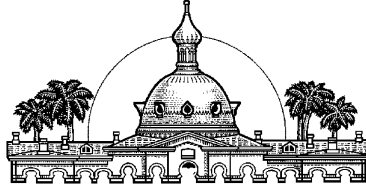

**HILLSBOROUGH
COUNTY**



**REQUEST FOR QUALIFICATIONS
FOR
OUTSIDE LEGAL COUNSEL
FOR
CONTRIBUTION CLAIM**

HILLSBOROUGH COUNTY – OFFICE OF THE COUNTY ATTORNEY

RENEE F. LEE, COUNTY ATTORNEY
601 E. KENNEDY BLVD., COUNTY CENTER, 27TH FLOOR
TAMPA, FLORIDA 33602

P. O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE: (813) 272-5670
FAX NUMBER: (813) 272-5231

IMPORTANT INFORMATION

DESCRIPTION: The Hillsborough County Attorney's Office is soliciting Requests for Qualifications to provide legal services as outside counsel for the purpose of advising, initiating and representing Hillsborough County, Florida (the "COUNTY") in an anticipated lawsuit against current Hillsborough County Commissioner Kevin White ("Commissioner White"). The anticipated lawsuit will seek contribution from Commissioner White for the total monetary amount incurred by the COUNTY stemming from the COUNTY'S defense of, and the resulting verdict against the COUNTY and Commissioner White in, the sexual harassment lawsuit entitled Alyssa Ogden v. Hillsborough County and Kevin White (USDC Case No. 8:08-cv-1187-T-26TBM).

PROCUREMENT SUBMITTAL DEADLINE: Thursday, February 25, 2010 at 4:00 p.m. EST.

The Respondent is directed to deliver **ONE (1) ORIGINAL** (clearly marked "ORIGINAL") and **THREE (3) COPIES** (clearly marked "COPY") of its Response to the following address prior to the above-referenced deadline:

Hillsborough County
Office of the County Attorney
401 E. Kennedy Blvd., 27th Floor
Tampa, Florida 33602

All Responses should be marked "SEALED RESPONSE FOR RFQ FOR OUTSIDE LEGAL COUNSEL FOR CONTRIBUTION CLAIM"

Responses will be opened at the above-referenced address.

NOTE – THERE WILL BE NO "FORMAL" RESPONSE OPENING FOR THIS PROJECT.

PRE-PROPOSAL CONFERENCE: There is no pre-proposal conference scheduled for this RFQ.

For additional information, contact: Sacha Brown-Taylor, Assistant County Attorney, Telephone (813) 272-5670; Facsimile: (813) 272-5231; E-mail: BrownS@HillsboroughCounty.org.

*** **NOTE:** This document is organized into THREE PARTS. PART 1 contains the general information and conditions. PART 2 contains the project specific information and specific response requirements. PART 3 contains the various forms that are required as part of the RESPONSE. RESPONDENT should remove PART 3 and attach it, completed, to their RESPONSE.

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PART 1

GENERAL INFORMATION AND CONDITIONS

**HILLSBOROUGH COUNTY – OFFICE OF THE COUNTY ATTORNEY
RFQ FOR OUTSIDE LEGAL COUNSEL FOR CONTRIBUTION CLAIM**

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1. INSTRUCTIONS TO RESPONDENTS
2. SCHEDULE OF EVENTS
3. GENERAL CONDITIONS
4. RESPONSE FORMAT AND CONTENT
5. DISQUALIFICATION
6. WAIVER OF CONFLICT OF INTEREST

1. INSTRUCTIONS TO RESPONDENTS

1.1 GENERAL INFORMATION

The Hillsborough County Attorney's Office (the "COUNTY ATTORNEY") is soliciting Requests for Qualifications to provide legal services as outside counsel for the purpose of advising, initiating and representing Hillsborough County, Florida (the "COUNTY") in an anticipated lawsuit against current Hillsborough County Commissioner Kevin White ("Commissioner White"). The anticipated lawsuit will seek contribution from Commissioner White for the total monetary amount incurred by the COUNTY stemming from the COUNTY'S defense of, and the resulting verdict against the COUNTY and Commissioner White in, the sexual harassment lawsuit entitled Alyssa Ogden v. Hillsborough County and Kevin White (USDC Case No. 8:08-cv-1187-T-26TBM).

1.2 PROCUREMENT PROCESS

The procurement process that will be utilized for this service will be a Request for Qualifications ("RFQ").

It is the COUNTY ATTORNEY'S intention to solicit RESPONSES from potentially qualified RESPONDENTS; to evaluate their RESPONSES; to require oral presentations (where necessary); to negotiate terms, including price; and to retain the services of the selected RESPONDENT.

The COUNTY ATTORNEY will evaluate all RESPONSES received by the submittal deadline set forth in this RFQ, or as amended by addendum, on the basis of the criteria stated below.

The COUNTY ATTORNEY reserves the right to request additional information and clarification of any information submitted, including any omission from the original RESPONSE. All RESPONDENTS will be treated equally with regard to this item.

In order to achieve maximum scores, RESPONDENTS must demonstrate to the COUNTY ATTORNEY that they are fully qualified to provide the services required by this RFQ. Fully qualified RESPONDENTS will have the qualifications (knowledge, expertise, reputation and skills) and experience (documented, successful, and relevant) necessary to meet the requirements of this RFQ.

A presentation by the RESPONDENT may be required.

It is the objective of the COUNTY ATTORNEY to retain the RESPONDENT whose RESPONSE is judged, through the evaluation and negotiation process, to be in the best interest of the COUNTY.

The COUNTY ATORNEY will evaluate the RESPONSES and subsequently negotiate with the top three (3) ranked RESPONDENTS, determined in accordance with the criteria listed in this RFQ, to obtain a

fair and reasonably priced contract in an amount not to exceed the budget stated herein. The evaluation criteria, as further described in PART 2 of this document, should be addressed in sufficient detail to allow the COUNTY ATTORNEY to properly evaluate the RESPONSES.

At the option of the COUNTY ATTORNEY, negotiations may include discussions of fees and other charges, insurance requirements, and any other negotiable terms and conditions. Upon final selection of one successful RESPONDENT, the RESPONDENT will be notified and will be directed to proceed accordingly by the COUNTY ATTORNEY.

1.3 DELIVERY OF RESPONSES

The delivery of the RESPONSE to the Office of the County Attorney – Hillsborough County prior to the deadline is solely and strictly the responsibility of the RESPONDENT. The deadline is stated on page 2 of this document.

For informational purposes, the RESPONDENT is advised that United States Postal Service delivery is made to the County's Post Office Box. Delivery is not made directly to the County Attorney's Office street address even if the RESPONDENT specifies the street address and/or even if Express Mail Service is utilized; therefore, use of United States Postal Service may cause a delay in the receipt of the RESPONSE. RESPONDENTS are cautioned to plan necessary delivery time accordingly. The COUNTY ATTORNEY will in no way be responsible for delays caused by the United States Postal Service or for delays caused by any other occurrence.

1.4 QUESTIONS/REQUESTS FOR INTERPRETATION & ADDENDUMS

No substantive interpretation of the RFQ will be made to any RESPONDENT orally. Every question and/or request for such interpretation must be in writing, addressed to the following:

Hillsborough County – Office of the County Attorney
Attn: Sacha Brown-Taylor, Assistant County Attorney
601 East Kennedy Boulevard, 27th Floor
Tampa, FL 33602
OR
P.O. Box 1110
Tampa, FL 33601

Telefax questions and/or requests for interpretations will be accepted for this project. The telefax number for the COUNTY ATTORNEY'S Office is (813) 272-5231. To be given consideration, such questions/requests should be received **no later than Tuesday, February 16, 2010 by 5:00 p.m.** Questions/requests for interpretation will be answered in writing and, if, in the sole discretion of the County Attorney's office it is deemed necessary, any substantive interpretations and any supplemental instructions will be in the form of a written addendum which, if issued, will be posted on the COUNTY ATTORNEY'S website at www.hillsboroughcounty.org/countyattorney/ at least three (3) days prior to the date fixed for the opening of the RFQs. Failure of any RESPONDENT to receive any such addendum or interpretation shall not relieve said RESPONDENT from any obligation contained therein. All addenda so issued shall become part of the Contract Documents.

1.5 COST OF PREPARATION

The cost of preparing a RESPONSE to this RFQ shall be borne entirely by the RESPONDENT.

1.6 RFQ RESULTS

The RFQ results can be viewed on the COUNTY ATTORNEY'S website at www.hillsboroughcounty.org/countyattorney/.

2. SCHEDULE OF EVENTS

The selection process will be conducted in accordance with the following schedule

Schedule of Events:

DATE	DATE DESCRIPTION
Monday, February 8, 2010	Advertisement published / RFQ Broadcast
Tuesday, February 16, 2010 @ 5:00 p.m. EST	Respondent Question Deadline
Friday, February 19, 2010	County Attorney's Question/Answer Response
Thursday, February 25, 2010 @ 4:00 p.m. EST	RFQ Submittal Deadline

3. GENERAL CONDITIONS

3.1 REJECTION OF RESPONSES, CANCELLATION OF RFQ & MODIFICATION OF RFQ SCHEDULE

The COUNTY ATTORNEY reserves the right to reject any or all RESPONSES; to re-advertise this RFQ; to postpone or cancel this process; to waive irregularities in the RFQ process or in the RESPONSES thereto; and to change or modify the RFQ schedule at any time.

3.2 BINDING OFFER & CONTRACT DOCUMENTS

A RESPONDENT'S submittal will be considered a binding offer to perform the required services, assuming all terms are satisfactorily negotiated.

The submission of a RESPONSE shall be taken as prima facie evidence that the RESPONDENT has familiarized itself with the contents of this RFQ.

The COUNTY ATTORNEY'S written acceptance of the selected RESPONDENT'S offer shall constitute a binding contract, and all the documents contained in this RFQ (and any addendums issued), the selected RESPONDENT'S RESPONSE, and any additional agreements reached through negotiations, shall be considered the Contract Documents and the parties shall be governed by the terms and conditions set forth therein (the "Contract Documents").

3.3 TERM AND TERMINATION

The term of this contract shall begin on the date the selected RESPONDENT is notified of the COUNTY ATTORNEY'S acceptance of its RESPONSE/offer and shall end when litigation of the anticipated lawsuit has been concluded, unless previously terminated by either party.

The COUNTY ATTORNEY may terminate this contract at any time, with or without cause, upon ten (10) days written notice to the selected RESPONDENT.

3.4 CONTRACT AMOUNT/BUDGET

The amount of this contract shall not exceed Twenty Five Thousand Dollars (\$25,000.00) which will include, but is not limited to, the cost of legal services, filing fees, court costs, copies, postage, travel expenses, deposition expenses, and other miscellaneous expenses associated with the services contemplated in this RFQ.

3.5 FISCAL NON-FUNDING CLAUSE

In the event sufficient budget funds are not available for a new fiscal period, the COUNTY ATTORNEY shall notify the selected RESPONDENT of such occurrence and the contract shall terminate on the last day of the current fiscal period without penalty or expense to the COUNTY and/or the COUNTY ATTORNEY.

3.6 PAYMENT

The COUNTY ATTORNEY shall pay the selected RESPONDENT for the services rendered and any related costs in accordance with the Prompt Payment Act (Florida Statutes §218) and the selected RESPONDENT shall timely submit invoices to the COUNTY ATTORNEY'S Office in accordance with the guidelines set forth in **ATTACHMENT 1 – GUIDELINES FOR SUBMITTING INVOICES FOR PROFESSIONAL FEES AND COSTS.**

3.7 ASSIGNMENT OF CONTRACT

The RESPONDENT may not make any assignment of its obligations resulting from this RFQ without the prior written authorization of the COUNTY ATTORNEY.

3.8 AVAILABILITY OF PERSONNEL

Personnel described in the RESPONSE shall be available to perform the services described. All personnel shall be considered to be, at all times, the employees or agents of the RESPONDENT, and not employees or agents of the COUNTY.

3.9 OWNERSHIP OF DOCUMENTS

All documents resulting from this project will become the sole property of the COUNTY.

3.10 PUBLIC RECORDS

In accordance with Chapter 119 of the Florida Statutes, and, except as may be provided by other applicable State and Federal Laws, all RESPONDENTS should be aware that this RFQ and all the RESPONSES thereto are in the public domain and are available for public inspection. The RESPONDENTS are requested, however, to identify specifically any information contained in their RESPONSES which they consider to be confidential and/or proprietary and which they believe to be exempt from disclosure, citing specifically the applicable exemption law. All RESPONSES received in response to this RFQ will become the property of the COUNTY and will not be returned.

3.11 HILLSBOROUGH COUNTY EQUAL OPPORTUNITY CLAUSE

During the performance of this contract, the RESPONDENT agrees that RESPONDENT will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age or physical handicap. The RESPONDENT will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, national origin, age, or physical handicap. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment advertising; layoff or

termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. RESPONDENT agrees that during the term of this contract it will comply with any other applicable Federal and State laws, Executive Orders and regulations prohibiting the type of discrimination delineated above.

3.12 NON-EXCLUSIVITY OF CONTRACT

The selected RESPONDENT understands and agrees that any resulting contractual relationship is non-exclusive and the COUNTY ATTORNEY reserves the right to seek similar or identical services elsewhere if deemed in the best interests of the COUNTY.

3.13 INDEMNIFICATION

The selected RESPONDENT agrees to indemnify and hold harmless the COUNTY ATTORNEY, the COUNTY, and its officers and employees from all liabilities, damages, losses and costs, including, but not limited to, attorney fees, to the extent caused by the act, error, omission, negligence, recklessness or intentional wrongful conduct of the RESPONDENT and other persons employed or utilized by the RESPONDENT in the performance of this contract.

3.14 PUBLIC ENTITY CRIMES STATEMENT

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

Additionally, pursuant to COUNTY policy, a conviction of a public entity crime may cause the rejection of a bid, offer, or proposal. The COUNTY may make inquiries regarding alleged convictions of public entity crimes. The unreasonable failure of a bidder, offerer or proposer to promptly supply information in connection with an inquiry may be grounds for rejection of a bid, offer or proposal.

4. RESPONSE FORMAT AND CONTENT

RESPONDENTS are advised to carefully follow the instructions listed below in order to be considered fully responsive to this RFQ.

RESPONDENTS are further advised that lengthy or wordy submissions are not necessary.

Cover Page. The RESPONSE should provide a cover page that:

States the RFQ Title (located on the cover page of this document)

Contains the RESPONDENT'S name, mailing and location address, telephone number, facsimile number, e-mail address, and the name of the RESPONDENT'S contact person and, if different from that of the RESPONDENT, the contact person's mailing and location address, telephone number, and facsimile number and e-mail address.

Responses to Questions & Other. The RESPONSE must, in order to be fully considered, contain responses to all questions and other requests for information contained in this document. RESPONSES should be submitted in the order the questions and other information requests appear in this document. RESPONDENTS should list each question with the corresponding answer immediately thereafter.

Format. The RESPONSE should be submitted on 8-1/2 inch-by-11 inch pages. Each page should be typewritten and single spaced. Text of the original should be presented single-sided on each separate page. Duplicate copies can be reproduced double-sided. Each response section should be tabbed to comply with the sections of this document.

Signature. All RESPONSES must be manually and duly signed by an authorized corporate officer, principal, or partner (as applicable).

Complete RESPONSES must, at a minimum, contain the following:

- (i) Part 2 – RESPONDENTS must become fully familiar with the work identified and the requirements contained in this section. Additionally, at a minimum, RESPONDENTS must provide responses to all questions and requests for information as contained within this document.
- (ii) Part 3 – RESPONDENTS must complete and submit the required forms and Questionnaire contained in this section.

5. DISQUALIFICATION

The COUNTY ATTORNEY reserves the right to disqualify RESPONSES before or after opening, upon evidence of collusion with the intent to defraud or other illegal practices upon the part of the RESPONDENT.

The COUNTY ATTORNEY may consider any RESPONSE informal that is not prepared and submitted in accordance with the provisions of this RFQ, and may waive any informalities, or irregularities, or reject any and all RESPONSES, at its sole discretion.

The COUNTY ATTORNEY reserves the right to reject, at its sole discretion, any RESPONSE if the evidence submitted by the RESPONDENT or an investigation of the qualifications and/or experience of the RESPONDENT fails to satisfy the COUNTY ATTORNEY that such RESPONDENT is sufficiently qualified or experienced to carry out the obligations as required in this RFQ. The COUNTY ATTORNEY also reserves the right to reject all responses to the RFQ, in its sole discretion.

6. CONFLICT OF INTEREST

During the term of this contract, the selected RESPONDENT shall not maintain employment with another client if, in its judgment or in the judgment of the COUNTY ATTORNEY, the exercise of the selected RESPONDENT'S independent judgment on behalf of the COUNTY on any matter directly related to the services contemplated hereunder will or is likely to be adversely affected.

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PART 2

PROJECT INFORMATION AND RESPONSE REQUIREMENTS

**HILLSBOROUGH COUNTY – OFFICE OF THE COUNTY ATTORNEY
RFQ FOR OUTSIDE LEGAL COUNSEL FOR CONTRIBUTION CLAIM**

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2. DESCRIPTION OF SERVICES AND/OR SCOPE OF WORK
3. MINIMUM QUALIFICATIONS AND REQUIREMENTS
4. RESPONSE REQUIREMENTS
5. EVALUATION CRITERIA
6. EVALUATION PROCESS
7. ACKNOWLEDGEMNT OF BUDGET

1. INTRODUCTION AND BACKGROUND

There are seven members of the Board of County Commissioners for Hillsborough County (the "BOCC"). Four are elected from single-member districts, and three are elected COUNTY-wide. The BOCC approves the COUNTY'S operating and capital budgets and the COUNTY'S capital improvement program. The BOCC may also take action on any programs for the improvement of the COUNTY and the welfare of its residents. Under a Charter Ordinance that went into effect May 1985, the BOCC is directed to perform legislative functions of government by developing policy for the management of the COUNTY. The County Administrator, a professional appointed by the BOCC, and the administrative staff are responsible for the implementation of these policies.

The COUNTY ATTORNEY is appointed by and reports to the BOCC. The COUNTY ATTORNEY advises and represents the BOCC, as well as the Hillsborough County Administrator and Hillsborough County Departments.

The COUNTY ATTORNEY is currently seeking experienced, well-qualified attorneys and/or law firms to serve as outside counsel for the purpose of advising, initiating and representing Hillsborough County, Florida (the "COUNTY") in an anticipated lawsuit against current Hillsborough County Commissioner Kevin White ("Commissioner White"). The anticipated lawsuit will seek contribution from Commissioner White for the total monetary amount incurred by the COUNTY stemming from the COUNTY'S defense of, and the resulting verdict against the COUNTY and Commissioner White in, the sexual harassment lawsuit entitled Alyssa Ogden v. Hillsborough County and Kevin White (USDC Case No. 8:08-cv-1187-T-26TBM).

Alyssa Ogden v. Hillsborough County and Kevin White was tried before a federal court jury in August 2009. Alyssa Ogden ("Ogden") was an employee in the office of Commissioner White. The jury determined that Ogden was subjected by Commissioner White to sexual harassment or unwelcome sexual advances, and that she was dismissed from her employment because she rejected Commissioner White's unwelcome sexual advances. The jury awarded Ogden \$75,000.00, including \$15,000.00 for past and future medical expenses, and \$60,000.00 for emotional pain and anguish.

The total verdict was determined by the Court to be joint and several against both Commissioner White and the COUNTY.

Subsequent to the jury verdict, the BOCC voted not to appeal the Court's decision and voted to pay the outstanding verdict and Ogden's attorney's fees. To date, the COUNTY has paid a total of approximately \$425,000.00, including the following amounts:

\$75,000.00 – verdict
\$191,606.23 – outside attorneys hired by the COUNTY in defense of the lawsuit
\$21,382.95 – COUNTY'S costs in defense of the lawsuit
\$203,000.00 – Ogden's attorney's fees and costs

The COUNTY has been awarded a \$65,898.18 insurance recovery, which reduced the COUNTY'S net expenses in the case to approximately \$425,000.00.

To date, Commissioner White has made no monetary contribution toward the verdict or Ogden's attorney's fees and costs. As a result, at the February 3, 2010 regularly scheduled BOCC meeting, the BOCC voted to file suit against Commissioner White in Florida State court, seeking contribution from Commissioner White for the total amount paid by the COUNTY in this lawsuit.

2. DESCRIPTION OF SERVICES AND/OR SCOPE OF WORK

The COUNTY seeks to retain the services of an attorney(s) to represent the COUNTY in preparing, filing and pursuing, to its conclusion, a lawsuit against Commissioner White, including any appeals related to this lawsuit, as well as defending against any counterclaims. The scope of work involves not only pursuing the lawsuit, but regularly advising the COUNTY ATTORNEY and the BOCC regarding the status of the legal action. The attorney(s) shall be the only attorney(s) representing the COUNTY in this matter. In the event of the filing of a bankruptcy petition by Commissioner White, and in anticipation of the potential filing of a bankruptcy petition by Commissioner White, the attorney(s) shall take whatever legal course of action is available to protect the legal interests of the COUNTY, subject to approval by the BOCC, where applicable.

3. MINIMUM QUALIFICATIONS AND REQUIREMENTS

The RESPONDENT must meet all the minimum qualifications set forth below:

- a. The attorney(s) must be a member of the Florida Bar;
- b. The attorney(s) must have practiced for at least 5 years;
- c. The attorney(s) shall have a demonstrable background in representing both local government entities and other plaintiffs in the prosecution of lawsuits; and
- d. The attorney (s) shall not have represented Commissioner White in any matter previously.

4. RESPONSE REQUIREMENTS

RESPONSES should be prepared simply and economically, providing a straight-forward, concise description of the RESPONDENT'S ability to fulfill the requirements of this RFQ. In order to ensure a uniform review process and to obtain the maximum degree of understanding of the RESPONDENT'S abilities, experience and qualifications, it is required that RESPONSES be organized and submitted as follows:

- (i) Cover Page – the RESPONSE should contain a cover page pursuant to the requirements set forth in Part 1, Section 4 of this RFQ.

- (ii) Letter of Transmittal – a letter of transmittal that provides a brief statement of interest and qualifications of the RESPONDENT and its team. The letter should clearly state the services to be provided by the firm and its sub-consultants.
- (iii) Table of Contents
- (iv) Organizational Chart – should identify members of the RESPONDENT’S team. Only those members of the team that will actively be involved in the work contemplated under this RFQ should be included. Individuals that would be available on an “as-needed” basis should be omitted.
- (v) Form 1 – Declaration of Respondent and Acknowledgement
- (vi) Form 2 – Questionnaire
- (vii) Form 3 – References
- (viii) Form 4 – RFQ Checklist

The RESPONDENT must deliver **ONE (1) ORIGINAL** (clearly marked “ORIGINAL”) and **THREE (3) COPIES** (clearly marked “COPY”) of its RESPONSE to the COUNTY ATTORNEY’S Office by the deadline set forth on page 2 of this RFQ.

5. EVALUATION CRITERIA

The COUNTY ATTORNEY will review and evaluate all RESPONSES submitted in response to this RFQ. The COUNTY ATTORNEY will conduct an evaluation of all RESPONSES on the basis of the information provided and other evaluation criteria set forth in this RFQ.

The selection of the best-qualified attorney(s) and/or firm will be based on the RESPONDENT’S responsiveness to this RFQ, and will be evaluated as follows:

Evaluation Criteria	Percentage of Importance
Qualifications and Experience of Firm	45%
Qualifications and Experience of Key Personnel	45%
Respondents Overall Responsiveness (whether response meets the requirements and is organized as requested in the specifications)	10%

6. EVALUATION PROCESS

The COUNTY ATTORNEY shall evaluate the RESPONSES on the basis of the criteria as stated in Section 5 above. The COUNTY ATTORNEY reserves the right to request additional information and clarification of any information submitted, including any omission from the original RESPONSE. The COUNTY ATTORNEY may conduct discussions, interviews, or require presentations of any or all RESPONDENTS prior to the selection, and/or to investigate the qualifications of any RESPONDENT as it deems appropriate.

The COUNTY ATTORNEY reserves the right to waive any informalities or irregularities in any RESPONSE and to reject any and/or all RESPONSES as may be deemed in the best interest of the COUNTY.

Once the RESPONSES have been ranked based on the scoring of the RESPONSES by the COUNTY ATTORNEY, the COUNTY ATTORNEY will negotiate with the top-ranked attorney(s)/firm. Should the COUNTY ATTORNEY be unable to successfully negotiate with the selected attorney(s)/firm, the COUNTY ATTORNEY, in its sole and absolute discretion, shall terminate negotiations and shall then undertake negotiations with the next best qualified attorney(s)/firm until a selection is made. Negotiations will include discussion of fees and other charges, insurance requirements and any other

negotiable terms and conditions. Moreover, during said negotiations, the COUNTY ATTORNEY may require the RESPONDENT to submit a written budget/estimate of the anticipated professional fees and expenses associated with the firm's anticipated engagement for the project/matter. The budget estimate should include a summary of hours anticipated to be billed by the attorney(s), law clerks, and paralegals as well as an estimate of legal research time, any administrative time (defined as copying and facsimile costs) and any other costs associated with representation.

7. ACKNOWLEDGEMENT OF BUDGET

By submitting a response to this RFQ, the RESPONDENT acknowledges and agrees that the total costs for the work to be performed under this RFQ, including any related costs, shall not exceed Twenty Five Thousand Dollars (\$25,000.00).

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PART 3

REQUIRED RESPONSE FORMS

**HILLSBOROUGH COUNTY – OFFICE OF THE COUNTY ATTORNEY
RFQ FOR OUTSIDE LEGAL COUNSEL FOR CONTRIBUTION CLAIM**

REQUIRED FORMS

Form 1 – Declaration of Respondent and Acknowledgement

Form 2 – Questionnaire

Form 3 – References

Form 4 – RFQ Checklist

***** NOTE: The above-referenced forms must be submitted with RESPONDENT'S RESPONSE.**

FORM 1

DECLARATION OF RESPONDENT AND ACKNOWLEDGEMENT

(THESE PAGES MUST BE SUBMITTED WITH THE RESPONDENT'S SUBMITTAL)

1. Name of RESPONDENT: _____
(typed or printed: firm, corporation, business or individual)

2. Name of Contact Person: _____

3. Our local (to Tampa, Florida) business and mailing address is:

4. Our primary business and mailing address is:

5. Our present business phone number is: (____) _____
Our present business fax number (if any) is: (____) _____
Our present e-mail address (if any) is: _____

6. Our business has been in operation under its present name since:

7. Our Federal Tax ID Number is: _____

The below named RESPONDENT affirms and declares:

1. That the RESPONDENT has contractual capacity, and that no other person, RESPONDENT or corporation has any interest in this RESPONSE.
2. That this RESPONSE is made without any understanding, agreement, or connection with any other person, RESPONDENT or corporation making a RESPONSE for the same purpose, and is in all respects fair and without collusion of fraud.
3. That the RESPONDENT is not in arrears to COUNTY upon debt or contract and is not a defaulter, as surety or otherwise, upon any obligation to COUNTY.
4. That no officer or employee or person whose salary is payable in whole or in part from the COUNTY is, shall be or become interested, directly or indirectly, as surety or other wise in this RESPONSE, in the performance of any subsequent contract; for the supplies materials, equipment, and work or labor to which they relate; or in any portion of the profits thereof.

***** BY SIGNING THIS RESPONSE, THE RESPONDENT ACKNOWLEDGES AND AGREES THAT THE TOTAL COST FOR THE SERVICES AND WORK TO BE PERFORMED HEREUNDER, INCLUDING ANY RELATED COSTS, SHALL NOT EXCEED TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).**

IN WITNESS WHEREOF, this RESPONSE is hereby signed and sealed as of the date indicated below

ATTEST:

RESPONDENT

WITNESS

BY: _____
AUTHORIZED SIGNATURE

WITNESS

Printed Name Of Signer

Title

Date

[ACKNOWLEDGEMENT ON FOLLOWING PAGE]

ACKNOWLEDGEMENT OF RESPONDENT, IF A CORPORATION

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this

_____ By _____
(Date) (Name of officer or agent, title of officer or agent)

of _____ a _____ corporation,
(Name of corporation acknowledging) (State or place of incorporation)

on behalf of the corporation, pursuant to the powers conferred upon said officer or agent by the corporation. He/she personally appeared before me at the time of notarization, and is personally known to me or has produced

_____ as identification and did certify to have knowledge of the matters stated
(Type of Identification)

in the foregoing instrument and certified the same to be true in all respects.

Subscribed and sworn to (or affirmed) before me this _____

_____ (Date)
_____ Commission Number _____
(Official Notary Signature and Notary Seal)

_____ Commission Expiration Date _____
(Name of Notary typed, printed or stamped)

ACKNOWLEDGEMENT OF RESPONDENT, IF A PARTNERSHIP

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this

_____ By _____
(Date) (Name of acknowledging partner or agent)

partner (or agent) on behalf _____ a partnership. He/she personally appeared before me at the time of notarization, and is personally known to me or has produced

_____ as identification and did certify to have knowledge of the matters stated
(Type of Identification)

in the foregoing instrument and certified the same to be true in all respects.

Subscribed and sworn to (or affirmed) before me this _____

_____ (Date)
_____ Commission Number _____
(Official Notary Signature and Notary Seal)

_____ Commission Expiration Date _____
(Name of Notary typed, printed or stamped)

ACKNOWLEDGEMENT OF RESPONDENT, IF AN INDIVIDUAL

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this

_____ By _____
(Date) (Name of acknowledging)

who personally appeared before me at the time of notarization, and is personally known to me or has produced

_____ as identification and did certify to have knowledge of the matters stated
(Type of Identification)

in the foregoing instrument and certified the same to be true in all respects.

Subscribed and sworn to (or affirmed) before me this _____

_____ (Date)
_____ Commission Number _____
(Official Notary Signature and Notary Seal)

_____ Commission Expiration Date _____
(Name of Notary typed, printed or stamped)

FORM 2

QUESTIONNAIRE

Responses should contain direct answers to the following questions or request for information. Responses to each question or request for information should either begin on a new page with the question repeated at the top of the page or with clear break shown between questions. Respondents are required to answer all of the following questions.

1. Attorneys and Legal Staff

Provide the names, backgrounds, business/personal references, and office location(s) of the individuals who will be assigned to this project on a full time basis. Describe the professional backgrounds and qualifications of these individuals, particularly his/her/their experience representing Public Entities in Hillsborough County and the State of Florida.

2. Firm / Individual and Organization.

Provide a description of the firm/individual, its organization, size, and structure. Provide a statement of local availability and degree of accessibility to the COUNTY. In addition, address the following topics:

- (1) Availability to attend meetings at the COUNTY.
- (2) Proposed billing procedures for performing the scope of services to public agencies, including compliance with COUNTY billing guidelines for professional services and reimbursement of expenses.

3. Legal Services.

Provide a description of similar legal services that you have provided relative to the Scope of Work described in this RFQ..

4. Other Qualifications or Experience.

Provide any other information, qualifications, or experience that you may consider significant, innovative, pertinent, or otherwise relevant for the COUNTY ATTORNEY'S consideration.

- (1) Provide a description of the firm's local office organization structure, including a description of how its structure will facilitate coordination of services to the COUNTY.
- (2) Identify the principal contact individual for the firm.
- (3) Identify the individuals who will be responsible for COUNTY activities within the organization and describe the qualifications and relevant experience of each. Attach a resume or curriculum vitae for each, when appropriate.
- (4) For the principals identified above, provide addresses, telephone numbers, and email addresses.

5. County Contracts / Volume of Work.

List any current or prior contracts you have had within the past six (6) years with the COUNTY. Include contract, prime or subconsultant, year awarded, your scope of services and the fees previously paid. If none, then so state.

6. Conflict of Interest.

Whenever possible, describe any actual or possible conflict of interest which may result from the Respondent acting as outside counsel to the COUNTY. If none, so state.

7. Pending Litigation.

Describe any past, pending, or threatened litigation or regulatory action resulting from the services provided by the Respondent which pertains to any item as requested and described in the Scope of Work section of this RFQ. If none, so state.

8. Insurance.

List all current insurance coverage, including, but not limited to, any professional liability insurance and the monetary limits of such insurance.

9. Board Certification.

Please list, if applicable, any Board Certifications in any areas of Florida law currently held by the attorney(s) that will be providing the services contemplated in this RFQ.

FORM 3

REFERENCES

Qualifications and Experience of the Attorney/Firm – Describe contracts completed by your organization within the last five (5) years that prove experience in the industry, that are similar to this project in size and complexity. **Do not use Hillsborough County as one of the four (4) required references.**

A. Please provide at least two (2) references from local government clients.

Note: Attach additional sheets as necessary.

1. _____
COMPANY

ADDRESS

TELEPHONE FAX NUMBER

CONTACT E-MAIL ADDRESS

2. _____
COMPANY

ADDRESS

TELEPHONE FAX NUMBER

CONTACT E-MAIL ADDRESS

B. Please provide at least two (2) other references from local clients.

Note: Attach additional sheets as necessary.

1. _____
COMPANY

ADDRESS

TELEPHONE FAX NUMBER

CONTACT E-MAIL ADDRESS

2. _____
COMPANY

ADDRESS

TELEPHONE FAX NUMBER

CONTACT E-MAIL ADDRESS

FORM 4

RFQ CHECKLIST

The Response **must be** organized/labeled into the following major parts and must be in the following order (*Part 2: Section 4*):

Response Requirements / Response Format	
<i>Proposal Format</i>	<i>Section Title</i>
1	Cover Page
2	Letter of Transmittal
3	Table of Contents
4	Organizational Chart
5	Required Response Forms (Part 3) – must be completed <i>Form 1 – Declaration of Respondent & Acknowledgement (Completed & Signed)</i> <i>Form 2 – Questionnaire</i> <i>Form 3 – References</i> <i>Form 4 - RFQ Checklist</i>

Date: _____

Name of Person Responsible for Preparing RFQ

Title of Person Responsible for Preparing RFQ

ATTACHMENT 1

GUIDELINES FOR SUBMITTING INVOICES FOR PROFESSIONAL FEES AND COSTS

ATTORNEY/FIRM RESPONSIBILITIES:

Organization:

The attorney/firm will provide the COUNTY ATTORNEY with the names, telephone numbers, and email addresses of the attorney(s) assigned to the project as well as any paralegal(s) and law clerk(s). Also, the attorney/firm should provide the names, telephone numbers, and email addresses of the accounting staff responsible for invoices to the COUNTY ATTORNEY.

Billing:

The attorney/firm must submit all invoices to the COUNTY ATTORNEY'S designated representative. Professional fees must be described in sufficient detail that the COUNTY ATTORNEY can review and verify billed professional time. The COUNTY ATTORNEY will not approve "lump sum" billed hours. However, as with any document submitted to the COUNTY, invoices for legal professional services are public records, and descriptions should not jeopardize any statutory exemptions or attorney/client privilege.

Expenditures will be monitored to ensure professional fees and costs do not exceed the attorney's/firm's submitted budget (in the event such budget has been previously requested by the COUNTY ATTORNEY) or the budget limits set forth in this RFQ.