

7CsThrive, Inc.

Request for Qualifications #2020-05-06:* to Provide In-House Legal Counsel to **7CsThrive** for **7Cs Academy*

In response to a Request for Proposals for *Generation Twenty-Five Open-Enrollment Charter School*, **7CsThrive**, Inc. (known herein as “**7CsThrive** or the District”), a 501(c)(3) educational nonprofit organization applied to the Texas Education Agency (TEA) on January 21, 2020. **7Cs Academy** is the name of the proposed charter school in the city of San Antonio. **7Cs Academy** (the schools) and **7CsThrive** (the District) are new entrants to the charter sector. The Board of Directors and Founder-CEO (“Team of Six”) of **7CsThrive** engaged the community, in-person, before and after submitting our application until recently. The “*Press about 7Cs*” on print and social media along with **7Cs Viewletters** can be accessed at <https://7CsAcademy/in-the-news>. To be proactive for receiving children in August 2021 (conditional upon approval of the Charter by TEA and the State Board of Education on or around September 2020), the “Team of Six” from **7CsThrive** is soliciting qualifications from Attorneys to Provide Legal Services for **7Cs Academy**. At capacity in August 2025, the proposed school will accommodate 1,470 students from Prekindergarten through Grade 5 to serve the **Greater San Antonio** community. The enrollment in **7Cs Academy** shall not exceed 486 students from PreK 4-year old children to Grade 2 in August 2021; 618 students from PreK-4 to Grade 3 in August 2022; 750 students from PreK-4 to Grade 4 in August 2023; 882 students from PreK-4 to Grade 5 in August 2024; and 1,470 students from PreK-4 to Grade 5 children in August 2025.

To be clear, **7CsThrive** has not been awarded a charter yet. **7Cs Academy** crossed a third critical milestone on February 27, 2020. The Commissioner, after careful review of our 36-page cures and “consideration of all documentation provided during the Remedy Period,” determined that our “application submitted for **7Cs Academy** is now complete.” Our application then advanced to the “Internal and External Review” phase. TEA does not score applications. Instead, each “complete” Charter Application is independently reviewed by five randomly assigned reviewers. For a description of the entire process with “*Our Story*,” visit <https://7CsAcademy.org/about>. During the nine-month review process (January 2020–September 2020), the application of **7Cs Academy** is subject to removal at any time. The Commissioner of Education will propose awardees to the State Board of Education in August 2020. If you have questions about the process for approval of open-enrollment charter schools, please contact the Division of Charter School Administration at (512) 463-9575 or visit the TEA website https://tea.texas.gov/Texas_Schools/Charter_Schools/

On April 1, 2020 we received an update on the status of our Charter Application. We were excited to learn that our application is “still currently in the external review process.” There was a reminder from TEA on April 28, 2020 for sponsoring entities to have their 501(c)(3) Letter of Determination from Internal Revenue Service (IRS) submitted to the Agency on or before May 15, 2020. **7CsThrive** included our determination letter from IRS (dated April 5, 2019) along with



our original application on January 21, 2020. Therefore, no further action is required (this puts us half-way, 50 percent, into the process). Our fourth milestone will be reached "on (or around)" June 10, 2020. That is when "all Letters of Determination are scheduled to go out." The state will determine if we meet the 85 percent minimum cut score threshold in these external reviews. Per the April 28 letter from TEA, "in terms of our external review timeline, we are still on course to send out the final scores and determinations on June 10, 2020." We are excited that this fourth major milestone is less than six weeks from now, April 30, 2020!

On April 1, 2020, the Board of Directors of **7CsThrive** approved an RFP soliciting qualifications from Architectural/Engineering Firms to Provide Multi-Phase Design Solutions for **7Cs Academy** <https://7CsAcademy.org/7Cs-board-of-directors>. The Board of Directors and Founder-CEO, Dr. Nathan Balasubramanian, received via e-mail submittals at Nathan.DrB@7CsThrive.org for conceptual multi-phase design solutions for **7Cs Academy**. The "Team of Six" are scheduled to interview invited firms during the Regular Meeting of the Board on May 6, 2020.

Being proactive, **7CsThrive** (the District) is now accepting qualification statements from qualified firms to provide In-House Legal Counsel to **7CsThrive**. The district anticipates awarding one law firm/law offices who will become the District's General Counsel (GC). The General Counsel will provide in-house legal counsel to the Board of Directors and CEO on various legal issues in school law relating to local, state, and federal laws, rules, and regulations, as well as District policy and administrative procedures. The GC will represent the District in judicial and administrative proceedings and monitors the legal services contracted with external law firms. The GC will assist with grievance and employee disciplinary matters including terminations and non-renewal hearings. The GC will also coordinate the District's responses to investigations by the Texas Education Agency, Office of Civil Rights of the United States Department of Education, the Equal Employment Opportunity Commission, and other state and federal agencies. The GC will also conduct professional development training for staff and provide legal assistance in drafting and revising contracts, policies, and procedures as they apply to Public Charter Schools in Texas. Qualified applicants are expected to have expertise and knowledge with the specialized areas of practice contained in this solicitation. Proposals must be addressed to the "Team of Six" at the address listed below and e-mailed to Nathan.DrB@7CsThrive.org marked as follows:

RFQ #2020-05-06: Provide In-House Legal Counsel to 7CsThrive for 7Cs Academy.

Due No Later than 5:00 PM on Tuesday, May 26 at 5:00 PM

7CsThrive, Inc.

Attn: "Team of Six", P. O. Box: 37367
5555 San Fernando Street
San Antonio, Texas 78237

Any submittal received via e-mail after the Time and Date Stated Above Will Not Be Considered. Failure to Comply with Specifications May Result in the Disqualification of Your Submittal.



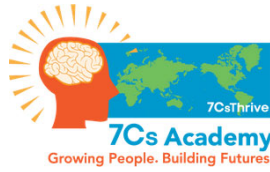
Submitters must provide all requested information; failure to comply with any portion of this solicitation will be reflected in the evaluation process. **7CsThrive** reserves the right to accept or reject any submission or any part thereof or any combination of submissions or to waive any or all formalities. All responses in the submission may be used by the “Team of Six” at **7CsThrive** in the selection process. **7CsThrive** reserves the right to verify the accuracy and completeness of all responses by utilizing any information available to **7CsThrive** without regard to whether such information appears in the submission.

RFQ Submittal Instructions:

1. One complete PDF file (package) of the law firm/law offices must be e-mailed to Nathan.DrB@7CsThrive.org bearing the name of the firm, the firm’s address, telephone numbers and the RFQ’s title.
2. The PDF of firm/law offices package must be addressed and e-mailed to **7CsThrive**, Inc., Attn: “Team of Six,” P. O. Box: 37367, 5555 San Fernando Street, San Antonio, Texas 78237 on or before 5:00 PM on Tuesday, May 26, 2020.
3. Copyrighted responses are unacceptable and will be disqualified as non-responsive.
4. Responses received after the time and date set for receipt and opening will NOT be considered.
5. All questions regarding this RFQ shall be directed in writing to Dr. Nathan Balasubramanian, Founder-CEO, via e-mail at: Nathan.DrB@7CsThrive.org
6. The responder shall not contact the Board of Directors to discuss the solicitation at any time from date of issuance to award of contract.
7. No responses may be changed, amended or modified by any means after the qualification package has been opened by the “Team of Six” on Wednesday, May 27, 2020.

Commitments:

1. **7CsThrive** reserves the right to withdraw this RFQ at any time and for any reason.
2. Receipt of response by **7CsThrive** or submission of a response to **7CsThrive** or selection of a submitter for the purposes of negotiating a contract, confers no rights to the submitter, nor obligates the “Team of Six” in **7CsThrive** in any manner.
3. **7CsThrive** reserves the right to award or not award the contract(s). **7CsThrive** also reserves the right to award the contract(s) to the party or the parties that the Board of Directors determines to be most qualified and most responsive to this RFQ.
4. **7CsThrive** is under no obligation regarding this RFQ until written contract(s) are approved and executed by all parties and funding for the service occurs.
5. Oral explanations or instructions given before the award of the contract are not binding.



6. The cost of developing a response is the sole responsibility of the submitter. **7CsThrive** shall not provide reimbursement of such cost and shall not be liable for any response preparation cost for any reason whatsoever.

Open Records Policy:

Upon award of the Charter by the Texas Education Agency in September/October 2020, **7CsThrive** will become a government body that is subject to the *Texas Public Information Act*.

Firm/Offices acknowledge that **7CsThrive** is subject to the *Texas Public Information Act* (TPIA). As such, upon receipt of a request under the TPIA, **7CsThrive** is required to comply with the requirements of the TPIA. For purposes of the TPIA, “public information” is defined as information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

- i. By **7CsThrive**
- ii. For **7CsThrive** and **7CsThrive**
 - a. Owns the information; or
 - b. Has a right of access to the information; or
 - c. Spends or contributes public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; or
- iii. By an individual officer or employee of **7CsThrive** in the officer’s or employee’s official capacity and the information pertains to official business of **7CsThrive**.

Firm/Offices are expected to fully cooperate with **7CsThrive** in responding to public information requests. Responses submitted to **7CsThrive** as a result of this solicitation are subject to release as public information after contracts are executed or the procurement is terminated.

Requirements of the Response:

Response shall include or address the following items in the same sequence, identifying each phase of the project and responding to each phase of the project for which the submission is made:

Section I: Applicant Introduction

- I-1. A cover letter which shall include a brief statement of interest, years in business, and information regarding organizational structure, availability and intent to perform services, and general qualifications for selection and signature of an authorized officer of the submitter who has legal authority in such matters. The cover letter should also indicate the submitter’s name, address, phone, e-mail, and person to be contacted regarding the response.
- I-2. The education, experience, capabilities, and accomplishments of submitter’s attorneys who may work with **7CsThrive** (by area of legal service). Include brief resume of these personnel.



Section II: Company Profile

- II-1. Transmittal letter including full, official business name as registered with Secretary of State.
- II-2. Indicate the date your firm/law offices was established.
- II-3. List of full-time licensed attorneys to practice in Texas.
- II-4. Describe availability of resources, personnel and technology.
- II-5. Principal place of business, number of employees (all services) in the State of Texas.
- II-6. Please explain in detail any disciplinary action taken, investigations currently being conducted, or lawsuits filed against your firm/law offices or representatives of your firm/law offices during the last 10 years by federal, state, industry regulatory bodies, or clients (including criminal and civil).
- II-7. Please include any evidence if the State of Texas recognizes the firm/law offices as a Historically Underutilized Business (HUB) or Minority and Women Business Enterprise (M/WBE).

Section III: References

- III-1. Provide a list of all Public Charter Schools in Texas you have provided legal services for the last five (5) years. Please include the contact name, title, phone number and e-mail address.
- III-2. Please include information on any legal services provided to any member of the “Team of Six” in the past five (5) years. “Team of Six” information is available under “Who We Are” at <https://7CsAcademy.org>, Board of Directors and Founder-CEO & Superintendent .

Section IV: Representation Agreement and Proposed Contract

- IV-1. Provide a description of how you believe your firm would add value to the projects of <https://7CsAcademy.org>
- IV-2. Provide a copy of redacted representation agreement, no pricing information (retainer fee, hourly rates, etc.).
- IV-3. Provide a copy of proposed contract, no pricing information (retainer fee, hourly rates, etc.)
- IV-4. Responder shall indemnify, defend and hold harmless the District, its officers, agents and employees, from and against any and all loss, cost, damage, expense and claims, including attorney’s fees and liability of any kind for acts or omission of Responder, its officers, agents or employees, in performance of contract, so long as the sole negligence of the District is not the cause of the loss, claim, damage expense or cost.
- IV-5. Each responder should run the following insurance requirements, waivers of subrogation language and indemnify past his/her insurance underwriters for the purpose of identifying any requirements that may impose a hardship on the responder. Such hardships should be listed in the response and can be considered as **7CsThrive** evaluates the qualifications. Any hardships can be discussed and negotiated with the responder before the final firm/law offices is selected.



The Responder shall take out and maintain, at its expense, until termination of the contract, at least the following insurance with an appropriately licensed insurance company in the State of Texas.

TYPE OF COVERAGE

Insurance Requirements	Limits	
A. General Liability	Occurrence/Aggregate	\$1,000,000 Occ./ \$2,000,000 Agg.
	Products – Comp/Agg.	\$1,000,000
	Med. Expense (Any one person)	\$ 5,000
	Personal & Adv. Injury	\$1,000,000
Professional Liability		\$1,000,000
B. Worker’s Compensation		Statutory
And	Each Accident	\$ 500,000
Employers’ Liability	Disease – Policy Limit	\$ 500,000
	Disease – Each Employee	\$ 500,000

Section V: Interview

The Board of Directors of **7CsThrive** will interview the shortlisted firm/law offices, with each given approximately 15 minutes for presentation and 10 minutes for follow up questions (if necessary) at the firm’s scheduled time on Wednesday, June 3, 2020 between 6:30 and 8:15 PM.

Method of Selection

The Board of Directors of **7CsThrive** will select the most highly qualified firm/law offices based on demonstrated competence and qualifications. The Board will negotiate a fair and reasonable fee with the firm upon approval of our Charter on or about September 11, 2020 per Texas Government Code, Section 2254.004 to render Legal Services to **7CsThrive** and **7Cs Academy**.