

SCOPE OF SERVICES

The Town of Belleair is seeking a firm with the highest degree of professionalism and ethics to serve as a trusted advisor to the Town's elected officials and staff. The selected firm will have outstanding communications skills and work closely with the Commission Members and staff, keeping everyone fully informed while listening carefully and responding to their needs. The ideal candidate firm will be one that has demonstrated it solves problems and is proactive in minimizing the Town's legal exposure.

The Town Attorney will be currently licensed to practice law in Florida and be a member in good standing of the Florida Bar. The Firm will be knowledgeable and experienced in municipal and other law including:

- Administrative matters and proceedings;
 - Code enforcement;
 - Municipal finance;
 - Contract law;
 - Drafting and reviewing ordinances and resolutions;
 - Ethics laws;
 - Constitutional law;
 - Applicable federal and state laws;
 - Land use and zoning;
 - The Bert Harris Act;
 - Litigation in state and federal courts;
 - Municipal leases and agreements;
 - Public records and Sunshine Law matters;
 - Home Rule Issues;
 - Town Charter and Town Code of Ordinances issues.
1. If the Town Attorney is not already, they will be expected to quickly become proficient in all the above with respect to the laws and regulations of the Town of Belleair.
 2. The Town Attorney will attend all regular meetings of the Town Commission and when necessary, select advisory board meetings including the Planning and Zoning Board. It will also attend workshop meetings of the preceding as well as those of Town Committees or other meetings as requested by the Town Commission or the Town Manager. At these meetings, the Firm will provide appropriate legal advice and written opinions as necessary and provide parliamentary guidance concerning the conduct of each of the meetings.
 3. Town Attorney will not need to maintain an office in Belleair, though workspace will be made available for the attorney.
 4. The Town Attorney will draft and review ordinances, charter amendments, resolutions, contract documents, and correspondence; assist in review and preparation of agenda items for meetings; provide legal consultation on some Town insurance matters; provide legal advice and, written

opinions to the Town Commission and Town Manager upon request on matters related to their official duties; perform all duties and functions imposed by general and special laws upon Town attorneys; prepare or review and approve deeds, and other legal instruments affecting or pertaining to the Town or in which the Town is a party. The Firm will also monitor the performance of any duties assigned to other counsel provided there is no conflict.

5. The Town Attorney will prosecute and defend the Town as to all civil complaints, lawsuits, and controversies in which the Town is a party. Specifically, the Town Attorney is responsible for prosecuting and defending the Town in civil actions when no counsel is provided by liability insurance or when the Town's exposure exceeds its insurance coverage. As directed by the Town Council, the Town Attorney will represent an employee or elected official who is individually named in a suit as a result of the execution of their official duties with the Town, provided that any such representation does not give rise to a prohibited conflict of interest or the appearance of a conflict.
6. As requested, the Town Attorney will provide the Town Council and Town Manager with assistance and legal counsel relating to the acquisition, lease or sale of real property, and in the review and preparation of deeds, easements, title searches and various real estate documents.
7. The Town Attorney will review all Solicitations, Invitations to Bid, Requests for Proposals, Requests for Qualifications, procurement documents, and respond to protests or questions in accordance with law.
8. The Town may assign legal matters to other attorneys or law firms when the Town Commission or Manager deem it to be in the Town's best interest. Generally, these matters will involve conflicts of interest for the Firm or special legal matters requiring a particular legal specialty. The Firm will work cooperatively with other counsel retained by the Town for special projects. The Town Attorney will coordinate with other counsel as necessary, to assure proper management of legal issues, and proper coordination and transition of legal information among counsel.
9. The Town Attorney will perform other legal research and provide legal advice as requested by the Town Council and Town Manager and will stay abreast of new and proposed state and federal legislation affecting the Town.
10. The Town Attorney must comply with the provisions of Chapter 119, Florida Statutes (Public Records Law).
11. The Town Attorney will perform professional duties and functions as may be required by ordinance or resolution of the Town Council.
12. The Town Attorney will provide legal services for such matters not covered by the paragraphs above, but which necessitate legal advice or representation by the Town Attorney, as determined by the Town Council.

13. As part of its duties, the Town Attorney will provide monthly bills and periodic status reports as requested by Town Council and the Town Manager, including a quarterly litigation report.
14. The Town Attorney may not represent members of the Commission or the Town Manager individually for any matters not related to their execution of town business

MINIMUM QUALIFICATIONS AND EXPERIENCE

To be considered a responsible and responsive proposer for the Scope of Work set forth in this solicitation, the Firm must possess the following:

1. The Firm must be licensed to do business in the State of Florida. Submit Sunbiz report with its company registered as active.
2. All the proposed Firm attorneys must be in good standing with the Florida Bar.
3. All the proposed Firm attorneys must be properly registered to practice their profession and licensed to engage in the practice of law in the State of Florida at the time of proposal submission.
4. The ideal Firm and the Primary and Back-up Town Attorney must have Municipal Town Attorney experience and demonstrate the following:
 - a. Immediately preceding the time of appointment, must possess a minimum of five years' experience practicing law in the courts of the State of Florida, of which a minimum of three years consists of practice in the area of municipal government.
 - b. Experience providing legal services to local governments in the areas listed in Part I: Scope of Services.
 - c. Experience coordinating and managing the work of other law firms retained for areas of specialized expertise.
5. Preference given to candidates who are Board Certified in City, County and Local Government Law.
6. The Firm must satisfy the General Insurance requirements. In addition, the Town Attorney is required to have Professional Liability (commonly known as errors & omissions) with limits of not less than \$1,000,000 to cover legal obligations arising out of errors, negligent acts, or omissions while carrying out this contract.

FEES FOR SERVICES AND RECORDS

The respondent may select one of the following three options it intends to use if selected as Belleair's Town Attorney.

Option 1: Retainer/Fixed Fee Cap Plus. The Firm will bill a monthly retainer for General Government Services plus hourly fees for litigation, special projects, or both, if not covered by a retainer.

Option 2: Hourly Fees for All Work. The Firm will use hourly rates to bill for the legal services the Firm provides to the Town.

Option 3: Respondent's Choice. Any billing methodology Respondent wishes to propose.

No matter which of the preceding options the Firm selects, it should provide monthly bills to the Town and maintain auditable records to account for all expenses billed. These records must be kept

in accordance with generally accepted accounting principles, and the Town reserves the right to determine record-keeping methods in the event of non-conformity.

SUBMITTAL REQUIREMENTS

Interested firms will include the following information in their submittal responses to this document. The following format and sequence should be followed to provide consistency in the firms' responses and to ensure each proposal receives full consideration. Use 8 ½ x 11 sheet pages only with minimum font size of 12 point. Undesignated information must be inserted at the rear of each package. Place page numbers at the bottom of every page. Note the maximum submittal length is 50 single sided pages.

Section 1: Cover Letter

Maximum two pages outlining why the Town should select your Firm. Identify who will be the point of contact, including their email address. Identify the Primary Attorney and in which office they are presently located.

Section 2: Qualifications/Experience of the Firm

1. Describe the Firm, the areas of practice, number of attorneys, years in operation, experience in the practice of Florida municipal law, and other background or experience which may be helpful in evaluating the proposal.
2. Identify the specific experience of the Firm in specialized areas, including but not limited to municipal issues such as parliamentary procedure, open meetings, Freedom of Information Act (FOIA), Government in the Sunshine, elected officials, municipal finance, land use, zoning, growth management, environmental law, inter-local agreements, building code, personnel, and any additional legal areas that will identify the focus of the Firm relevant to this engagement.
3. Identify any Florida Bar certifications
4. Provide a list and description of Firm ownership and principal office location.
5. Provide a list of all judgments or lawsuits against the Firm and each Firm attorney to be assigned to provide services to Belleair, including the nature of each judgment or lawsuit and its resolution.
6. Provide a list of all lobbyist(s) employed by the Firm, and the local agencies, entities, and general areas before which, and in which, they lobby.
7. List any clients currently represented by the Firm that could cause a conflict of interest with responsibilities to the Town of Belleair. Describe how the Firm will resolve these and any future conflicts of interest.
8. List any residential, commercial and/or industrial property developers the Firm has represented in the last five years.

9. List any commercial or multifamily properties the Firm or its principals have an interest in that lie with the Town Limits.

Section 3: Qualifications/Experience of Staff Working Directly for the Town of Belleair.

1. Designate the Primary Attorney to be assigned as Belleair Town Attorney and describe the amount of time said Attorney will devote to the Town of Belleair. Also, designate the Primary Back-up Attorney to be assigned and describe when the services of the Primary Back-up Attorney will be used to provide services to the Town of Belleair. For each of these attorneys, provide:
 - a. A biographical sketch of the attorney.
 - b. Indicate that attorney is a member in good standing with the Florida Bar and identify the date of admission.
 - c. If a member in good standing of other bars, identify state and date of admission.
 - d. Indicate the attorney's area of practice concentration relative to the area of service required by the Town, including experience in municipal law.
 - e. Please indicate if the attorneys are board certified in Town, county, and local government law by the Florida Bar. If the individuals are board certified in other areas of law, please indicate which certifications, they hold.
 - f. Please indicate if the attorneys are rated by a national rating service, which service, and what their ratings are.
 - g. Provide a description of each attorney's experience in representing local government entities. That is, identify all current (and for the past five years) municipal, county, or other governmental agencies for which the attorney has provided legal counsel or advice, and the relationship between the Law Firm and each individual attorney, and the identified entity. If the attorney has represented a non-governmental entity not already listed before a municipal government body, please indicate the name of the entity and the nature of the work.

Note: Once designated, the Firm may not change the Primary or Back-up Attorney without prior approval of the Town Commission.

Section 4: Location of Firm and Office Hours

Working from Belleair is not required. The Town will provide office space within Town Hall should the attorney desire to work from Belleair. Provide the address of any other location the Firm will utilize to provide legal services to the Town. If the Firm does not currently have an office within 30 miles of Belleair, please explain how you will establish and maintain a local presence, or provide services remotely.

Section 5: References

References will be requested from the top ranked firms, but are not needed at this time.

Section 6: Methodology and Approach to Providing Legal Services to the Town of Belleair

1. Provide a description of the Firm's approach and the manner in which the Respondent proposes to provide legal services to the Town, to include but not limited to, objectives, scope, methodology, after hours availability, etc. Describe how the Firm and the Primary Town Attorney would structure the working relationship between the Town Attorney's Office, the Town Commission, and the Town Manager's Office.
2. Provide a description of the Firm's approach towards providing proactive legal services, which will minimize claims and litigation, and measures that will be used to stay within an established budget.
3. Provide a description of the Firm's approach to conflict resolution.
4. Describe the Firm's experience with the Florida Code Of Ethics For Public Officers And Employees, and ethics generally.
5. Describe the approach to transition legal services from the current Firm, include legal strategy implications and objectives and financial implications.
6. Currently the Town of Belleair engages outside counsel in the areas of labor and employment law, pension matters (not pension board representation), and employs a local attorney to serve as special magistrate. Please describe the Firm's preferred approach in these areas of expertise and any other areas of expertise where the use of special outside counsel is anticipated.
7. Please indicate how the workload of the Town of Belleair will be accommodated and what kind of priority it would be given.

Section 7: Fee Proposal

Identify which of the following options the Firm intends to use in billing the Town of Belleair for services rendered and provide any explanatory information that will be helpful and/or necessary.

Option 1: Retainer/Fixed Fee Cap Plus. The Firm will bill a monthly retainer for General Government Services plus hourly fees for litigation, special projects, or both, if not covered by a retainer. Please quote the monthly fixed retainer fee to be charged for general governmental services and identify the items that are to be covered by the retainer. Also, clearly note any items the Firm would not provide as part of the retainer services and that the Firm will bill on an hourly basis. State separately the applicable rate(s) and for any other cost items proposed to be itemized and billed (e.g., use of paralegals, photocopying, Westlaw, or Lexis fees, etc.).

Option 2: Hourly Rates for All Work. Please specify the hourly rates and costs the firm will charge for providing legal services to the Town. Specify the hourly rate of the person to be designated as Primary Town Attorney and the hourly rate of other attorney and support personnel (such as paralegals) who will be providing service to the Town. Identify the minimum increment of time billed for each service

(e.g., telephone calls, correspondence, and conferences). The Town seeks billing increments of one-tenth of an hour or greater. If there are any services routinely performed at no cost, list those services. If other services are generally provided by the Firm at a standard rate provide that as well (Lobbyists, Consultants, etc)

Option 3: Respondent's Choice. Clearly and thoroughly explain any billing methodology Respondent wishes to propose. Use any combination of retainer and hourly rates that the Respondent chooses to deliver the requested services.

Once the top ranked firms have been identified, they may be asked to submit examples of billings for one or more similar clients and, if applicable, the methodology to be used for charging the Town on a monthly basis.