



### **Introduction**

This Request for Proposal for the Our Southern Indiana Regional Development Authority (RDA) is seeking legal services to be provided under the terms and conditions set forth in this document to provide legal counsel duties for the effective and lawful operation of the RDA in accordance with IC 37-7.6 et seq and all applicable Indiana law.

### **About Our Southern Indiana RDA**

The Our Southern Indiana Regional Development Authority (RDA) has been established pursuant to IC 37-7.6 et seq, as a separate body corporate and politic with a purpose to plan, fund and develop any project that enhances the region with the goal of attracting people or business. The focus of the work is projects of regional importance in the Clark, Floyd, Jefferson, Scott, and Washington County region.

### **Background**

The five participating counties officially voted to form the RDA in 2017 and the Board of Directors of the RDA were appointed in late 2017. One Southern Indiana, Greg Fifer and Beau Zoeller have been providing administrative and legal services to the RDA since its formation. In December 2021, the RDA participated in the State of Indiana's Regional Economic and Accelerate Development Initiative (READI) and was awarded the highest grant amount of \$50,000,000. With funding, the current MOUs in place become void and the RDA is now in search of professional services.

### **Federal Provisions**

All respondents will have to comply with all Federal Third-Party contract provisions. Equal Employment Opportunity (Executive Order 11246 Dated 9/24/65, as amended by Executive Order 11375 dated 10/13/67); Minority and Women Business Enterprise Policy (Department of Commerce); Compliance in the provision of training, employment and business opportunities; Title VI Civil Rights Act of 1964; Title VIII Civil Rights Act of 1968 (as applicable); Section 109 Housing and Urban Development Act of 1974 (as applicable); Section 504 Rehabilitation Act of 1973; Fair Housing Amendments Act of 1988 (as applicable); Age Discrimination Act of 1975; Americans with Disabilities Act of 1990; Certification of Non-Segregated Facilities; Retention and Access Requirements for Records; Conflict of Interest; Remedies/Sanctions or Breach of Contract Terms; Termination of Contract for Cause – (All Contracts in Excess of \$10,000); Termination for Convenience – (All Contracts in Excess of \$10,000); Changes to Resources; Contractor to Furnish Necessary Personnel Resources; Reports and Information; Records and Audits; Copyright and Patent Rights; Compliance with State and Local Laws; Disclosure Reports; Compliance with Copeland "Anti-Kick Back" Act; Compliance with Davis-Bacon Act; Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act; Compliance with Clean Air and Water Acts (Applicable to all Contracts over \$100,000); Drug-Free Workplace Requirements, and Others that may be Appropriate as Necessary.

## **Purpose**

This agreement outlines those legal services that the awardee will perform in support of the RDA. These duties include, but are not limited to:

### *Legal Counsel Duties:*

1. Advising, negotiating, drafting, and reviewing documents;
2. Advising and staying up to date on regular, special, and executive meeting protocols;
3. Knowledge of but not limited to:
  - a. Indiana Code 5-14-1.5-1 (open door law);
  - b. Indiana Code 5-14-3-1 (access to public records); and
  - c. Indiana Code 36-7.6 (regional development authorities).
4. Attending meetings to provide legal advice as needed; and
5. Assisting the RDA with contracts between the RDA and IEDC, as well as, the RDA and project partners.

## **Reporting**

Both the RDA and awardee will be responsible for evaluating the effectiveness and adherence to this contract on an on-going basis.

## **Timeline**

The firms(s) or person(s) selected shall act as Legal Counsel to the RDA on an as-required basis should be prepared to assume the role as of Friday, June 3, 2022 and to work with the RDA throughout the Regional Economic and Acceleration Development Initiative (READI) through December 31, 2026.

- Submissions required by May 4.
- Review Proposals between May 2 – May 6.
- Interviewing potential firms between May 22 – May 24.
- Approval of firm at RDA Meeting June 3.

## **Organization of the Proposal**

The Proposal must include sufficient information regarding qualifications and experience to be able to determine that the professional is qualified and experienced. Demonstrated abilities in serving public entities throughout the Our Southern Indiana RDA Region is additionally advantageous.

The organization of the Proposal is important to be able to equitably evaluate each Proposal received. Please assemble the proposal in the following order:

1. Name of firm/individual and contact information with address, email address, telephone and fax numbers.
2. Name of person to be the contact person in charge of the project, if different from the above.
3. Specialized experience of the firm/individual and persons that will perform the services, including any relevant experience in public legal counsel, providing counselling to a public board, drafting and reviewing documents, etc.
4. Capacity of the firm/individual and professionals to perform the work with the time limitations, taking into consideration the current and planned workload of all involved.

5. List and briefly describe at least three (3) past or current clients/partners and provide a reference for each, including contact person, email address, mailing address and telephone number. The persons proposed to work on this project should have also worked on the projects listed.

### **Fee**

A negotiated stipend to cover legal counsel costs will need approval by the RDA Board and it must comply with IEDC's READI Grant Agreement.

Proposal evaluation criteria shall include the following:

1. Firm's history and resource capabilities to perform required services. (1-10 Points)
2. Evaluation of assigned personnel. (1-10 Points)
3. Knowledge of related Indiana Codes. (1-10 Points)
4. Public Organization Legal Counsel experience and results. (1-10 Points)
5. Familiarity with RDA and READI Process. (1-10 Points)
6. Experience with project partners and results. (1-10 Points)
7. Analysis of narrative statement. (1-10 Points)
8. Reference check. (1-10 Points)
9. Price Comparison. (1-10 Points)

### **Evaluation and Interview**

All proposals received by the prescribed guidelines will be evaluated based on what is submitted and are due by 4:00 pm on Wednesday, May 4, 2022. The selected firm(s)/person(s) will be asked to sign a contract with the RDA Board of Directors. It is anticipated that the RDA Board of Directors will choose a firm(s)/person(s) by June 3, 2022.

### **Submittal Instructions**

Please submit your proposal as a PDF document no later than 4:00 PM (local time) on May 4, 2022, to Wendy Dant Chesser at both [support@oursoinrda.org](mailto:support@oursoinrda.org) and [info@oursoinrda.org](mailto:info@oursoinrda.org). Each Proposal will be reviewed for completeness and clarity, and confirmation will be sent acknowledging receipt. Indicate in the subject line of the email "Response to Our Southern Indiana RDA Request for Proposal". If the document is too large for e-mail, please establish a drop box for the proposal and any attachments.

The RDA Selection Team will conduct interviews with finalist(s) for the Legal Counsel of the RDA during the month of May, between May 22-24. The Selection Team also reserves the right to reject any and or all submittals.

All questions and requests for additional information may be directed to Wendy Dant Chesser via email at [support@oursoinrda.org](mailto:support@oursoinrda.org) and [info@oursoinrda.org](mailto:info@oursoinrda.org).