

**THE UNIVERSITY OF ALABAMA SYSTEM**  
**Request for Proposal**  
**Immigration Legal Services**

**1.0 INTRODUCTION**

**1.1 BACKGROUND**

The University of Alabama System (the “System”) is a public educational and constitutional instrumentality of the State of Alabama, and is Alabama’s largest higher education enterprise, comprised of its System office, three constituent campuses, and multiple affiliated entities. The System has undergraduate and graduate degree programs including professional degrees in law, medicine, nursing, and management, as well as online and continuing education programs. The current enrollment is over 57,000 students across its three campuses.

The System is led by the Chancellor, who serves as the primary reporting channel for each campus president. The System Office (“System Office”) operates to add value and facilitate the ability of the constituent campuses and affiliates to excel. The System Office facilitates the work of the Board of Trustees; ensures the fiscal integrity of the three campuses; directs its legal affairs and audit functions; operates a state-of-the-art information and technology infrastructure; initiates system-wide activities and outreach; and provides a unified public affairs program. The System Office also approves and reviews academic programs and supports the growth and development of the UAB Health System, as well as economic growth initiatives throughout the State of Alabama. The System Office, acting through its Office of Counsel (“OOC”), is authorized by the Board of Trustees to retain all legal counsel for the System.

**1.2 BACKGROUND ON THE REQUEST FOR PROPOSAL**

The OOC is issuing this Request for Proposals for Immigration Legal Services (“RFP”) for the full range of immigration legal services that the System may require from time to time, composed of the categories set forth in Article 1.4 of this RFP (“the Immigration Legal Services”). The OOC will evaluate submissions of all Respondent firms pursuant to the evaluation criteria set forth in this RFP. Any firm selected to provide the System with Immigration Legal Services will be required to execute ***a multi-year*** contract.

The OOC is soliciting responses to this RFP from individuals and law firms to provide Immigration Legal Services. The OOC anticipates that such Immigration Legal Services shall be provided on both an “on-call basis” and in connection with specific matters that may arise from time to time. The Immigration Legal Services may be required for any of the three constituent campuses and affiliates of The University of Alabama.

At the conclusion of this RFP, the OOC intends to select and enter into agreements with one or more individuals and/or firms to assure that the OOC has ongoing and expeditious access to Immigration Legal Services providers at competitive (and preferably discounted) rates.

**1.3 SCOPE OF SERVICES REQUIRED**

It is anticipated that Immigration Legal Services will be required on an ongoing basis to address various immigration issues concerning the System and its affiliates, as well as their respective employees.

**1.4 IMMIGRATION LEGAL SERVICES\***

Provide Immigration Legal Services, as follows:

- (a) Preparation and filing of H-1B, J-1, O-1, and TN Visas, and any necessary waivers, if applicable;
- (b) Preparation and filing of labor certification, immigrant petition, adjustment of status, and first application for employment authorization, as well as visa renewals and extensions;
- (c) Preparation and filing of Permanent Residence applications, including the Labor Certification process;

- (d) Experience in applications for adjustment of status of family members; and/or
- (e) Consultations, legal advice, preparation of forms, applications and/or petitions, and representation for and on behalf of employees or faculty of the System, before the U.S. Citizenship and Immigration Services, the U.S. Department of Labor, the U.S. Department of State, and other relevant state and federal agencies, as necessary for the System to carry out its operations.

**\*In some instances, Immigration Legal Services may be utilized and paid for by both the System and its employees through a dual representation arrangement. However, the nature and extent of the relationship between the selected Respondent and the System may necessitate that certain information regarding the System be kept confidential from the employee. As such, disclosures regarding confidentiality and potential conflicts of interest shall be made, and waivers shall be obtained as needed.**

**2.0 INSTRUCTIONS TO RESPONDENTS**

**2.1 RFP SCHEDULE\***

Event	Date and time
RFP Release Date	July 20, 2015
Respondent Questions Due	August 3, 2015, 5:00 pm CST
System Amendment Deadline	August 5, 2015, 5:00 pm CST
RFP Due Date	August 12, 2015, 5:00 pm CST
Respondent Interviews	Weeks of August 17, 2015 and August 24, 2015 (if necessary)
Bid Award	September 1, 2015 (approximate)
Contract In Place	October 1, 2015

**\*The OOC may change these dates at its sole discretion.**

**2.2 BID RESPONSE DEADLINE**

Proposals shall be accepted via email only. All proposals should be submitted to [uasofficeofcounsel@uasystem.ua.edu](mailto:uasofficeofcounsel@uasystem.ua.edu) on or before 5:00pm CST, on **August 12, 2015**.

The email subject line must read: **“Immigration Proposal”** and must have attached files, which contain the Respondent’s response including completed forms.

It is recommended that Respondents send the email with a request for an acknowledged receipt. It is the Respondent’s responsibility to ensure that its proposal is received in its entirety and without exception by the proposal closing date and time. Any proposal received after the date and time specified will not be accepted, read, or evaluated.

The System will not be responsible for computer, server, internet, or any technical problems, errors, delivery delays, or failures beyond its physical control. Respondents are advised to send their proposal responses prior to the proposal deadline to compensate for potential Internet routing delays in email transmission.

### **2.3 QUESTIONS**

Potential respondents may submit written questions via e-mail to [uasofficeofcounsel@uasystem.ua.edu](mailto:uasofficeofcounsel@uasystem.ua.edu) on or before 5:00pm CST, on **August 3, 2015**. The email subject line must read: **"Immigration RFP-Questions"**.

No telephone calls will be entertained. Potential respondents are prohibited from obtaining information about this proposal from any System personnel not specified herein. Inquiries received after the specified date and time will not be accepted.

### **2.4 ANSWERS AND AMENDMENTS TO REQUEST FOR PROPOSAL**

Answers to respondent questions and other changes to the RFP document will be emailed to all known Respondents and posted on the System's website at the following locations:

<http://fawp.ua.edu/purchasing/>

<http://uabfinancial.infomedia.com/bidbulletinboard.asp>

<http://www.uah.edu/business-services/vendors/bid-opportunities>

### **2.5 CONTACT INFORMATION**

Except as may be noted otherwise herein, the issuing office and sole contact for the coordination and dissemination of all information regarding this RFP is:

The University of Alabama System

Office of Counsel

Email: [uasofficeofcounsel@uasystem.ua.edu](mailto:uasofficeofcounsel@uasystem.ua.edu)

### **2.6 ACCEPT/REJECT PROPOSAL**

The OOC reserves the right to reject any or all proposals, wholly or in part; to waive technicalities, irregularities, and omissions; to make the award in a manner deemed to be in the best interest of System; and to correct any award erroneously made as a result of a clerical error on the part of the OOC or the System Office.

### **2.7 WITHDRAWAL OF PROPOSAL**

Proposal offers may be withdrawn at any time prior to the proposal receipt deadline date and time. Once the proposal receipt deadline has passed, all proposals become the property of the System.

### **2.8 NO OBLIGATION**

This RFP does not obligate the System to the eventual purchase of services described, implied, or which may be proposed, until confirmed by written agreement, and the process may be terminated by the OOC without penalty or obligation at any time prior to the signing of an agreement. This RFP is voluntary on the part of the OOC. Selection through a process utilizing requests for proposals or bids is not required by law, and therefore is a process that is designed, modified, or may be abandoned by the OOC, as it deems to be in its best interests. In its sole discretion, the OOC may select a firm or firms to provide Immigration Legal, and may choose to select all, some, or none of the Respondents. In addition, selection of a Respondent pursuant to this RFP does not guarantee that the OOC will award any particular amount of work for Immigration Legal Services to any of the Respondent firms.

### **2.9 AUTHORIZED SIGNATURE**

The proposal offer shall be signed by an officer who is authorized to make such commitments for the Respondent. **See Section 7.0 – RESPONDENT INFORMATION AND SIGNATURE.**

## **2.10 EXPENSES**

Expenses for developing and presenting proposals shall be the entire responsibility of the Respondent and shall not be chargeable to the System. All supporting documentation and manuals submitted with this proposal will become the property of the System unless requested by the Respondent, in writing, at the time of the submission, and agreed to, in writing, by the System.

## **3.0 TERMS AND CONDITIONS OF RFP**

The terms and conditions that will apply to the submission of proposals and to the OOC's evaluation of the proposal offers should be reviewed carefully to ensure full responsiveness to the RFP.

### **3.1 PROPOSAL FORMAT**

All proposals shall be submitted as *Best and Final Offers*. Respondents will not be allowed to make material alterations to their proposal offers after the opening of proposals. Each Respondent shall include in their written offer all requirements, terms, and conditions they may have, and shall not assume that an opportunity will exist to add such requirements, terms, or conditions after the proposal opening. Respondent's terms or conditions that are deemed unacceptable by the OOC may be the basis for rejection of the proposal.

### **3.2 PROPOSAL MATERIALS**

All materials submitted in response to the RFP shall become the property of the System upon submission and will be considered as part of this RFP.

### **3.3 ALABAMA OPEN RECORDS LAW**

Access to System records is permitted if requests are made in accordance with Ala. Code §36-12-40 and §36-12-41. Any contract with the System, and all related information and documentation may be subject to public disclosure under Ala. Code §36-12-40 and §36-12-41. Respondent is hereby notified that the System is governed by this statute and the interpretations thereof rendered by the courts and the Alabama Attorney General. Respondent, to the extent it deems appropriate, is responsible for becoming familiar with this law and assumes the responsibility of protecting any of the Contractor's interests that may be affected thereby.

### **3.4 RFP INTERPRETATION**

Interpretation of the wording of this document shall be the responsibility of the OOC, and that interpretation shall be final.

### **3.5 ADDENDUM**

Any addendum issued to Respondents prior to the RFP Due Date shall become a part of the proposal, and must be acknowledged pursuant to Section 5.2(h) below. Failure to sign and return any and all addenda acknowledgements will be grounds for rejection of the proposal response.

### **3.6 PROPOSAL MODIFICATION**

Any exceptions/additions/alterations to the terms and conditions contained herein must be included in the Respondent's response. Failure to provide the required data to allow for evaluation of the Respondent's response to the RFP, or failure to follow and complete the RFP proposal format and accompanying documents, will be grounds for rejecting the proposal offer. The System reserves the right to reject any proposals that alter the terms specified in the RFP.

### **3.7 CONFIDENTIALITY**

From the date of issuance of the RFP until the RFP Due Date, the Respondent must not make available or discuss its proposal, or any part thereof, with any employee or agent in the System Office, on the constituent campuses, or of a System affiliate covered

by this proposal. Further, any contract with the System and all related information and documentation may be subject to public disclosure as described in Section 3.3 herein. As such, Respondent is hereby notified that any part of Respondent's proposal or any other material marked as confidential, proprietary, or trade secret, can only be protected to the extent permitted by the laws of the State of Alabama.

### **3.8 PERIOD OF FIRM PROPOSAL**

All proposal offers must remain in effect for a minimum period of (90) days following the Proposal due date in order to allow for sufficient time for evaluation, approval, and issuance of award notice. The successful offer(s) will remain fixed for the duration of any resulting award and extensions.

### **3.9 PRE-AWARD NEGOTIATIONS**

After the proposals are opened, but prior to award, the OOC may elect to conduct negotiations with the highest ranked proposal respondents for purposes of:

- Resolving minor differences and information;
- Clarifying necessary details and responsibilities;
- Emphasizing important issues and points; and/or
- Receiving assurances from respondents.

Selection may be made without further discussion, negotiations, or Respondent's presentations; therefore, Respondent shall offer the most favorable terms in response to this RFP. Respondent must demonstrate an understanding of the scope of services to be provided and the ability to accomplish the tasks set forth. Respondent shall include information that will enable the OOC to determine the Respondent's overall qualifications. The OOC reserves the right to request additional information or clarification on any matter included in the proposal response, to enable the OOC to arrive at the final award decision.

## **4.0 PROPOSAL EVALUATION PROCEDURES**

### **4.1 REQUIRED QUALIFICATIONS**

In addition to the specific requirements set forth above, Respondents must clearly indicate in its response all categories in Section 1.4 of this RFP for which it wishes to be considered.

### **4.2 EVALUATION PROCESS AND CRITERIA**

Selection of Respondents to provide Immigration Legal Services in one or more of the specified categories will be based on the following criteria:

- (a) Ability of the Respondent to respond to and meet the guidelines and conditions set forth in this RFP;
- (b) Adequacy of Respondent's resources to support the successful performance of the services sought in this RFP;
- (c) Qualifications and experience of the Respondent and the primary personnel identified to provide the services in each applicable category;
- (d) Ability to provide services locally to the campuses, the affiliated entities, and their employees, either through Respondent's satellite office or willingness to make on-campus visits;
- (e) Record of performance and experience with other clients;

- (f) Reasonableness of the Offered Rates and billing structure, including a stated willingness (and preferably a commitment) to offer additional discounts, flat fees, blended rates, fee caps, use of associates, and other forms of competitive pricing;
- (g) Respondent's demonstrated commitment to affirmative action and equal opportunity for employees; and
- (h) Any other criteria that relate to the Respondent's qualifications and to the determination of the value of the Immigration Legal Services that the Respondent proposes to provide.

While the order of these factors does not denote relative importance, the OOC acknowledges that selecting "best value" providers primarily requires a balanced combination of (1) reasonable Offered Rates and the availability of discounted rates, flat fees, blended rates, and caps on fees, and (2) strong experience and demonstrated expertise in the category or categories of Immigration Legal Services for which Respondent seeks selection.

The OOC reserves the right to consider such other relevant factors as it deems appropriate in order to obtain "best value" providers of Immigration Legal Services for the System. The OOC may or may not seek additional information from Respondents prior to making Provider selections. After submission and review of Responses, the OOC may determine, in its sole discretion, that interviews of one or more firms will be conducted.

The fact that the OOC advertises and publishes this RFP, accepts responses to this RFP, responds to inquiries, requests further information, conducts interviews, checks references, or engages in any other conduct in furtherance of the publication of this RFP, the evaluation of responses, or the selection of finalists, does not commit the OOC to select any firm or individual, award any work order, pay any costs incurred in preparing a response, or procure or contract for any services or supplies. The OOC reserves the right to accept or reject any or all submittals received, cancel or modify the RFP in part or in its entirety, or change the RFP guidelines. The System shall not be obligated to pay for any Immigration Legal Services rendered until after the selected Respondent has entered into a retainer agreement duly executed by the OOC in accordance with the System's policies, and only after the performance of such services has been requested in writing and duly authorized by the OOC.

## 5.0 PROPOSAL REQUIREMENTS

### 5.1 LEGAL SERVICES REQUIRED

- (a) **Products/Services.** All responses should describe, in detail, the services the Respondent firm provides as outlined in Section 1.4 of this RFP. Responses should include a description of the work flow procedures between the Respondent and the OOC. Responses should also describe processing time required for each service as outlined in Section 1.4 above, as well as a description of the systems and/or software that will be used to ensure the System is in compliance with all relevant immigration laws.
- (b) **Hourly Rates and Fees.** All responses must include a detailed explanation of the hourly rates for each individual identified in Section 5.2(b), broken down according to each category of Immigration Legal Services for which the Respondent seeks to be considered. Additionally, if the Respondent's proposed price does not include expenses ordinarily associated with the cost of doing business (*i.e.*, *photocopying, faxing, telephone usage, etc.*), Respondent must include an explanation of all other direct expenses that it would charge in connection with providing services. Respondents must note whether the proposed fees and expenses are applicable to the initial term of the contract ("Initial Term"), and if not, how Respondent proposes to address any changes in fees after the Initial Term. Note that work performed under the Legal Services Agreement will be billed in accordance with the hourly rates or fees provided by the Respondent for each distinct category of Immigration Legal Services set forth in Section 1.4 (on a category-by-category basis, the "Offered Rate"). All invoices for services performed must be submitted electronically to the OOC located on the campus for which the services are being performed, and must specify the campus and matter for which services were performed.

## 5.2 LAW FIRM INFORMATION REQUIRED

- (a) **Qualifications and Experience.** All responses must include a statement of qualifications, experience and description of the Respondent firm, and its history. The response should clearly indicate the categories of Immigration Legal Services identified in this RFP for which it seeks to be selected. The response also should specifically indicate the firm's current and historical expertise in the categories of Immigration Legal Services identified in the RFP for which it seeks to be selected and should include any special or unique qualifications, including but not limited to, representing higher education institutions. Respondents are encouraged to provide information relative to office locations and practice areas geographically located in, or in proximity to, each campus location (Birmingham, Huntsville, and Tuscaloosa).
- (b) **Resumes of Individuals.** Responses must include resumes of each individual who will be providing Immigration Legal Services under any work order, as well as written descriptions of the individuals' experience in the categories of Immigration Legal Services identified in this RFP. All Respondents must identify the individual(s) who will have primary responsibility for contact and communications with the OOC under each such category of Immigration Legal Services. Respondents are also encouraged to identify attorneys on the proposed team who are alumnae of any campus within the System. The OOC reserves the right to reject a firm's use of any particular individual to perform Immigration Legal Services, within the OOC's sole discretion. Any changes to personnel require approval by the OOC, and the OOC reserves the right to terminate a contract if changes are not approved.
- (c) **Solvency.** All responses must include a certification that the Respondent has not been in bankruptcy and/or receivership within the last three calendar years.
- (d) **Members of the Bar in Good Standing.** All responses shall include a statement that each of the individual attorneys listed in the Respondent's proposal is a member in good standing registered with the bar of any State, territory, possession, Commonwealth, or the District of Columbia, and has all licenses and registrations necessary to perform the category of Immigration Legal Services for which the Respondent wishes the attorney to be considered.
- (e) **Insurance.** Provide a copy of a Certificate of Insurance verifying your firm's Coverage for Professional Liability, Commercial General Liability, and Worker's Compensation.
- (f) **Pending Litigation.** All responses must include details of any pertinent judgment, criminal conviction, or litigation pending against the Respondent or any of its officers, directors, employees, agents, or sub-providers of which the Respondent has knowledge, or a statement that there are none. Respondents must also disclose whether it has represented any clients in suits against an individual or department within the System in the last three years. The OOC reserves the right to reject a response based on this information.
- (g) **Racial and Ethnic Diversity.** All responses should include a statement regarding the firm's current make-up with regard to its racial and ethnic diversity.
- (h) **State of Alabama Immigration Compliance.** By submitting a proposal to this RFP, a Respondent agrees that it will fully comply with the State of Alabama Immigration Law (Act 2011-535), as amended. A Respondent also shall enroll in the E-Verify Program prior to performing any work, or continuing to perform any on-going work, and shall remain enrolled throughout the entire course of its performance of the contract awarded pursuant to this RFP.

- (i) **Acknowledgement of Receipt of Addenda Form.** If any addenda to the RFP documents are issued prior to the due date and time for Proposals, an acknowledgment (found in Appendix A) must be completed, signed, and included in the Respondent’s proposal.
- (j) **References.** All responses must include references from at least three (3) clients of the firm in Section 6.0 below, and preferably clients who have utilized the firm on matters related to the respective categories of Immigration Legal Services for which the Respondent desires to be selected. The references must include a contact person, a full address, and a phone number. In addition to the foregoing, please include a listing of public and private clients for whom the firm has provided services similar to those set forth in the categories of Immigration Legal Services for which the Respondent seeks to be considered under this RFP, along with a description of the services provided. If any of the individuals identified in Section 5.2(b) participated in any of the projects listed, please identify the projects in which each individual participated.

**6.0 REFERENCES**

Please provide three client references below (please type or print clearly):

	<b>Client Name</b>	<b>Contact Name and Title</b>	<b>Telephone Number</b>	<b>Email Address</b>
<b>1</b>				
<b>2</b>				
<b>3</b>				



**7.0 RESPONDENT INFORMATION AND SIGNATURE**

The undersigned is a duly authorized representative of the Respondent listed below. The Respondent has read and understands the RFP requirements. The Respondent acknowledges that all of the terms and conditions of the RFP are mandatory, and that the Respondent’s response is compliant with such requirements. The Respondent understands that, if selected, the Respondent and the OOC will execute written agreements specifying the mutual requirements of participation. The Respondent agrees that the RFP will be incorporated into and made part of any Agreement resulting from the Respondent’s response to the RFP. The Respondent agrees that the entire bid response will remain valid for ninety (90) days from receipt by the OOC.

**Please Complete:**

I hereby certify that: (i) I am an authorized representative of the Respondent herein; (ii) the statements made in this response to the RFP, including all attachments and exhibits, are true and correct to the best of my knowledge; and (iii) that by submitting this bid, I am certifying that my firm is in full compliance with Alabama Act. No. 2006-557.

RESPONDENT (BUSINESS) NAME	
RESPONDENT CONTACT PERSON	
ADDRESS 1	
ADDRESS 2	
CITY	
STATE	
ZIP	
TELEPHONE	
FAX	
EMAIL	
WEB ADDRESS	

**Authorized Signature:** \_\_\_\_\_

**Print:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Appendix A**

**ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA**

RFP FOR: Immigration Legal Services

RESPONSE DUE DATE: August 12, 2015 at 5:00 P.M. CST

NAME OF OFFEROR: \_\_\_\_\_

The undersigned, hereby acknowledges the receipt of the following addenda:

Addendum No.: \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No.: \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No.: \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No.: \_\_\_\_\_ Dated: \_\_\_\_\_

As stated in the RFP documents, this form is incorporated into our Response to the Request for Proposal.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name