

# **Request for Proposals**

**FOR**

**LEGAL SERVICES**

## **Addendum No. 2**

Date: April 27, 2022

### **REVISIONS FROM ORIGINAL RFP**

Revision 1: Please note that, in accordance with the terms of the original RFP, as amended, the submission deadline has been extended. The Partnership shall continue to accept submissions on a rolling basis during the period ending December 31, 2023.

No other provisions of the RFP are affected by this addendum. All other terms and conditions from the RFP shall remain in effect.

**Addendum No. 1**

**Date: February 22, 2021**

**INSTRUCTIONS**

**Offerors shall include, either in the proposal cover page, as a separate memorandum, or as part of the price offering portion of the proposal, the following: “Offeror confirms that it has read and understands the information contained in Addendum No. 1.”**

Answers to questions received are provided in red below.

- What type of matters or issues are included in “securities”?
  - The Partnership and its affiliates are active in a variety of security areas, which may include, but it not limited to Regulation CF Crowdfunding (see Nvsted), New Markets Tax Credits (see Heartland Regional Investment Fund), secured investments (see Helix Fund), EB-5 Visa Investment Projects (see the Gateway to the Midwest Investment Center), etc.
- What type of matters or issues are included in “insurance/risk management”?
  - The services may include, but are not limited to evaluation of insurance policies to determine claims potential and assisting in making claims as needed, primarily under business loss coverages.
- What type of matters or issues are included in “administrative law”?
  - The Partnership and its affiliates regularly work with federal, state, and local governments. Administrative law matters, may include, but are not limited to questions involving grant agreements with various governmental entities, the effect of anticipated/proposed legislation, the applicability of certain regulatory regimes to the Partnership and its affiliates, etc.
- How many staff members does SLEDP employ?
  - Approximately 55 full-time employees, with 2 in-house counsel.
- What is the average spend with respect to employment matters?
  - The Partnership is not releasing budget information for this procurement.
- What is the average legal spend on landlord-tenant work?
  - The Partnership is not releasing budget information for this procurement.
- Are you looking only at firms that have experience and expertise in all 4 areas listed on page 2?
  - The Partnership anticipates selecting multiple firms to provide the services identified in the RFP, so staff is prepared for firms to submit for only portions of the work identified in the RFP. This procurement seeks to have qualified legal service providers pre-selected for the areas of practice the Partnership could potentially have. Projects will be assigned on an as-needed basis among the selected firms. As this procurement is not for current, active matters, there is no guaranty that work will be assigned, although selected firms will be utilized when outside counsel is needed.

**Updated 4.27.2022**

**REQUEST FOR PROPOSALS**

**FOR**

**LEGAL SERVICES**

**Issued by the St. Louis Economic Development Partnership**

**Proposals Due By:**

**3 PM CST on February 26, 2021**

**St. Louis Economic Development Partnership**

**ATTN: Howl Bean II**

**7733 Forsyth Blvd., Suite 2200**

**St. Louis, Missouri 63105**

**(314) 615-7663**

**[hbean@stlpartnership.com](mailto:hbean@stlpartnership.com)**

## **Introduction**

The St. Louis Economic Development Partnership (the “Partnership”) is a nonprofit corporation, established under Chapter 355 of the Revised Statutes of Missouri and is a Section 501(c)(4) governmental entity under the Internal Revenue Code. The Partnership was established for the purpose of promoting and developing industry, commerce, and economic development in St. Louis County and the City of St. Louis, creating high-quality business and employment opportunities, and enhancing the quality of life by advancing long-term, diversified growth throughout the St. Louis region. In carrying out this purpose, the Partnership operates programs for itself, and for affiliated nonprofit corporations and governmental entities. The Partnership operates as a quasi-governmental public body under the Missouri Open Records Law. Further, the Partnership has adopted and complies with a public procurement and contracting process for itself and its affiliated entities. Additionally, as a recipient of federal grant funds, the Partnership complies with applicable federal grant laws and regulations.

To further its organizational purposes, the Partnership requires legal advice, representation, and expertise on various projects and areas of operations (the “Services”). The Partnership has an in-house legal department, including two attorneys and several staff members.

The Partnership issues this Request for Proposals (the “RFP”) for qualified legal-services firms to provide the Services on an as needed basis during calendar year 2021, with two successive options for the Partnership, at its sole discretion, to renew for Services in 2022 and 2023. The contract issued pursuant to this RFP may include a period of up to three (3) years.

## **Scope of Services**

The Partnership seeks a qualified attorney or law firm to provide outside counsel services to support its in-house legal functions in several areas. The successful attorney or law firm must carry professional malpractice insurance coverage. Any attorney designated to provide any portion of the Services must be a member in good standing of the Missouri Bar. The outside counsel services are sought and may be utilized, on an as needed basis, in the following practice areas:

1. **General Operations**: Providing legal counsel to the Partnership, its Board, and staff across a wide range of transactional and litigation matters, including, but not limited to, environmental law (Brownfield projects), federal grant administration, securities, insurance/risk management, non-profit corporation governance, and administrative law.
2. **Landlord-Tenant**: As landlord, commercial leasing, collections, and evictions.
3. **Employment Law**: Transactional, administrative, and litigation legal services in the area of employment law, including, but not limited to, employment policies, employment contracts, and personnel matters.
4. **Quasi-governmental and local government law**:
  - Review and analysis of discrete questions of law involving ethics and governmental conflicts of interest;
  - Public procurement process and contracts;
  - Compliance with Missouri’s Open Records Laws (Chapter 610, RSMo.); and
  - Compliance with applicable statutory and administrative requirements.

The selected individuals and/or firms will report to and be managed by the Partnership's General Counsel. **PLEASE NOTE: The Partnership will consider proposals from firms able to provide expertise in one or more of the categories numbered 1-4 above, and the Partnership reserves the right to select multiple firms. As a result, all interested firms are encouraged to submit proposals, even if a particular firm is not able or interested to provide Services in all four categories.**

### **Proposal Format**

Materials submitted should generally outline the respondent's qualifications with respect to the applicable Scope of Services and specifically respond to the following factors:

1. Identify Services Provided. Identify with particularity the components of the Services that the firm is qualified and interested to provide.
2. Experience of Firm. Provide a detailed description to demonstrate the experience of the individual or firm with the applicable Scope of Services. Include the type and number of clients served, as well as the size, scope, and nature of the projects involved. Identify any prior experience working with the Partnership or similar governmental or quasi-governmental organizations. Specifically identify any projects or conflicts that may impact the Services.
3. Experience/Qualifications of Assigned Professional(s). Provide the qualifications of the key personnel proposed for the engagement. Designate the individual who would have primary responsibility for oversight of the Services. Provide the qualifications of all sub-consultants that would provide any portion of the Services.
4. Availability and Approach. Provide a statement of the firm's availability to provide the Services and a description of the firm's approach to provide the Services. Indicate the firm's ability to begin performance of services quickly upon engagement and authorization to proceed with limited delay.
5. Approach to Diversity, Equity, and Inclusion. Provide a description of the firm's approach to diversity, equity, and inclusion in providing the Services.
6. Proposed Fees/Expenses. Proposals shall clearly state all fees and expenses to be charged for the Services, for annual contracts for a total period of up to three (3) years:
  - a. If based on an hourly rate, provide the hourly rates (with any applicable nonprofit discounted rate) to be charged for each individual who would be assigned to this engagement and a general description of how billable hours will be allocated among key personnel. **Pricing should be provided for a period of three (3) years, including 2021, 2022, and 2023.**
  - b. Provide an explanation if fees will be calculated on any other basis. Itemize the type

of expenses (other than fees) for which your firm would seek reimbursement.

- c. **A five percent (5%) proposal discount shall be applied to MBE firms during the evaluation process. The proposal discount shall lower the eligible MBE firm's price proposal but shall not reduce the contract award amount. In order to qualify for the proposal discount, the eligible MBE firm shall include with its proposal a copy of a current MBE certification approval letter issued by a federal, state, or local governmental entity.**

### **Selection Criteria**

Proposals submitted will be reviewed for completeness and qualifications. Selection will be made on the basis of the following criteria:

1. Qualifications, expertise, and experience of the firm in providing similar services;
2. Qualifications of the individuals assigned from the firm and of any sub-consultants;
3. Availability and approach to provide the Services;
4. Approach to diversity, equity, and inclusion;
5. Cost, after application of any applicable MBE discount, as described above; and
6. Responsiveness of the firm to the RFP categories.

The St. Louis Economic Development Partnership actively encourages submission of proposals from disadvantaged business enterprises and companies owned by minorities, women, immigrants, and veterans. The Partnership does not discriminate on the basis of race, color, religion, creed, sex, sexual orientation, gender identity, age, ancestry, national origin, disability, or veteran status in consideration of this award. Equal Opportunity Employer.

### **Terms and Conditions**

The following terms and conditions apply to all proposals:

1. The Partnership reserves the right to reject any and all proposals submitted; to select one or more responding parties; to void this RFP and the review process and/or terminate negotiations at any time; to select separate responding parties for various components of the scope of services; and to select a final party/parties from among the proposals received in response to this RFP. Additionally, any and all RFP project elements, requirements and schedules are subject to change and modification. The Partnership also reserves the unqualified right to modify, suspend, or terminate at its sole discretion any and all aspects of this RFP process, to obtain further information from any and all responding parties, and to waive any defects as to form or content of the RFP or any responses by any party.

**Updated 4.27.2022**

2. This RFP does not commit the Partnership to award a contract, defray any costs incurred in the preparation of a response to this RFP, or contract for any services. All submitted responses to this RFP become the property of the Partnership as public records. All proposals may be subject to public review, on request, unless exempted as discussed elsewhere in this RFP.
3. By accepting this RFP and/or submitting a proposal in response thereto, each responding party agrees for itself, its successors and assigns, to hold the Partnership and its affiliated entities, St. Louis County, the City of St. Louis, and all of their various agents, commissioners, directors, consultants, attorneys, officers and employees harmless from and against any and all claims and demands of whatever nature or type, which any such responding company, its representatives, agents, contractors, successors or assigns may have against any of them as a result of issuing this RFP, revising this RFP, conducting the selection process and subsequent negotiations, making a final recommendation, selecting a responding party/parties or negotiating or executing an agreement incorporating the commitments of the selected responding party.
4. By submitting responses, each responding party acknowledges having read this RFP in its entirety and agrees to all terms and conditions set out in this RFP.
5. Responses shall be open and valid for a period of ninety (90) days from the due date of this RFP.

**Submission of Proposals**

**To be considered, proposals must be received no later than **3PM CST on Friday, February 26, 2021**. Proposals received after the deadline identified above will not be considered.**

Schedule

Notice of RFP Published	Thursday, February 4, 2021
Questions Submitted by	Friday, February 12, 2021
Questions Answered	Wednesday, February 17, 2021
Submission of Proposals by	Friday, February 26, 2021

Questions about this RFP should be sent by email to [hbean@stlpartnership.com](mailto:hbean@stlpartnership.com). Any answers to questions will be provided to all interested parties and will be released as an addendum to this RFP on the Partnership's website, <https://stlpartnership.com/rfp-rfq/>, on the date indicated above.

Electronic proposals should be sent by email to [hbean@stlpartnership.com](mailto:hbean@stlpartnership.com).

St. Louis Economic Development Partnership  
Attn: Howl Bean II  
7733 Forsyth Blvd., Suite 2200  
St. Louis, Missouri 63105  
(314) 615-7663