



REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES

January 23, 2019

INQUIRIES AND QUALIFICATIONS SHOULD BE DIRECTED TO:

ELLEN GLIDEWELL
HUMAN RESOURCES GENERALIST
BUTTS COUNTY
625 WEST THIRD STREET, SUITE 4
JACKSON, GEORGIA 30233
(770) 775-8200 ext. 2403
eglidewell@buttscounty.org

I. GENERAL INFORMATION

A. Purpose. This request for qualifications (RFQ) is to contract for legal services to be provided to Butts County.

B. Who May Respond. Only attorneys who are currently licensed to practice law in the State of Georgia and maintain an office within the Central Georgia area (preferably within 50 miles of Butts County) or law firms including such attorneys may respond to the RFQ.

C. Instructions on Qualifications Submission.

1. **Closing Submission Date.** Qualifications must be submitted no later than 4:00 PM EST on Friday February 8, 2019.

2. **Inquires.** Inquiries concerning this RFQ should be emailed to:

Ellen Glidewell
Human Resources Generalist, Butts County
eglidewell@buttscounty.org

3. **Conditions of Qualifications.** All costs incurred in the preparation of a qualifications responding to this RFQ will be the responsibility of the Offeror and **will not be reimbursed** by Butts County.

4. **Instructions to prospective Contractors.** Your qualifications should be addressed as follows:

Butts County Board of Commissioners
625 West Third Street, Suite 4
Jackson, Georgia 30233

It is important that the Offeror's qualifications be submitted in a sealed envelope clearly marked In the lower left corner with the following information:

RFQ Legal Services
(Date)
SEALED QUALIFICATIONS FOR LEGAL SERVICES

It is the responsibility of the Offeror to ensure that the qualifications is received by Butts County by date and time specified above. Late qualifications will not be considered. In order to ensure a fair review and selection process, firms and individual attorneys submitting qualifications are specifically requested not to make other contacts with Butts County staff regarding this qualifications. Failure to comply with this request will result in disqualification of the qualifications.

5. **Right to Reject.** Butts County reserves the right to reject ***any*** and ***all*** qualifications received in response to this RFQ. A contract for the accepted qualifications will be drafted based upon the factors described in the RFQ.
6. **Minority-Owned Businesses.** Efforts will be made by Butts County to utilize woman, minority and/or service-disabled veteran owned businesses.
7. **Notification of Award.** It is expected that a decision selecting the successful Firm or Attorney will be made within thirty (30) days of the closing date for the receipt of qualifications Upon conclusion of final negotiations with the successful Firm or Attorney, all Offerors submitting qualifications to the Request for Qualifications will be informed, in writing, of the name of the successful Firm or Attorney. Upon award of agreement, the successful Firm or Attorney must comply with O.C.G.A. § 13-10-91, commonly referred to as E-Verify. Renewal of the appointment/agreement will require reauthorization by Butts County Commissioners. If both parties cannot agree on prices for an agreement extension, the existing agreement will be allowed to expire and will be rebid.

II. SCOPE OF SERVICES

Under the proposed agreement, Counsel will provide the following on a fixed hourly rate schedule:

1. Provides legal advice, counsel, services and consultation to the County Administrator, County Commissioners, senior County management staff, and Constitutional Officers on a wide variety of civil assignments, ***including but not limited to:*** general civil law, labor law, general state and federal laws relating to grant and contract issues, public disclosure issues, laws against discrimination, property/real estate law, contract law, purchasing and procurement, criminal law, statutory law related to Service Delivery and Intergovernmental Agreements, and law that may affect County governance. Counsel's advice includes methods to avoid civil litigation.

2. Answers requests for legal opinions, in writing and verbally. Prepares written legal opinions at the request of the County Administrator, County Commissioners, senior County management staff, and Constitutional Officers. Availability to answer staff questions by telephone or email.
3. Appears before courts and administrative agencies to represent Butts County's interests.
4. Works cooperatively with any special legal counsel retained by Butts County for special projects. Coordinates with other special counsel, as needed, to ensure proper management of legal issues, and proper coordination and transition of legal information among special counsel.
5. Provides guidance and legal advice on the Sunshine Law, the Freedom of Information Act, Robert's Rules of Order, and County rules, policies, and procedures.
6. Assists staff to understand the legal roles and duties of their respective offices and interrelationships with others.
7. Assists the County Administrator, County Commissioners, senior County management staff, and Constitutional Officers to maintain ethical standards and appearance of fairness standard, and to avoid potential conflicts of interest, prohibited transactions and the appearance of prohibited transactions.
8. Prepares and reviews contracts, leases, Intergovernmental Agreements, resolutions, ordinances, proclamations and other legal documents for correctness and acceptability. Negotiates said contracts, leases, Intergovernmental Agreements, resolutions, ordinances, proclamations and other documents upon request.
9. Reviews and redrafts various policies for legal correctness and acceptability. This would include, by way of example but not limited to, Personnel Policies, Family Medical Leave, etc.
10. Attendance during the year of County Commissioner meetings and/or Work Sessions. Attend other meetings as requested, by way of example but not limited to, Special Called Meetings of Butts County Commissioners, Service Delivery meetings, SPLOST and LOST meetings, etc.
11. Performs other legal services and tasks, as requested.

III. GENERAL SPECIFICATIONS

The following provisions shall also apply:

1. Timeliness of response and accessibility to Counsel is an important aspect of this service. Accessibility includes the ability to be generally available to attend meetings in person on short notice and the ability to be reached promptly by telephone, cell phone or e-mail.
2. Counsel must be available by phone, fax, cell phone and e-mail.

3. Service response is also of high importance. When the County Administrator/County Commissioners request legal services, Counsel should provide some estimated time of completion and keep the requesting party apprised of any delays or special considerations.
4. Describe malpractice insurance coverage: carrier, limits and exemptions.
5. The service provider shall disclose possible conflicts of interests. By way of example but not limited to, those governmental agencies that currently are represented by they provide that are currently or in the future may conduct business with Butts County.
6. The service provider shall provide detailed itemized statements on a monthly basis for services rendered. It shall be the service provider's responsibility to ensure that each itemized statement is accurate in its detail.

IV. CONTRACT ETHICS

1. No County Commissioners or employee of Butts County who exercises any responsibilities in the review, approval or implementation of the qualifications or contract shall participate in any decisions, which affect his or her direct personal or financial interest.
2. It is a breach of ethical standards for any person to offer, give or agree to give any County employee, County Commissioners, or for any County employee to solicit, demand, accept or agree to accept from another person or firm, a gratuity or an offer of employment, whenever a reasonably prudent person would conclude that such consideration was motivated by an individual, group or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded to the general public.
3. The attorney or firm shall not assign any interest in this contract and shall not transfer any interest in the same without the prior written consent of Butts County.
4. The attorney or firm shall not accept any client or project that places it in a conflict of interest with its representation of Butts County. If such a conflict of interest is subsequently discovered, Butts County shall be promptly notified.

V. QUALIFICATIONS SUBMISSION

1. Qualifications received after the deadline will not be accepted. It is neither Butts County's responsibility nor practice to acknowledge receipt of any qualifications. It is the responder's responsibility to assure that a qualifications are received in a timely manner.
2. Interested attorneys or firms shall submit a billable hourly rate for legal services. The price shall include all labor, material, and equipment necessary for the performance of this contract.
3. Butts County expects all submitting attorneys and firms to consent to the Scope of Work and General Specifications. Exceptions desired must be clearly noted in the qualifications submittal.

4. Butts County reserves the right to reject any and all qualifications, to waive irregularities and informalities, to request additional information from all respondents, and further reserves the right to select the qualifications with furthers the best interests of Butts County.
5. All interested attorneys and firms should provide One printed (1) original and three (3) digital USB flash drive copies of qualifications, responding to each inquiry in the order below. Please attach one set of business cards for your team with the original qualifications.

VI. QUALIFICATION CONTENTS

The Offeror, in its qualifications, shall at a minimum include the following:

1. **Legal Experience.** The Offeror should describe its legal experience, including the names, addresses and telephone numbers of at least three (3) clients, preferably including clients similar to Butts County. Experience should include the following categories:
 - A. Experience advising local and county governments
 - B. Experience advising clients providing similar services through local taxation, fees, local, state and federal funds
2. **Organization, Size, Structure, and Areas of Practice.** If the Offeror is a firm, it should describe its organization, size, structure, areas of practice and office locations. Indicate, if appropriate, if the firm is a small or minority owned business.
3. **Attorney Qualifications.** The Offeror should have a minimum of 5 years experience in the following areas: local and county government, government grants and contracts, labor and employment and general business operations with overall experience of at least 10 years. The Offeror should describe the qualifications of attorneys to be assigned to the representations. Descriptions should include:
 - A. Professional and educational background of each attorney
 - B. Overall supervision to be exercised
 - C. Prior experience of the individual attorneys with respect to the required experience listed above. Only include resumes of attorneys likely to be assigned to the representation. Education, position in firm, years and types of experience and continuing professional education will be considered.
4. **Price.** The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research copies and faxes. Also include a billable hour rate that would be charged to advise on routine matters that could be handled over the phone or e-mail without extensive research or other legal work. Butts County reserves the right to negotiate with the Offeror on the structure of the billing and/or retainer fee.
5. **Evaluation Procedure and Criteria.** Butts County's County Administrator and three (3) staff members will review qualifications and make recommendations to Butts County Commissioners for final approval. The County Administrator may request a meeting with some qualified

Offeror's prior to final selection. Qualifications will be reviewed in accordance with the following:

EVALUATION CRITERIA	MAXIMUM RATING POINTS
Geographic Location and Accessibility	10
Past Performance on Similar Assignments	17
Management Plan and/or Approach	10
Evidence of respondents expertise and experience with county and local governments	20
Key Personnel	15
Cost	26
MBE/WBE/Veteran	2