

PROCUREMENT SERVICES

PERSONAL SERVICES CONTRACT (PSC) REQUEST FOR PROPOSAL(RFP)

REQUEST DATE:	06/06/2024
DUE DATE & TIME:	06/28/2024 at 2:00 PM EST
SPEED TYPE:	X0540
DEPARTMENT NAME:	Office of University Counsel
DEPARTMENT CONTACT:	Christina Howard
CONTRACT ADMINISTRATOR:	Lauren Wieners
CONTRACT ADMINISTRATOR EMAIL:	Lauren.Wieners@louisville.edu

SERVICE REQUESTED (brief description)	Provide legal services and representation to the University of Louisville regarding intellectual property and research compliance.
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EMAIL PROPOSALS TO:

UNIVERSITY OF LOUISVILLE
ATTN: PROCUREMENT SERVICES, SERVICE COMPLEX BUILDING
LOUISVILLE, KY 40292

CONTRACT ADMINISTRATOR NAME: Lauren Wieners

EMAIL : Lauren.Wieners@louisville.edu

THE BOTTOM PORTION OF THIS FORM IS TO BE COMPLETED BY THE VENDOR AND SUBMITTED WITH PROPOSAL

Equal Employment Opportunity – All parties must be in compliance with executive order 11246 of September 24, 1965 as amended by executive order 11375 of October 13, 1967.

STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

I hereby swear (or affirm) under penalty for false swearing as provided by [KRS 523.040](#):

- That attached Request for Proposal has been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other vendor of materials, supplies, equipment or services described in the Request For Proposal designed to limit independent competition.
- That the proposer is legally entitled to enter into the contract with the University of Louisville, an agency of the Commonwealth of Kentucky, and is not in violation of any prohibited conflict of interest, including those prohibited by the provisions of [KRS 45A.325](#), to [45A.340](#), [45A.990](#), [164.990](#), and [164.821](#) (7).
- That I have fully informed myself regarding the accuracy of the statements made above.

SIGNATURE:		PRINT NAME	
FIRM NAME:		ADDRESS:	
PHONE:		CITY, STATE, ZIP CODE:	
EMAIL:		WEBSITE:	

REQUEST FOR PROPOSAL COMPONENTS

- **SCOPE OF SERVICES:**

- Provide legal services and representation to the University of Louisville regarding intellectual property and research.
- Provide legal services and counsel to the University of Louisville (“University”), University of Louisville Research Foundation (“ULRF”), and/or statutorily affiliated corporations (collectively “University Organizations”) on an as needed basis in relation to analyzing the availability and protections of any potential intellectual property or other proprietary rights associated with any subject matter acquired, created, or developed by, on behalf of, or through the University Organizations.
- Counsel and represent University Organizations in relation to any transactional work involving copyrights or related intellectual property, review related copyrights or trademarks, represent the University Organizations in association with prosecuting any applications, and register any copyright or trademarks – including performing services associated with maintaining said registrations and applications.
- Consult and advise University Organizations on administration, related financial aspects and compliance matters related to research, such as research misconduct inquiries and reviews, financial and compliance audits with statutory, regulatory, policy and sponsor requirement, notice requirements, conflict of interest, and conflict of commitment.
- Provide legal advice and services, counsel and represent University Organizations including legal opinions and representation in a variety of compliance and research administration issues, and any litigation/proceedings/communications resulting from any alleged or actual non-compliance.
- For the firm to engage in providing legal services, prior approval for these services must be obtained from the University’s Office of University Counsel.

- **REQUIRED PROPOSAL SUBMITTALS:**

- Describe the firm’s overall qualifications.
- Describe the firm’s specific areas of practice expertise and the firm’s experience in representing higher education clients. List current higher education clients of the firm and identify the nature of the services provided to these clients.
- Describe the firm’s expertise and qualifications in intellectual property.
- Describe the firm’s expertise and qualification relative to research administration and compliance matters.
- Describe the relevant experience and qualifications of the key attorneys (both partners and associates) who would serve UofL.
- Describe how the firm would staff matters for UofL in an efficient manner that maximizes the value provided to the University and ensures continuity, effective communication, and coordination with the University’s in-house team of legal experts.
- Proposed Cost:
 - Fee – detailed fee that includes all costs (potential examples include, but are not limited to, below)
 1. Hourly rate X hours worked
 2. Flat fee for service
 3. Fee broken down at milestones/phases (describe each milestone/phase)
 - Travel Expenses – how will this be approved, invoiced, etc. (provide a maximum allowed amount)
 - Other Expenses – administrative expenses, materials/supplies, postage (provide a maximum allowed amount)
 - Any additional relevant criteria
 - Please stipulate if you expect rates to increase and the expected percentage of this increase.
- Provide any additional information that the firm would like considered.

- **METHOD OF AWARD:**

- The University may elect to award a contract to more than one proposer. The decision by the University will be based on the proposer’s levels of expertise in the following areas:
 - 30% - Firm experience and expertise in handling requested services and with institutions of higher education
 - 25% - Qualifications and experience of the firm attorneys proposed to serve the UofL team and the sufficiency of the proposed staffing plan to maximize the value provided to the University and ensure continuity, effective communication, and coordination with the University’s in-house team of legal experts
 - 25% - Cost
 - 20% - Institutional knowledge

- **DESIRED CONTRACT PERIOD:**

- The contract start and end dates are August 1, 2024, through June 30, 2026.
- No services are to be provided prior to the start date indicated on the fully executed Personal Services Contract (sample provided).

- A subsequent additional contract may be established from this RFP process to run from July 1, 2026, to June 30, 2028 with all terms, conditions, and pricing remaining the same. This will require a new contract be executed.

- **FOREIGN CORPORATION REGISTRATION (OUT-OF-STATE CORPORATIONS):**

- Pursuant to KRS 271B.15-010, any Out-of-State corporate contractor must be properly registered with the Kentucky Secretary of State, before transacting any business within the state of Kentucky. The statute states “(a) foreign corporation...shall not transact business in this state until it obtains a certificate of authority from the Secretary of State.” The registration form and instructions are found at https://web.sos.ky.gov/forms/corp/FBE-Certificate%20of%20Authorization_Foreign%20Business%20Entity.pdf.

- **RECIPROCAL PREFERENCE:**

- In accordance with KRS 45A.490 to 45A.494, a resident Offeror of the Commonwealth of Kentucky shall be given a preference against a nonresident Offeror. In evaluating proposals, the University will apply a reciprocal preference against an Offeror submitting a proposal from a state that grants residency preference equal to the preference given by the state of the nonresident Offeror. Residency and nonresidency shall be defined in accordance with KRS 45A.494(2) and 45A.494(3), respectively. Any Offeror claiming Kentucky residency status shall submit with its proposal a notarized affidavit affirming that it meets the criteria as set forth in the above referenced statute.
- Forms can be found at <http://louisville.edu/purchasing/forms>.

- **QUESTIONS:**

- All questions regarding this RFP are due by June 13, 2024, at 12:00 PM Eastern Standard Time and are to be emailed to Lauren Wieners at Lauren.Wieners@louisville.edu. Answers to all questions submitted in writing before the deadline above will be issued as an addendum to this solicitation and posted at University of Louisville Active Bids and RFPs.