaluation process, consideration shall be given to the applicant’s demonstrated responsiveness to RFQ criteria. Applicant(s) must possess and be prepared to provide skills, knowledge, resources and personnel experienced in accomplishing the work required under this RFQ.

A duly appointed Board Selection Committee will review all submittals, rank the submittals, schedule interviews with one or more firms/attorneys, and ultimately recommend one or more applicant(s) to the Board for final approval.

Each submittal received by the Board shall be evaluated based on the following criteria:

- Firm’s/Attorney’s ability and integrity to perform and complete legal services as may be assigned;
- Qualifications/Experience of the firm/attorney;
- Dedicated time commitment to assignments;
- Financial Responsibility and Insurance Coverage; and
- Any other factor or criterion that the Board determines or may deem relevant for this evaluation.

Submittals will be rejected if there is any evidence of collusion.
9. AWARD OF CONTRACT

The award of the contract in conjunction with this RFQ will be made, if at all, to the applicant(s) whose evaluation by the Selection Committee results in the Board determining that such award is in the best interests of the Board, the SUS and institutions under their management and control.