

REQUEST FOR PROPOSAL:

BOARD ON JUDICIAL STANDARDS COUNSEL

The Minnesota Board on Judicial Standards is an independent state agency that responds to complaints about Minnesota state court judges for violations of the Minnesota Code of Judicial Conduct. The Board also handles judicial disability matters, issues advisory opinions, and seeks to educate judges and others about judicial ethics.

The Board was created by the Minnesota Legislature in 1972. Board seats are filled by gubernatorial appointment. The Board is comprised of 10 members – four judges, four public members and two lawyers. Day-to-day affairs of the Board are managed by an Executive Secretary.

A critical function of the Board is to receive, investigate, and litigate complaints of judicial misconduct. If, after receiving a complaint about a judge and conducting a preliminary investigation, the Board determines that further investigation is necessary, the Board may authorize a formal investigation. If, following the investigation, the Board finds reasonable cause to believe the judge committed misconduct in violation of the Judicial Code, the Board may issue a public reprimand, a private admonition, or a Formal Complaint. If the judge decides to make a timely demand for a hearing, or if the Board has issued a Formal Complaint, the Board retains outside counsel to represent the Board in the litigation. The litigation may include additional investigation, discovery, a hearing, and proceedings on appeal before the Minnesota Supreme Court.

The Board retains counsel to represent the Board in disciplinary proceedings on an as-needed basis. The Board may retain different attorneys to represent it in different cases.

I. INVITATION TO SUBMIT PROPOSALS.

The Board by this Request for Proposal (“RFP”) requests proposals for the services of outside Board Counsel. Selection of Board Counsel will be made in the best interests of the Board based on information provided in the proposals submitted and the quality of services described in those proposals. Follow-up information or interviews may be requested by the Board from any Proposer after the deadline to clarify any portion of the proposal. The Board intends to make its selection as soon as reasonably possible after the RFP closes.

A. Scope and Objectives of the Contract Work Requested.

1. Assist in the preparation of formal complaints and prosecute Code violations against state court judges;
2. Provide monthly written and oral reports summarizing the background and status of each case assigned by the Board and provide opinions and evaluations of the progress of the case and likelihood of success;
3. Respond to requests by the Board to undertake specific research on issues related to assigned cases;
4. Attend Board meetings when requested;
5. Provide information to and take direction from the Board and Executive Secretary as requested;
6. Provide detailed, itemized billing statements every 30 days.

B. Proposal Content.

Submitted proposals for the contract should contain the following:

1. An executive summary;
2. A presentation of the Proposer's previous experience with work similar to the RFP scope and objectives;
3. A detailed description of the delineation of the responsibility among the Proposer's personnel and of the Proposer's proposed management, including backgrounds, training and experience of specific lawyers and other staff within the firm;
4. A detailed description of the fee arrangements proposed by the Proposer, including a fee schedule specifying rates for specific lawyers, legal assistants, and administrative or clerical staff, and any proposed discounts from standard rates;
5. A demonstration by the Proposer that no conflicts of interest would exist should the Proposer be awarded this contract or description of potential conflicts and how such conflicts would be addressed; and
6. A minimum of three references.

II. SUBMISSION PROCESS.

A. Nature of the Procurement Process.

This procurement is undertaken by the Board pursuant to the provisions of the Rules of the Board on Judicial Standards. As such, it is not governed by strict competitive bidding requirements frequently associated with professional services contracts with the State.

B. Selection Criteria.

The Board will award the contract based on the extent to which the proposals and oral presentations, if requested, demonstrate clear capability to best fulfill the purpose of the RFP in a cost effective manner. The Board reserves the right to accept or reject proposals in whole or in part, to negotiate separately to serve the best interests of the Board, and to award multiple contracts.

In general, the Board will focus on the ability of the Proposer to meet the Board's needs, including the Proposer's available resources, the experience and quality of people assigned to the project, and fee structure.

C. Submission Deadline.

Firms or individuals possessing the capabilities necessary to provide the services requested are encouraged to submit proposals to the Board no later than October 1, 2019.

III. PUBLIC STATUS OF PROPOSAL SUBMITTED.

All proposals submitted in response to this RFP shall become the property of the Board. Such proposals may be available for public viewing and reproduction after the RFP process has been closed and the Board has selected a proposer.

IV. BOARD CONTACT INFORMATION.

The Board's agent for purposes for responding to inquiries regarding the RFP requirements is:

Thomas Sipkins, Executive Secretary
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