



ADMINISTRATIVE OFFICE

Area Community Services
Employment & Training Council
1550 Leonard NE
Grand Rapids, MI 49505
(616) 336-4100

SERVICE CENTERS

Allegan County

3255 122nd Ave
Allegan, MI 49010
(269) 686-5079

220 East Main St
Fennville, MI 49408
(269) 561-2001

Barry County

136 E State St
Hastings, MI 49058
(616) 649-9850

Ionia County

301 W Main St
Ionia, MI 48846
(616) 389-8525

Kent County

121 Franklin SE
Grand Rapids, MI 49507
(616) 336-4040

215 Straight Ave NW
Grand Rapids, MI 49504
(616) 336-4460

10075 Northland Dr NE
Rockford, MI 49341
(616) 228-6724

Montcalm County

114 S Greenville W Dr
Greenville, MI 48838
(616) 754-3611

Muskegon County

316 Morris Ave
Muskegon, MI 49440
(231) 724-6381

Ottawa County

121 Clover St
Holland, MI 49423
(616) 396-2154

RFP 21-0012

**REQUEST FOR PROPOSALS FOR
LEGAL SERVICES FOR CLEAN SLATE PROGRAM**

Proposals are due:

OPEN CALL RFP- NO DUE DATE

- I. Statement of Need
- II. Deliverables
- III. General Proposal Stipulations
- IV. Proposal Submission
- V. Proposal Schedule
- VI. Appeal Process
- VII. Attachments

Attachment A Proposal Cover Sheet

Attachment B ACSET Vendor Certification Information Sheet

Attachment C Iran Economic Sanctions Act Certification

Attachment D Rating Sheet

I. **Statement of Need**

West Michigan Works! (WMW) is a workforce development organization, operated by Area Community Services Employment and Training Council (ACSET). WMW serves employers and job seekers in Allegan, Barry, Ionia, Kent, Montcalm, Muskegon, and Ottawa counties.

WMW has received funds from the Department of Labor and Economic Opportunity, Workforce Development (LEO-WD) to begin a program under the recently enacted Clean Slate laws, to assist job seekers in expunging eligible convictions from their criminal records to aid them in their pursuit of full-time, self-sufficient employment.

WMW is seeking proposals from attorneys experienced in criminal law and the Michigan expungement process to provide legal services to job seekers looking to seal eligible criminal convictions. Services will include gathering and reviewing the documentation necessary to determine eligibility for expungement, consulting with potential expungement clients and attending court hearings required for the expungement process.

II. **Deliverables**

At a minimum, the following deliverables must be met:

- Have criminal law and expungement experience
- Assist WMW in determining whether a client is eligible for expungement
- Request and review of documentation required to determine expungement eligibility and ensure that client expungement files are complete
- Give legal advice/consultation to clients either virtually or in-person
- Keep clients informed during the expungement process
- Attend all required court hearings
- Maintain open communication with WMW staff during entire process

III. **General Proposal Stipulations**

- A. **Sub-contractors:** ACSET must approve, in writing, a Proposer's use of any subcontractors prior to the commencement of work by such subcontractor(s).
- B. **Contract Award:** ACSET reserves the right to award contract(s) in a manner deemed to be in the best interest of ACSET. This RFP does not commit ACSET to award a contract or to contract for services. ACSET reserves the right to accept or reject any or all proposals received as a result of this solicitation or to negotiate with all qualified sources if it is in the best interest of ACSET to do so. ACSET may require the proposing agency to

participate in negotiations and to submit any price, technical, or other revisions of their proposals as may result from negotiations.

- C. **Term:** This is an open call Request for Proposals (RFP). Services are projected to commence as needed with the potential for renewal on an annual basis as long as the RFP and the program allows. When a new RFP is needed, you will be notified that you will need to submit a new proposal.
- D. **Amendment or Cancellation of the RFP:** ACSET reserves the right to cancel, amend, modify or otherwise change this RFP at any time, if deemed in the best interest of ACSET to do so. Further, ACSET, at its option, may seek the retraction and/or clarification of any discrepancy or contradiction that may be discovered during the proposal review process.
- E. **Erroneous Awards:** ACSET reserves the right to correct inaccurate awards. This may include, in extreme circumstances, revoking the awarding of a contract, and subsequently awarding said contract to another Proposer. Such action on the part of ACSET shall not constitute a breach of contract.
- F. **Indemnification:** Organizations or agencies submitting a proposal must be willing to sign a contract which will provide a full indemnification and hold ACSET or its governing bodies harmless of any liability arising from or out of the provision of goods or services by the contracting agency. The contract will include a full statement of responsibility for reimbursing ACSET for any costs or expenditures which are disallowed in an audit, or for any other claims which might be made against ACSET arising from the acts or omissions of the Contractor.
- G. **Termination for Convenience (TFC):** ACSET may terminate any contract(s) awarded pursuant to this RFP for convenience (TFC), which is an express termination right, in whole or in part, if ACSET determines that cancellation is in ACSET's best interest. ACSET will not be liable for any anticipatory profit in the event of a TFC. Reasons for termination will be left to the sole discretion of ACSET.
- H. **Proposal Expenses:** Proposers are responsible for all costs and expenses incurred in the preparation and/or presentation of proposals.
- I. **Ownership of Proposals:** All proposals shall become the sole property of ACSET and will not be returned. All of the information contained in a proposal submitted in response to this RFP is subject to the provisions of the Freedom of Information Act (FOIA), Section 15.231 et seq. of the Michigan Compiled Laws. In accordance with FOIA, proposals maintained or kept on file by ACSET are public

records and, after the deadline for submission of proposals, every person has a right to inspect such records and receive a copy of such records, except as exempted under other applicable federal or state laws.

- J. **Final Decision:** Any decision made by ACSET, including the selection of a proposal, shall be final.
- K. **Insurance:** The Proposer must have in effect, or agree to purchase, prior to the commencement of services, and maintain for the duration of any agreement that ACSET and the Proposer may enter into:
 - 1. Commercial General Liability Insurance: On an "Occurrence Basis" with limits of liability not less than \$1,000,000 each occurrence, \$2,000,000 aggregate, combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: A) Contractual Liability, B) Products and Completed Operations.
 - 2. Workers' Compensation including Employer's Liability Coverage: \$100,000 each accident, \$500,000 annual aggregate, in accordance with applicable Michigan law.
 - 3. Errors and Omissions/Professional Liability: With limits no less than One Million Dollars (\$1,000,000) per claim and One Million Dollars (\$1,000,000) in the annual aggregate.
 - 4. Cyber Liability: With limits no less than One Million Dollars (\$1,000,000) per occurrence.

In addition, Proposer shall include the following as Additional Insured: The Area Community Services Employment and Training Council, including its elected and appointed officials, employees and volunteers.

- L. **Supplemental Agency Information and Certifications:** Prior to contracting with any organization, ACSET requires pre-certification of the Proposer's ability to comply with State and Federal regulations in the following areas:
 - 1. ACSET Vendor Certification Information Sheet: All Proposers must complete and sign the information sheet contained in Attachment B regarding Equal Opportunity.
 - 2. Iran Economic Sanctions Act Certification: All Proposers must complete the certification found in Attachment C.
 - 3. ADA Compliance: All Proposers must submit documentation showing the proposed site is ADA-compliant.
 - 4. Legal Status: All Proposers must include the following information in their proposal:

- (a) Corporations (Profit or Non-Profit)
 - 1) Articles of incorporation, together with any amendments
 - 2) Current bylaws
 - 3) Evidence of authority to execute contracts
 - 4) Other documents of legal status such as license for training institutions and Internal Revenue Service forms for tax status
- (b) Limited Liability Company (LLC)
 - 1) Articles of Organization
 - 2) Evidence of authority to execute contracts
- (c) Co-partnership
 - 1) Partnership Agreement
 - 2) Evidence of authority to execute contracts
- (d) Limited Partnership
 - 1) Certificate of limited partnership
 - 2) Evidence of authority to execute contracts

M. **Conflict of Interest:** The Proposer may not be awarded this RFP if a real or apparent conflict of interest would be created. Such a *potential* conflict would be created when Proposer is an "immediate family" member of an ACSET employee or board member OR has an agency relationship with which an ACSET employee or board member is associated. "An agency relationship with which an ACSET employee or board member is associated" means "any agency of which the employee/board member or a member of the employee's/board member's household is a director, officer, board member, employee, or which is a client of the ACSET employee/board member. "Agency" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, or any other legal entity. "Immediate Family" includes one party with any of the following relationships to another party:

- 1. Spouse, and parents thereof;
- 2. Children, and spouses thereof;
- 3. Parents, and spouses thereof;
- 4. Siblings, and spouses thereof;
- 5. Grandparents and grandchildren, and spouses thereof;
- 6. Domestic partner and parents thereof, including domestic partners of any individual in 2 through 5 of this definition; and
- 7. Any individual related by blood or affinity whose close association with the officer or agent is the equivalent of a family relationship.

In your proposal, please describe the extent to which a *potential* real or apparent conflict of interest would be created by the Proposer's RFP.

IV. Proposal Submission

A. Proposal Information Form

Please submit the Proposal Information form (Attachment E).

B. Be sure to include all Attachments and any documentation asked for in Section III (L).

C. Evaluation

All proposals will be reviewed, evaluated and rated based on the criteria listed on the rating sheet found in Attachment D.

V. Proposal Schedule

To be considered for this project, proposals can be submitted at any time while this Open Call Request for Proposals is in effective. Proposals may be e-mailed to Stacy Bush, Procurement Manager at sbush@westmiworks.org or be sent by U.S. mail, FedEx, UPS to:

Stacy Bush
Procurement Manager
316 Morris Ave. Ste. 300
Muskegon, MI 49440

Any questions regarding this proposal may be directed to Stacy Bush, Procurement Manager, via e-mail at sbush@westmiworks.org.

VI. Appeal Process

A. Notification of award will be communicated in writing to all organizations and businesses submitting proposals. The notification of the award shall be presumed to have been received three (3) days after mailing upon which mail is regularly delivered. A Proposer has two (2) business days from notification of award to make an appeal (ACSET may waive the 2-business day timeline where it is advantageous to ACSET to do so.) The appeal must be received by ACSET by the 2-business day deadline. All appeals are to be addressed to:

Jacob Maas
Chief Executive Officer
1550 Leonard St. NE
Grand Rapids, MI 49505

- B. An appeal must state a factual and/or legal basis for the appeal and not merely subjective opinions. An appeal that includes information not contained in the appealing party's original proposal will not be considered; provided that, an appeal may allege that a successful Proposer has made a false certification regarding debarment, suspension, ineligibility, voluntary exclusion, or has had a grant or contract terminated by, or been sanctioned by, a public funding agency.
- C. ACSET may summarily dismiss an appeal which does not comply with section A or B and shall send the appealing party written notice thereof within 5 business days of its receipt of the appeal. Such a summary dismissal is final.
- D. ACSET shall notify the successful Proposer in writing that an appeal has been filed within 5 business days of its receipt of the appeal, unless it is dismissed pursuant to section C. If an appeal contains allegations concerning the successful Proposer as described in section B, ACSET shall also send a copy thereof to the successful Proposer with notice that it may send ACSET a written response to such allegations within three (3) business days. The ACSET Chief Executive Officer will review and decide any appeal and notify the appealing party in writing no later than fifteen (15) business days of when the appeal was received. The decision of the Chief Executive Officer shall be final. ACSET will not enter into any contract or make any award pursuant to this RFP prior to the resolution of all appeals.

VII. Attachments

Attachment A	Proposal Cover Sheet
Attachment B	ACSET Vendor Certification Information Sheet
Attachment C	Iran Economic Sanctions Act Certification
Attachment D	Rating Sheet
Attachment E	Proposal Information Sheet

Attachment A

PROPOSAL COVER SHEET

PROPOSAL TO PROVIDE SERVICES
TO WEST MICHIGAN WORKS! COVER SHEET

Agency Name: _____

Agency Address: _____

Contact Person: _____

Phone: _____ Fax: _____

Email Address: _____

Web Address: _____

LEGAL STATUS OF ORGANIZATION:

___ Government

___ Private, Non-Profit

___ Educational

___ Private, For Profit

ATTACHMENT B

ACSET VENDOR CERTIFICATION INFORMATION SHEET

The vendor affirms that it will assure equitable treatment of all persons in its employment and business practices without discrimination based on race, color, religion, national origin, age, sex, height, weight, arrest without conviction, or disability, as required bylaw. The vendor also affirms that it will take steps to utilize minorityfirms, women’s business enterprises and labor surplus area firms, when possible.

1. Name of Vendor: _____

Address: _____

2. Chief Executive: _____

Title: _____ Phone no.: _____

3. Equal Opportunity Official: _____

Address: _____
_____ Phone no.: _____

4. Have any discrimination complaints been filed against this organization or its officers in a court or with an administrative agency within the last two _____ If so, please years?

indicate on a separate sheet:

- a. The names of the parties to each action or lawsuit;
- b. The forum in which each case was filed;
- c. The relevant case numbers; and
- d. The outcome of each action or lawsuit.

5. Is this organization currently subject to any sanctions imposed by any court or government agency on the basis of its personnel or EEO policies or practices? _____ If so, please indicate on a separate sheet:

- a. The nature of the sanction;
- b. The date it was imposed and its duration; and
- c. The court or agency which imposed the sanction.
- d. If the sanction was included in a court order, consent decree or other settlement agreement, please attach a copy.

Date: _____ Signature and Title: _____

ATTACHMENT C

CERTIFICATION OF COMPLIANCE – IRAN ECONOMIC SANCTIONS ACT

Michigan Public Act No. 517 of 2012; MCL 129.311 et. seq.

The undersigned, the owner or authorized officer of the below-named Bidder, hereby certifies, represents, and warrants that the Bidder (including its officers, directors and employees) is not an "Iran linked business" within the meaning of the Iran Economic Sanctions Act, Michigan Public Act No. 517 of 2012 (the "Act"), and that in the event the Bidder is awarded a contract, the Bidder will not become an "Iran linked business" at anytime during the course of performing any services under the contract.

The Act defines an "Iran linked business" as either of the following:

- (i) A person engaging in investment activities in the energy sector of Iran, including a person that provides oil or liquefied natural gas tanker or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran,
- (ii) A financial institution that extends credit to another person, if that person will use the credit to engage in investment activities in the energy sector of Iran.

BIDDER: _____ Printed Name of Bidder

By:

Its:

Date:

ATTACHMENT D

RFP #21-012

LEGAL SERVICES FOR CLEAN

SLATE PROGRAM

RATING SHEET

Proposal Information Form

Item	0=Unacceptable 10=Excellent	Wt.	Total
1. Experience	0 1 2 3 4 5 6 7 8 9 10 Score:	10	
Total Weighted Score:	Sub-total		

Item	0=Unacceptable 10=Excellent	Wt.	Total
1. Conflict of Interest (10= no conflict of interest)	0 1 2 3 4 5 6 7 8 9 10 Score:	5	
Total Weighted Score:	Sub-total		

Budget

Item	0=Unacceptable 10=Excellent	Wt.	Total
1. Pricing	0 1 2 3 4 5 6 7 8 9 10 Score:	10	
Total Weighted Score:	Sub-total		
		Grand Total Score (250 possible)	



ATTACHMENT E

Experience

Please provide your criminal law experience, and specifically your experience with expungements.

Pricing

Please provide an hourly rate for services or a retainer type pricing structure.

Please indicate which counties you wish to provide services for. You may propose services for any number of counties.

- Allegan Barry Ionia Kent Muskegon Montcalm Ottawa

Be sure to include all Attachments and any documentation asked for in Section III (L).