

REQUEST FOR PROPOSALS TO PROVIDE LEGAL SERVICES



Dougherty County, Georgia is accepting proposals from qualified professional legal Firms and/or Attorneys to provide legal services and to be appointed as the County Attorney. Licensed Attorneys or law firms who wish to be considered must submit a proposal along with other supporting documentation noted in this Request for Proposal to **Lisa Ward, Senior Associate, Mercer Group Associates** at lisaward912@gmail.com. Questions regarding specific elements of this Request for Proposals should be emailed to Alan Reddish, Mercer Senior Associate, at alanreddish@gmail.com

Deadline for submission of proposals Noon May 23, 2022

DOUGHERTY COUNTY LEGAL SERVICES OVERVIEW

Located in Southwest Georgia, Dougherty County is the major economic hub for Southwest Georgia and is known for its industry, healthcare system, and world-renowned quail plantations. The county's national recognition for quail hunting and Flint River recreational opportunities, make it a prime destination for outdoor enthusiasts. According to the 2020 census, Dougherty County has a population of 85,790.

The mission of the Dougherty County government is to improve the quality of life for all its citizens by demonstrating good stewardship of resources, while delivering cost-effective responsive services with integrity, fairness, and friendliness.

The Dougherty County Board of Commissioners (BOC) is comprised of seven elected officials who, with the exception of the Chairperson, represent six geographical districts. The Chairperson is elected at-large and represents the entire County. The BOC is responsible for establishing policies for the County government designed to benefit and serve the citizens of Dougherty County. These policies are implemented by the County Administrator who is appointed by the Board of Commissioners and is responsible for the daily operations of the County.

The County Attorney will be appointed by the Board of Commissioners in accordance with the Dougherty County Code to replace the current attorney who is retiring after 40+ years of service. The County Attorney is a parttime position and will be the County's legal advisor providing legal services as described in the "Scope of Services" section of this Request for Proposals.

All proposals submitted must demonstrate the qualifications, competencies, depth of legal knowledge, experience, and capability of the Firm/Attorney to provide legal services to the County in compliance with the requirements of this Request for Proposals (RFP) and the Dougherty County Code. Proposals must address all elements outlined in the RFP and be written in a straightforward, concise manner that describes the Firm/Attorney's ability to satisfy the legal needs of the County.

Proposals must be submitted by incorporated legal Firms/Attorneys authorized to do business in Georgia, utilizing Georgia licensed attorneys within the firm and naming a lead attorney. The lead attorney named in the proposal will be designated as the County Attorney for Dougherty County.

Scope of Services

A Professional Services Agreement will be executed with the successful attorney who will provide the following legal services:

- A. Attend all Board of Commissions (BOC) Regular Meetings (first and third Mondays of each month at 10:00 am); BOC Work Sessions (second and fourth Monday of each month at 10:00 am); BOC Special Called Meetings (as needed); and Executive Sessions (as needed). These meeting dates and times can change per BOC calendar approval.
- B. Provide general legal advice and other legal services typically provided by the position of County Attorney as requested by the BOC and/or County Administrator. Advise the BOC as to the legality and legal consequences of proposed courses of action by the BOC and/or staff. Provide legal counsel relative to legal prosecution and defenses for and against the County and County officials acting in their official capacity, as directed by the BOC.
- C. Attend meetings and provide legal advice for other county boards and county departments as may be occasionally directed by the County Administrator in response to an emerging issue.
- D. Draft and/or review County intergovernmental agreements with the City of Albany and other governmental entities, procurement contracts, requests for proposals, lease agreements, easements, and other documents related to usual business transactions of the County.
- E. Draft all new ordinances, resolutions, and amendments to existing ordinances and resolutions as directed by the BOC and County Administrator. Assist County staff with drafting proposed ordinances and resolutions as directed by the County Administrator.
- F. Handle all real estate transactions, including foreclosures, preparation of deeds and property descriptions, filing of liens, and sale or acquisition of property associated with County projects including right-of-way acquisitions. Assist with County real estate and property matters including the acquisition of property, easements and the use of eminent domain.
- G. Provide legal advice and assistance related to human resources issues. Advice and assistance may include but is not limited to hirings, terminations, disciplinary actions, discriminatory practices, and update of personnel policies and handbook.
- H. Analyze proposed State and Federal legislation that may affect the County and provide recommendations for mitigating potential negative impacts.

- I. Coordinate the work of third-party legal professionals providing services on behalf of the County or in the interest of the County.
- J. Provide written responses, where appropriate, to open records requests, civil action filings, and requests for legal interpretations or guidance from the BOC and/or County Administrator.
- K. While no fixed office hours at the County Government Center are required, the County Attorney will be expected to manage his/her workload and schedule in a manner that demonstrates a high priority for serving the County as compared to other clients the attorney may have in private practice. "High priority" will be demonstrated by timely verbal and written responses to requests from the BOC and staff as well as availability for in person meetings on short notice when needed.

Compensation for Services

The County believes the most cost-effective method for receiving legal services is to execute a Professional Services Agreement that compensates the County Attorney with a fixed flat rate monthly payment for as many of the routine and definable services as possible listed in the "Scope of Services" section of this RFP. Other services listed in the "Scope of Services" not covered by the fixed rate and services unknown at this time, but may be requested at a future date, will be compensated by an agreed upon hourly rate for services.

Firms/Attorneys responding to this RFP are required to enumerate which services will be covered by the flat fee and which services will be compensated by an hourly rate. All responses to the RFP must include a proposed monthly fixed flat rate amount and a proposed hourly rate(s) for legal professionals who will provide services under the Professional Services Agreement. If an attorney wishes to propose another method of compensation for services, the County will consider such proposals but will give greater consideration to proposals that also respond as described above.

Desired Qualifications

The County is seeking a professional County Attorney with requisite local government experience who is able to provide sound legal guidance and written opinions that are defensible and well researched. A thorough understanding of the legal framework of county government in the state of Georgia and an understanding of state legislative and judicial actions impacting local

government is required. The selected County Attorney must demonstrate diverse legal experience, particularly in the areas of county liability, regulation of new development, procurement and professional services contracts, public employment law, real estate law, and construction contracts.

The County Attorney must have at least five years of experience practicing local government law in the state of Georgia and must have been associated with a legally incorporated law firm that has provided legal services for at least three years to a Georgia county or municipality of comparable size and complexity as Dougherty County.

The County seeks a partner that is an excellent communicator, understands the role and responsibilities of the County Attorney position, values relationships, promotes transparency in government operations, and presents a professional demeanor. The selected County Attorney must be able to quickly gain the confidence of the Board of Commissions and staff by demonstrating a commitment to collaboration, accessibility, and prompt defensible responses to requests for information.

Proposal Submittal Requirements

All Firms/Attorneys submitting proposals in response to this RFP must include the following:

- Provide a detailed cover letter describing the legal entity's interest in being selected to provide the requested services and any other information not included in your proposal you believe would be useful to the BOC as they consider your response to this RFP.
- Provide name, address, phone number, email address of the Firm/Attorney and contact information of the person authorized to answer questions about the proposal. Identify the person who will be the lead attorney for purposes of this RFP and to designated as the County Attorney.
- Provide a brief description of the Firm to include date of inception, size, number of professional staff that will be assigned to the Dougherty County project, location of the office from which a majority of this work will be performed, and relevant experience working with Georgia local governments as required in this RFP.
- Provide a narrative of the qualifications of the persons proposed to provide direct services to Dougherty County. The narrative should include:
 - Education attainment, other legal training (such as certifications, licenses and

- honor), total years of practice, areas of specialization, date of admittance to Georgia Bar;
 - Experience providing legal services to Georgia municipal, county or state government;
 - Litigation experience and demonstration of a satisfactory court track record;
 - Professional affiliations and continued professional development.
- Provide a list of not less than four (4) client references we may contact to discuss relevant experience of persons proposed to provide services in response to this RFP. Client list must include name, phone number, and email address.
 - Describe the legal entity's proposed fees in response to the information provided in the **"Compensation for Services"** section of this RFP.
 - If any of the Firm's officers, partners, principals, agents, or employees that are expected to perform services under this RFP have been disciplined, admonished, warned, or had any license, registration, charter, certification, or any similar authorization to engage in the legal profession suspended or revoked for any reason describe the circumstances and final resolution of the issues.
 - If the legal entity or persons associated with the entity have been disqualified or terminated by any municipal, county, state government or other public agency explain under what circumstances the disqualification or termination occurred.

Submittal Deadline

All responses to this RFP must be submitted to Lisa Ward, Senior Associate, Mercer Group Associates **not later than Noon, May 23, 2022**. Responses will be accepted by email only to lisaward912@gmail.com. All responses will be reviewed and vetted by Mercer Group Associates before a short list of qualified proposals are submitted by Mercer Group to the Board of Commissioners for further consideration. If you have questions or need further information, please contact Lisa Ward at 706-983-9326 or Alan Reddish at 706-614-4961.

Dougherty County reserves the right to reject all or any part of any or all proposals, to waive technical or legal deficiencies and to accept any proposal that it deems to be in the best interest of the County.