



## NORTH SLOPE BOROUGH SCHOOL DISTRICT M E M O R A N D U M

**TO:** Muriel Brower, President  
Members of the School Board

**THROUGH:** Finance Committee

**THROUGH:** Pauline Harvey, Superintendent

**FROM:** Fadil Limani, CFO

**DATE:** 11-7-20

**SUBJECT:** Request for Proposal for Legal Services

DocuSigned by:

Pauline Harvey  
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Memo No: SB21-078

**(Action Item)**

### 2020-2025 STRATEGIC PLAN SUMMARY

**4.0 FINANCIAL & OPERATIONAL STEWARDSHIP:** Effectively employ our operational and financial resources to support our strategic goals and long-term stability of the district.

**4.2 FINANCIAL STEWARDSHIP/MANAGEMENT:** Ensure financial management based on what is best for our students.

#### **Issue Summary:**

As prescribed in Board Policy 3311, The district shall purchase equipment, supplies and services on a competitive bidding basis when required by law and whenever it appears to be in the best interest of the district to do so. All purchases in the amount of \$20,000 or more shall be based, when possible, on at least three competitive bids. The Superintendent or designee shall establish procedures to ensure that formal advertised bids are solicited for purchases over \$50,000.

#### **Background:**

The NSBSD Board Finance Committee met on October 23, 2020 to discuss the Fiscal Year 2021-2022 budget planning among other things including the legal fees incurred to date in FY21. The District has an existing agreement with then Sedor, Wendlandt, Wang law firm which was executed on August 16, 2005. The legal contract was awarded through a competitive bidding process in conformity with the District's purchasing policies as set out in BP3310 thru 3312. The agreement under item B and C provides for the attorney fees and other costs associated with representing the District. The Contract however does not provide for a not to exceed amount. In the last 3 fiscal years (FY18-FY20), the legal fees incurred have far exceeded the available budget for such fiscal years, resulting in an overall deficit spend. In FY21, the District through the Finance Committee and the Board has taken more active measures regarding the District's Financial Stewardship/Management, including budgetary compliance, in consideration to the limited financial resources.

The FY21 Budget regarding Legal Fees is set at \$175,000. The year to date incurred legal services as of October 31, 2020 was \$118,431.98, leaving a budget balance of \$56,568.02 for the remainder of the fiscal year. Considering the legal matters surrounding the District currently, it is very likely that the

legal services will exceed the available budget and the District does not have any discretionary funding to cover any budget shortfalls.

During the October 23, 2020 Finance Committee meeting, the committee recommended the Administration prepare a memo to go before the Board for the authorization of going out for an RFP for legal services considering the contract is more than 15yrs old.

**Proposed Motion:**

“I move that the NSBSD Board of Education authorize the District Administration solicit bids in accordance with BP3311 for Legal Services and subsequently bring before the Board the successful bidder for award of contract.”

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

Vote \_\_\_\_\_