

Spalding County Board of Commissioners
Request for Qualifications for County Zoning Attorney Services
December 16, 2022

Background

The Spalding County Board of Commissioners has determined it is in the best interests of the citizens of Spalding County for the County to solicit requests for qualifications for all professional services, to include county attorney, county zoning attorney, engineering, and information technology. As such, Spalding County is seeking a well-qualified law firm to serve as County Zoning Attorney for the Spalding County Board of Commissioners. The County Zoning Attorney represents Spalding County in all zoning matters, with the general scope of work outlined in Exhibit A attached hereto and made a part hereof. Spalding County is presently insured under ACCG's Risk Management program. Litigation matters that are covered by that program allow ACCG to provide legal representation in those cases.

Schedule

Responses to this solicitation are due no later than 5:00 p.m. on January 10, 2023. Sealed responses are due to Dr. Steve Ledbetter, County Manager, PO Box 1087, Griffin, Georgia 30224. Upon receipt of proposals, a review team will evaluate the proposals and recommend to the Board of Commissioners the top-ranked firm or firms for an interview.

Contents of Submission

Interested parties are required to provide six (6) copies of the information listed below. Incomplete responses will not be considered.

1. A brief history of your firm and resumes for the attorney(s) who would be performing work for the County. Also, include such additional information as you deem appropriate regarding the firm, but specifically provide information regarding its size and the areas of practice of its attorneys.
2. List any experience in representing governmental entities, including the name of the government(s) represented, lengths of representation, and individuals within the government with whom your firm worked closely.
3. List any experience in handling the following matters and give brief examples or descriptions of what you have encountered in your experience where appropriate:

- a. Open Meetings/Open Records requests, procedures, and compliance;
 - b. Drafting and/or interpretation of contracts and intergovernmental agreements;
 - c. Drafting and/or interpretation of ordinances, laws, resolutions, or similar legislation;
 - d. Land Use Regulations, Planning and Zoning procedures, substantive law, and appeals to Superior Court;
 - e. Conflicts of interest and the procedures to avoid or handle them;
 - f. Defending local governments in litigation positions;
 - g. Investigations and cooperation with U.S. EPA and State EPD officials regarding governmental property and environmental concerns;
 - h. Any matters set forth in the Scope of Work not included above.
4. Identify the attorney in your firm that would take primary responsibility to advise and represent Spalding County in zoning matters if your firm were selected, as well as other attorneys within your firm that will also perform tasks or assist in the representation.
 5. Description of whether your firm has ever been the subject of a bar complaint, legal action, or other complaints, including an explanation of the circumstances.
 6. Description of firm's insurance including general liability, workers' compensation, and malpractice.

7. County issues are usually time-sensitive. Please provide your proposed contact means and proposed response times that you believe would provide a timely response to the County's requests for legal services.
8. Spalding County proposes to appoint the person or firm chosen by the Board of Commissioners as its County Zoning Attorney. This person or firm will be an independent contractor of the County and shall remain to the County a wholly independent contractor at all times with only such obligations and rights as are consistent with that role. No employment benefits, including health insurance or retirement benefits, will accrue.
 - a. Please provide your proposed fee structure; include the hourly rate(s) of the attorney(s) and paralegals who will undertake County matters; and
 - b. Provide an explanation of how the firm will bill and how much will be charged for long-distance calls; facsimiles; postage or shipping; copies or reproductions; travel; and any other proposed costs or expenses

Evaluation Criteria

Through this solicitation, the Spalding County Board of Commissioners desires to understand the qualifications of responding parties. Spalding County will not evaluate incomplete proposals and reserves the right to reject all proposals.

The attorney/firm must have the following qualifications at a minimum:

- a. Minimum of 5 years' experience representing local government and quasi-governmental agencies/authorities.
- b. Primary office located within the limits of Spalding County, Georgia.
- c. JD degree from an accredited law school.
- d. Extensive knowledge of the Georgia Open Meetings and Open Records laws.
- e. Knowledge and experience in Community Development to include planning, zoning, permitting, and all areas related thereto.
- f. Experience in writing and reviewing local laws and ordinances.
- g. Availability to attend meetings at a minimum of 3 evenings per month. In-person attendance at meetings is desired.

Questions

Any questions regarding this solicitation should be in writing and directed to Dr. Steve Ledbetter, County Manager, sledbetter@spaldingcounty.com.

EXHIBIT A
SCOPE OF WORK

- A. Attorney shall perform all necessary legal services as Contract County Attorney, and shall:
1. Attend all regularly scheduled and special County Zoning meetings, to include Board of Zoning Appeals, Planning Commission, and Board of Commissioners as requested and be prepared to act as Parliamentarian at such meetings, as requested.
 2. Provide legal services as needed to facilitate informal, direct access to legal counsel by Commissioners, County Manager, Assistant County Manager, and Community Development Director as necessary, specifically including consultation with, and advice to, the Community Development Director regarding all Land Use Code applications and appeals.
 3. Attend other meetings as required by the Commissioners or the County Manager.
 4. Prepare, review, and approve resolutions, ordinances, proposed legislation, letters, and all other standard County zoning related documents.
 5. Prepare such written and oral legal opinions as shall, from time to time, be requested by the County.
 6. Perform such other routine legal services as are required, from time to time, by the Board of Commissioners or the County Manager.
 7. Provide in-house training, as requested, to County staff on issues pertaining to zoning matters as, from time to time, are identified by and requested by the Board or the County Manager.
 8. Represent the County and the County's officials, officers, and employees in litigation and administrative proceedings as directed by the County Board or the County Manager.
 9. Make recommendations concerning the selection of outside legal counsel on appropriate matters and supervise such outside legal counsel handling transactional or litigation matters on behalf of the County.
- B. The County specifically reserves the right to retain, at its sole option, other legal counsel for litigation and other specialized legal matters. This reservation of rights does not preclude the County from assigning these matters to the County Attorney as part of the scope of duties.