**REQUEST FOR PROPOSAL**

**LEGAL SERVICES - RFP# 23-ASBLAW-01**

**ARIZONA SCHOOL BOARDS ASSOCIATION INSURANCE TRUST**

**Important Dates**

|  |  |
| --- | --- |
| **EVENT** | **DATE** |
| Proposal Release Date: | November 9, 2022 |
| Due Date for Questions (written inquiries): | November 16, 2022, by 5:00 PM CST |
| Responses to Written Questions Posted by: | November 18, 2022, by 4:00 PM CST |
| Proposal Submittal Deadline: | December 2, 2022, by 2:00 PM CST |
| Interviews (if necessary): | TBA |
| Award Date: | December 2022 |

* Questions must be submitted via e-mail to the contact person listed below. The e-mail subject line should state: ***Questions 23-ASBLAW-01 Legal Services for ASBAIT***
* Questions, answers, and Addenda will be posted on our website: [www.asbait.org/rfps-rfqs/](http://www.asbait.org/rfps-rfqs/)
* All Proposals must be delivered by mail or hand delivered in a sealed envelope/box. Proposals received after the specified deadline shall not be considered. Fax, e-mail, or other electronic proposals **will not be accepted**.
* The Proposal package must be clearly marked with:
	+ Offeror’s name and address
	+ ASBAIT Legal Services Proposal # 23-ASBLAW-01
* Proposal Requirements:
	+ One (1) hard copy marked “Original” – include signed “Required” forms
	+ One (1) digital copy on a flash drive – include signed “Required” forms
	+ One (1) additional hard copy – marked “Copy”
	+ All Proposals must be written legibly in ink or typewritten.

|  |  |
| --- | --- |
| **Deliver Sealed Proposal to:**ASBAIT1004 Marble Heights DriveMarble Falls, TX 78654 | **Contact:**Jessica CoffeyASBAIT Consultant Phone: 830-693-2728jessica@edwardsrisk.com |

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12. **INTRODUCTION & BACKGROUND**

The Arizona School Boards Association Insurance Trust, (herein after referred to as “ASBAIT”) is seeking to solicit Proposals from individuals or firms qualified and experienced in legal services to assist in protecting the interests of ASBAIT by providing legal advice, services, and representation to the Board of Trustees. Legal services requested include but not limited to providing basic legal counsel, attendance at Board meetings, healthcare law, contract review, and Arizona open meeting law 38-431.01. It is the intent of ASBAIT to award this legal services contract to a firm effective January 1, 2023.

ASBAIT was established in 1981 and operates by an “Agreement and Declaration of Trust” in accordance with the laws of the State of Arizona, including, without limitation, Arizona Revised Statutes Section 15-382 as it may be amended from time to time.

The mission of the Arizona School Boards Association Insurance Trust is to set the standard for service, benefits, and affordability for the health care of Arizona’s school employees and their dependents.

Operational authority of the ASBAIT Trust is by the Board of Trustees. The Board of Directors of the Arizona School Boards Association appoints the Board of Trustees (up to twelve). The Board of Trustees consist of at least one school district governing board member, at least one superintendent, and at least one school district business manager.

The Board of Trustees meet four to six times per year to conduct the business of ASBAIT. Their responsibilities include overall budget, approving underwriting and renewal procedures, strategic plan development, contractor evaluation, plan of benefit changes and independent audit and actuarial reports. The Board of Trustees may also hear and make decisions on Appeals or Exceptions for claim payments to member employees or dependents.

ASBAIT offers group healthcare benefits to 119 Arizona School Districts and Community Colleges. There are currently 18 health/Rx plans, 9 health/Rx plans with two-tier (in-out of network) benefits with Aetna Choice POSII PPO network access and 9 three-tier plans with Banner ACO (tier 1), Aetna Choice POSII PPO (tier 2) and out of network. In addition, plan members are provided a full suite of services to improve access to care, manage and improve health and increase cost savings to both the member and the plan.

ASBAIT has had two legal counsel representatives since inception in 1981. Dean Picket with Mangum, Wall, Stoops, & Warden, P.L.L.C. for more than twenty-five years and Jennifer MacLennan with Gust Rosenfeld, P.L.C for more than ten years. The average numbers of legal service hours spent on ASBAIT, over the course of two to three years, has been 40-60 hours annually.

1. **GENERAL INFORMATION**
	* 1. Purpose.

This request for proposal (RFP) is to contract for legal services to be provided ASBAIT. Legal services include, but not limited to complying with federal, state and local laws as they relate to ASBAIT matters and governance activities, interpretation of laws, contract review, policy coordination and Arizona open meeting law.

1. Minimum Qualifications.

Offeror must be in good standing and licensed to practice law in the state of Arizona. ASBAIT anticipates most of the legal services involve matters located within Arizona. Each Offeror must demonstrate in its proposal that it meets the minimum qualifications, or its proposal will be disqualified as non-responsive.

1. Proposal Submission Instructions.
2. Schedule of Events

|  |  |
| --- | --- |
| **EVENT** | **DATE** |
| Proposal Release/Issue Date: | November 9, 2022 |
| Due Date/Time for Questions (written inquiries): | November 16, 2022, by 5:00 PM CST |
| Question and Answer Posted by: | November 18, 2022, by 4:00 PM CST |
| Due Date for Proposals: | December 2, 2022, by 2:00 PM CST |
| Interviews (if necessary): | TBA |
| Award Date: | December 2022 |

1. Inquiries

Inquiries concerning this RFP to obtain clarification of the requirements must be emailed no later than the date and time specified in Section II.C.1, “Schedule of Events”. Questions received by this deadline and corresponding answers, will be included in an Addendum and shall be found at the following web address: [www.asbait.org/rfps-rfqs/](http://www.asbait.org/rfps-rfqs/)

Inquiries shall be submitted via e-mail to Jessica Coffey - jessica@edwardsrisk.com

The e-mail subject line should state: ***Questions 23-ASBLAW-01 Legal Services for ASBAIT***

1. Offeror Conduct

During the RFP Process, Offerors are not permitted to contact any ASBAIT Board Members or employees unless at the request of the ASBAIT Representative. Communications regarding this RFP will be accepted in writing. Verbal answers to inquiries regarding the contents of the RFP shall not be given and shall be non-binding prior to the award. No gratuities of any kind will be accepted including meals, gifts, or trips. Violation of these conditions will subject any Offeror to immediate disqualification. The ASBAIT Representative during the RFP process shall be Jessica Coffey, jessica@edwardsrisk.com

1. Delivery of Proposal
	1. The proposal should be addressed as follows:

Jessica Coffey

ASBAIT

1004 Marble Heights Drive

Marble Falls, TX 78654

* 1. The proposal package must be clearly marked with:
		1. Offeror’s name and address
		2. ASBAIT Legal Services Proposal # 23-ASBLAW-01
	2. Proposals must include:
		1. One (1) hard copy marked “Original” – include signed “Required” forms
		2. One (1) digital copy on a flash drive – include signed “Required” forms
		3. One (1) additional hard copy – marked “Copy”
		4. All proposals must be written legibly in ink or typewritten
	3. Failure to do so may result in disqualification of your proposal. It is the responsibility of the Offeror to ensure that the proposal is received by ASBAIT, by the date and time specified in Section II.C.1, “Schedule of Events”. Late proposals will not be considered.
1. Conditions of Proposal

All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Offeror and will not be reimbursed by ASBAIT.

1. Additional Information, Terms and Conditions
	1. The submission of a response shall be *prima facie* evidence that the Offeror has full knowledge of the scope, nature, quantity, and the quality of work to be performed, the detailed requirements, and the conditions under which the work is to be performed as described in this RFP.
	2. ASBAIT reserves the right to contact references from the Offeror’s client list.
	3. ASBAIT reserves the right to reject any and all responses, the right in its sole discretion to accept the responses it considers the most favorable to ASBAIT’s interest, and the right to waive irregularities in the response and request process. ASBAIT further reserves the right to reject all responses and end the request for proposal services or to seek new responses when such procedure is reasonably in the best interest of ASBAIT. A contract for the accepted proposal will be drafted based upon the factors described in this RFP.
	4. All information, documentation, and other material submitted by the Offeror may be subject to public disclosure under the Arizona Public Records Law. Offerors will be deemed to have knowledge of this law and how to protect their interests under the law.
2. **TERM**

The agreement resulting from this solicitation will be in effect for a term of one (1) year from the date of award by the Board of Trustees, or such date established by the agreement. The parties by mutual consent may renew the agreement for up to three (3) additional one (1) year periods. In addition, ASBAIT reserves the right to extend the contract for an additional sixty (60) days beyond the final expiration date, if necessary, to ensure no lapse in service. Any contractual agreements may be terminated by ASBAIT by written notice to the Vendor at least thirty (30) days prior to the date of cancellation.

1. **SCOPE OF SERVICES**
	1. The Offeror shall be readily available to perform the following legal services, as requested by the Board of Trustees on a regular and continuing basis:
		1. Act as the primary legal counsel for ASBAIT providing legal advice and interpret municipal, state and federal law as it applies to ASBAIT, including matters relating to the ASBAIT Trust Board authority, liability, and open meeting laws.
		2. Assist ASBAIT with appeals filed by school district employees or dependents related to insurance coverage under the ASBAIT plans.
		3. Represent ASBAIT before administrative agencies and in court proceedings; conduct legal research, find relevant facts, and develop and review documents.
		4. Advise, prepare and/or review resolutions including those related to appeals, contracts, and other written legal documents generated in the course of ASBAIT business, as requested.
		5. Attend meetings of the ASBAIT Board of Trustees, and any other boards or meetings as may be required to offer legal advice and opinions.
		6. Perform other transactional legal services as assigned, including but not limited to review of contracts to be considered by the ASBAIT Board of Trustees for potential or existing vendors.
2. **PAYMENTS**

Offeror shall be prepared to submit detailed billing statements for all services billed at an hourly rate, if any, broken down into time increments of no more than a quarter (.25) hour. Offeror shall also include summaries of work performed and time spent on services performed under the flat monthly fee if applicable.

1. **CONFLICT OF INTEREST**

The ability of the Offeror to prove that there is no conflict of interest by providing services with a direct competitor of ASBAIT.

1. **PROPOSAL FORMAT REQUIREMENTS**

The purpose of all submitted proposals is to demonstrate the qualifications, competence, depth, and capability of the firms seeking to provide legal services to ASBAIT in conformity with the requirements of this RFP. The following sections should be included in each proposal submitted by the law firm. The proposal should be prepared simply and economically, providing a straightforward, concise description of the firm’s capabilities to satisfy the requirements of the RFP. While additional data may be presented, the following subjects and questions must be addressed. Each proposal should be double-spaced and not longer than twenty (20) pages.

**TAB 1 Cover Page**

1. RFP Subject, name, address, telephone number, fax number and e-mail address of firm.
2. Name of contact person, title, telephone number, email address and date of proposal for purposes of communications regarding the proposal.

**TAB 2 Profile of Offeror**

* + - 1. State the size of the firm, the size of the firm’s law staff, the location of the office from which the work on this engagement is to be performed and the number and nature of the professional staff to be employed in this engagement.
			2. Narrative about the history of the firm, including date of inception, experience with relevant state and federal law and experience providing services defined within the scope of work.
			3. Describe the level of coverage for malpractice insurance your firm carries. Is the coverage on a per client basis, or is the dollar figure applied to the firm as a whole? Provide documentation of the malpractice insurance coverage.
			4. Has the firm been in bankruptcy, reorganization, or receivership in the last five years? If so, please explain status.
			5. Has the firm been disqualified or terminated by any public agency? If so, please explain under what circumstances this disqualification or termination occurred.

**TAB 3 Experience and Information on Personnel to be Assigned**

* + - 1. Describe the qualifications of the person(s) proposed to work directly with ASBAIT.

Names and relevant educational backgrounds and work experience of each attorney and support staff personnel who will be providing legal services, including but not limited to:

Legal training, years of practice, area(s) of specialization, professional affiliations, and date of admittance to State Bar of Arizona.

Litigation experience and demonstration of a satisfactory court track record.

Detailed experience, specialized skills, training, or background of assigned staff performing legal services specifically with school districts and other governmental entities.

1. Identify the accessibility of the proposed designated lead Attorney, and the response time that the individual offers to ASBAIT.
2. Describe the resources of the firm, including clerical and support staff, library and research capabilities, and other relevant information.
3. Within the last five (5) years has your organization, its officers, partners, employees, shareholders, or principals been a party in any litigation or other legal proceedings as a defendant relating to the services provided by your entity? If so, provide an explanation and indicate the current status or disposition of any such situation.
4. State whether the firm, its officers, partners, principals, agents, or employees that are expected to perform services under this RFP, have been disciplined, admonished, warned, or had any license, registration, charter, certification, or any similar authorization to engage in the legal profession suspended or revoked for any reason.

**TAB 4 SERVICES TO BE PROVIDED**

Describe the specific services which you propose to provide to the ASBAIT for each category listed in Section IV “Scope of Services”.

**TAB 5 REFERENCES**

All respondents shall include with their proposal a list of at least three (3) current references for whom comparable work has been performed, including the types of services and dates of representation. If applicable, provide any current and/or prior Arizona public school district and/or other governmental entity clients in the listing. This list shall include municipality name, person to contact, address and telephone number. Failure to include references may be ample cause for rejection of proposal as non-responsive.

**TAB 6 INSURANCE**

The awarded vendor, at their cost, will be required to provide certificate of liability insurance before installation can commence naming ASBAIT as additional insured.

1. The following standard insurance shall be required:
	1. General Liability: $1,000,000 Per Occurrence

$2,000,000 Aggregate

* 1. Professional Liability: $1,000,000 Per Occurrence

$3,000,000 Aggregate

* 1. Workers Compensation: $1,000,000 Per Occurrence (Coverage B – Employer’s Liability)

 $1,000,000 Per Employee (Coverage A – Statutory)

* 1. Certificates – All respondents shall include preliminary certificates with the proposal submission, showing that the above insurance has been purchased. The adequacy of protection shall be subject to the approval of ASBAIT.

**TAB 7 COST PROPOSAL**

Each Offeror shall submit a detailed cost proposal schedule which responds to the following minimum requirements:

1. Describe the proposed cost structure, including specifications stated herein, including minimums, maximums, hourly rates, and out-of-pocket expense reimbursement schedules.
2. Provide a description of basic services to be included and list services or other incidentals for which additional fees would be charged. Normal billing cycle procedures shall be identified.
3. State the hourly billing rates of the attorneys, paralegals, investigators, and other, either by name as to each person who will provide services, or as to specific categories of positions (i.e., junior associate, senior associate, junior partner, senior partner, etc.) for basic services and the rate charged for litigation services within court, if at a different rate than charged for basic services.
4. The Offeror shall utilize the attached cost proposal form to include all pricing information relative to performing the legal services as described in this request for proposal.

**TAB 8 CONFLICT OF INTEREST STATEMENT**

Provide a statement that the Offeror, if selected, agrees not to undertake future representation of any person or entity in a manner adverse to ASBAIT’s legal interests during the term of the contract. The Offeror shall utilize the attached financial relationship and conflict of interest form provided.

**TAB 9 ADDITIONAL INFORMATION**

Provide any additional information which you consider pertinent to your proposal.

1. **REQUIRED FORMS**

Offeror shall execute the following required forms located in the Section XI. and return the **signed original** with the proposal:

1. Offer and Acceptance Form
2. Financial Relationship and Conflict of Interest Form
3. Termination for Default Form
4. Certification of Legal Fitness Clause
5. 2 Year Price Structure Form
6. IRS W-9 Form
7. **BASIS FOR AWARD / EVALUATION**
	1. In reviewing proposals, ASBAIT will evaluate the following criteria:
		1. Depth and breadth of experience and expertise in the practice of law, specifically in those matters most often encountered in healthcare law, contract review, open meeting law;
		2. Ability to perform legal services promptly and in a manner that permits ASBAIT’s Program Administrator and Board of Trustees to meet established deadlines, to act expeditiously in matters requiring legal counsel, and to operate in an effective and efficient manner;
		3. Degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems and availability to accommodate attendance at Board of Trustee meetings, as necessary;
		4. Degree to which the firm and individual attorneys stay current through continued professional development and active communications with practitioners in the field;
		5. Communication skills and the ability to work effectively with the ASBAIT Program Administrator and Board of Trustees;
		6. References of municipalities or other clients for which similar services are currently being provided;
		7. Cost of services, breaking such costs down by lead attorney, associates, and other staff;
		8. Any appointment resulting from this RFP will not necessarily be awarded to the respondent with the lowest fees. The appointment shall be awarded to the compliant respondent whose proposal best meets the needs of ASBAIT, in the judgment of the Program Administrator and the Board of Trustees;
		9. ASBAIT reserves the right to negotiate the terms and conditions of the contract with the successful firm.
	2. ASBAIT will evaluate and rank each firm’s proposal in the areas of the qualifications, proposed plan, experience, and service capabilities based on the following pre-determined criteria:

|  |  |  |
| --- | --- | --- |
| 40 Points | Qualifications | This includes the firm’s qualifications to handle assigned matters, experience with school districts and other governmental entities, and receipt of acceptable references. |
| 30 Points | Technical Component | This includes the firm’s capability and available resources to provide competent legal services in a timely, comprehensive manner. The firm’s size, attorney staff, support staff, location, technology, research capacity, and other related matters will be examined. |
| 30 Points | Cost Proposal | This includes an evaluation of the firm’s cost structure, including minimum and maximum hourly rates, out-of-pocket reimbursements, expenses, and any other relevant factors. |

* 1. The ASBAIT Board of Trustees may require any or all firms to give an oral presentation in order to clarify or elaborate on their proposal.
1. **NOTIFICATION OF AWARD**

It is expected that a decision selecting the successful Attorney/Firm will be made by December 2022. Upon conclusion of final negotiations with the successful Offeror, all Offeror’s submitting proposals in response to the Request for Proposal will be informed, in writing, of the name of the successful Offeror. It is expected that the contract shall be a one-year fixed price contract with option for renewal.

1. **ATTACHMENTS**

Required forms listed in Section VIII “Required Forms”.

**OFFER AND ACCEPTANCE FORM**

This Offer and Acceptance form must be submitted with a signature by the representative authorized to sign the Offer on behalf of the Offeror. The representative must initial any erasures, interlineations or other modifications in the Offer. Failure to sign this Offer and Acceptance form, or to initial any erasures, interlineations or other modifications as indicated, may result in rejection of the Offer.

To Arizona School Boards Association Insurance Trust:

The Offeror, by its undersigned representative, hereby submits its Offer to 23-ASBLAW-01, certifies its understanding and compliance with the requirements in the Solicitation, and agrees to furnish materials and services in compliance with all terms, conditions, and specifications of the Solicitation, subject only to any written exceptions stated in the Offer and accepted by the ASBAIT.

Signature of Representative of Offeror: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name of Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mail Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Fed ID No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AZ Transaction Privilege (Sales) Tax License No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Company Website \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Acceptance of Offer and Award of Contract**

**The Offer Is hereby accepted. Contractor is now bound to sell the materials and/or services offered to and accepted by ASBAIT in accordance with 23-ASBLAW-01, including all terms, conditions, specifications, and addenda.**

**Awarded this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022. Arizona School Boards Association Insurance Trust**

**By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 (ASBAIT Representative)

**FINANCIAL RELATIONSHIP AND CONFLICT OF INTEREST FORM**

The successful firm shall not have conflicts of interest as to revenues derived from the results of transactions made on behalf of ASBAIT. No Board of Trustee member shall have a financial interest, direct or indirect, in this contract. A violation of this provision renders the contract void. The Firm further covenants that in the performance of this contract no person having such interest shall be employed to work on legal matters concerning ASBAIT. The organization must agree not to engage in private litigation against the ASBAIT without first obtaining written permission to do so from the Board of Trustees during the effective period of the agreement.

The Firm should list and describe any prior or ongoing engagements or professional relationships that would constitute a potential conflict of interest, together with a statement explaining why such relationships do not constitute a conflict of interest. The Firm covenants and agrees that officers, employees, and subcontractors will have no interest, including personal financial interest, and will acquire no interest, either directly or indirectly, that will conflict in any manner with the performance of the services called for under this RFP. List names and explain any financial relationships as mentioned:

OR

By signing this Firm Identification Form, the Firm certifies that there are no “PARTIES OF INTEREST” or “CONFLICTS OF INTEREST”, as defined by state and/or federal regulations, existing between the Firm and ASBAIT or any of its employees, agents or Board of Trustee members.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name Authorized Signature Date

**TERMINATION FOR DEFAULT FORM**

All contracts terminated for default within the last five (5) years should be noted below. Termination for default is defined as notice to stop performance due to Firm’s non-performance or poor performance. Submit full details of all terminations for default experienced. ASBAIT will evaluate the facts and may at its sole discretion reject the Firm’s Proposal if the facts discovered indicate that the completion of contract resulting from this RFP may be jeopardized by selection of the Firm. If the Firm has experienced no such terminations for default in the past five (5) years, so indicate. TERMINATED CONTRACTS WITHIN THE LAST FIVE (5) YEARS.

OR

By signing this Firm Identification Form, the Firm certifies that there are no “PARTIES OF INTEREST” or “CONFLICTS OF INTEREST”, as defined by state and/or federal regulations, existing between the Firm and ASBAIT or any of its employees, agents or Board of Trustee members.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name Authorized Signature Date

**CERTIFICATION OF LEGAL FITNESS CLAUSE**

 “I certify that to the best of my knowledge, (name of bidder) and none of its principals, partners, officers, and employees:

 (a) are not presently disbarred, suspended, proposed for disbarment or discipline, or declared ineligible for a contract, by a federal or state department or Town, including any established courts or administrative tribunals.

 (b) have not within a three-year period preceding this proposal been convicted of, or had a civil judgment rendered against them for the commission of fraud, or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract, violation of antitrust statutes or commission of embezzlement, theft, forgery, falsification or destruction of records, making false statements, or receiving stolen property.

 (c) are not presently indicted for other criminal or civil charge by a government entity (federal, state, or local) with the commission of any of these offenses enumerated in (b) of this certification; and (d) have not within a three-year period preceding this proposal had one or more public contracts (federal, state, or local) terminated for cause.

This certification is a material representation of fact upon which ASBAIT will rely. If it is later determined that the undersigned knowingly rendered an erroneous certification, in addition to other remedies available, ASBAIT may pursue available remedies including termination of the professional services relationship.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name Authorized Signature Date

**4 YEAR COST PROPOSAL FORM**

The schedule of professional fees and expenses must be completed. The nature and cost of special services not outlined in the table below must be described and disclosed as separate components of the total price. State price for engagement and whether prices are firm.

|  |  |  |  |
| --- | --- | --- | --- |
| Year one (1) Firm Price | Hourly Rate | Year Two (2) Firm Price | Hourly Rate |
| Partner |  | Partner |  |
| Associate |  | Associate |  |
| Paralegal |  | Paralegal |  |
| Clerical Typing/Reproduction |  | Clerical Typing/Reproduction |  |
| Research |  | Research |  |
| Other (Specify): |  | Other (Specify): |  |
|  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Year Three (3) Firm Price | Hourly Rate | Year Four (4) Firm Price | Hourly Rate |
| Partner |  | Partner |  |
| Associate |  | Associate |  |
| Paralegal |  | Paralegal |  |
| Clerical Typing/Reproduction |  | Clerical Typing/Reproduction |  |
| Research |  | Research |  |
| Other (Specify): |  | Other (Specify): |  |
|  |  |  |  |

OTHER PRICE STRUCTURES:

List of any items such as letters, phone calls or other types of services generating a cost to ASBAIT and not included in the Four-Year Price Structure including process for billable time, work authorization and addressing conflicts. ASBAIT will not cover for following expenses: copying, printing, postage, mileage, double teaming, ramp up time and interoffice conferences.

Show a formula or explanation on how these additional costs will be determined and billed to ASBAIT.