

November 15, 2001

02-049

ACCEPT PROPOSALS/AWARD CONTRACTS FOR
LEGAL COUNSEL SERVICES

PREPARED BY: Roger Cardinal, Manager, Procurement & Risk Services

FINANCIAL
RESPONSIBILITY: Randy McEwen, Vice-President, Administrative Services

APPROVED BY: Randy McEwen, Vice-President, Administrative Services
Jesus "Jess" Carreon, President

REPORT: The College has an ongoing need to contract with a qualified firm to provide general Legal Counsel Services. Since 1988, per Resolution 88-32, the College has contracted with Miller Nash LLP to provide these services. After a review of the College's legal representation and in conformance with Board Policy 203, the Board determined that it was appropriate to seek new proposals from area legal firms interested in providing general counsel services to PCC.

A formal Request for Proposals (RFP) was advertised in the Daily Journal of Commerce, the Oregonian, and on the State of Oregon VIP System on July 20-21, 2001. RFP documents were issued to twenty-five (25) legal firms, and a total of six (6) proposals were submitted by the due date of August 20, 2001. The proposals were evaluated and rated by an eight (8) person College evaluation committee to determine the finalists. The evaluation criteria was: proposed services (client base and firm capabilities), partnership and relationship team, and fees.

<u>Legal Firm</u>	<u>Points</u>
Black Helterline LLP	425
Bullivant Houser Bailey PC	662.25
Davis Wright Tremaine LLP	609.5
Lane Powell Spears Lubersky LLP	592.6
Miller Nash LLP	701.5
Stoel Rives LLP	563.5

Note: None of the firms are certified MWESB firms.

The two highest rated firms, Miller Nash and Bullivant, were then interviewed by the Board Vice Chair, College President, and the Vice-President of Administrative Services. Their recommendation is to continue with Miller Nash and award them a new contract as "general counsel". In addition, they also recommend a contract to Bullivant as "alternate general counsel" for situations where there are conflicts, workload issues, capability issues, and the like. The new contract terms shall be for a period of three (3) years, with an option to renew for up to an additional two (2) years. The Board will next review both of these contracts in November 2003.

RECOMMENDATION: That the Board of Directors accept the proposals from, and award contracts to, Miller Nash as general counsel, and Bullivant as alternate general counsel.

These contracts will be valid for a three (3) year period, commencing December 1, 2001, with an option to renew for two (2) additional years, for a total term of five (5) years maximum. Annual expenditures are usually about \$150,000 for ongoing services, not including special or unique matters. Legal counsel expenditures are paid primarily from the General Fund, but some specific real estate work may be paid from Bond Funds.

Director Anderson moved to approve Resolution 02-049 and it was approved unanimously.