

SANTA ROSA COUNTY, FLORIDA



Request for Letters of Interest for County Attorney Legal Services

July 2021

**OWNER: BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA**

**SAM PARKER
ROBERT A. "BOB" COLE
JAMES CALKINS
DAVE PIECH
COLTEN WRIGHT**

**-DISTRICT I
-DISTRICT II
-DISTRICT III
-DISTRICT IV
-DISTRICT V**



SANTA ROSA COUNTY PROCUREMENT DEPARTMENT

6495 Caroline Street, Suite L | Milton, Florida 32570 850-983-1870 procurement@santarosa.fl.gov

MEMORANDUM

TO: Whom it may Concern DATE: July 16, 2021

FROM: Santa Rosa County Procurement Office

SUBJECT: **RFLOI 21-046 County Attorney Legal Services for Santa Rosa County Board of County Commissioners**

Notice is hereby given that The Santa Rosa County Board of County Commissioners (BOCC) is requesting letters of interest from interested parties to provide County Attorney legal services for the Santa Rosa County Board of County Commissioners. The BOCC will entertain responses that propose a private firm acting as the County Attorney. Please note, the County is also considering the option of employing an attorney as the County Attorney.

All letters of interest must be in a sealed envelope reflecting on the outside thereof the respondent's name and "**RFLOI 21-046 County Attorney Legal Services for Santa Rosa County Board of County Commissioners**" and should be delivered to the Santa Rosa County Procurement Department, 6495 Caroline Street, Suite M, Milton, Florida 32570, and **must be received by 10:15 a.m. on August 13, 2021**. Only letters of interest received by the afore stated time and date will be considered. E-mailed responses will be rejected. Interested parties desiring consideration should provide one (1) original, seven (7) copies of their letter of interest and supporting documents along with one (1) electronic file in OCR (readable) PDF format.

Specifications may be secured by download from the Santa Rosa County Website: <https://www.santarosa.fl.gov/391/Procurement-Office> "Bid Opportunities". Questions concerning this request should be directed to the Santa Rosa County Procurement Office in writing at bidinfo@santarosa.fl.gov prior to **12:00 p.m. on July 30, 2021**.

Santa Rosa County Board of County Commissioners encourages all segments of the business community to participate in its procurement opportunities, including small businesses, minority/women owned businesses, and disadvantaged business enterprises. The Board does not discriminate on the basis of race, color, religion, national origin, disability, sex, or age in the administration of contracts.

The Board of County Commissioners reserves the right to waive irregularities in bids, to reject any or all bids with or without cause, and to award the bid that it determines to be in the best interest of Santa Rosa County.

By order of the Board of County Commissioners of Santa Rosa, Florida

INTENT AND INTRODUCTION

The Santa Rosa County Board of County Commissioners (BOCC) is requesting letters of interest from interested parties to provide County Attorney legal services for the Santa Rosa County Board of County Commissioners. The BOCC will entertain responses that propose a private firm acting as the County Attorney. Please note, the County is also considering the option of employing an attorney as the County Attorney.

THE LEGAL SERVICES DEPARTMENT

The County Attorney position is currently filled by a contracted firm which provides legal advice, analysis and representation to internal staff, boards and the Board of County Commissioners. Previously, the County Attorney Department consisted of the County Attorney and two paralegal staff assistants. The County Attorney reports directly to the BOCC.

SCOPE OF SERVICES

1. The Santa Rosa County Board of County Commissioners is soliciting Letters of Interest from experienced and well-qualified firms to serve as County Attorney and/or provide County Attorney services. Services to be provided shall include, but are not limited to the following:
 - Oversee and direct the implementation of internal legal activities and operations, which include planning, coordinating, administering, and evaluating projects, processes, procedures, systems and standards; ensure compliance with Federal, State and local laws, regulations, codes, and/or standards.
 - Research and interpret the law using statutes, case law, ordinances and administrative regulations; provide legal advice, analysis, and opinions upon request for appointed county officials, administrative management staff and advisory boards concerning local government, administrative policy development, employment, workers' compensation, purchasing practices, real estate, code enforcement, public records, and/or other related legal issues.
 - Prepare and review proposed legislation, ordinances, resolutions, contracts, deeds, leases, bond provisions and other legal documents requested by the County Commissioners, County Administrator or management staff.
 - Investigate complaints by or against the County; prepare cases for trial; represent the County in litigation, including administrative hearings, arbitration and civil trials before county, state and federal courts.
 - Make informed decisions to bring regulatory, administrative and litigation matters to a cost-effective conclusion.
 - Prepare, review, interpret and analyze a variety of information, data and reports; make recommendations based on findings.
 - Prepare cost estimates for budget recommendations; monitor and control outside counsel expenditures.

- Coordinate, monitor and report to the Commission on the representation of the County by special outside counsel retained by the Commission.
 - Attend meetings of the Board of County Commissioners and committees.
2. Individual designated as County Attorney must meet the following minimum training and experience requirements:
- Member in good standing with the Florida Bar Association.
 - Seven (7) years of progressively responsible experience in practicing law as a member of The Florida Bar, four (4) of which shall be in a supervisory/management capacity; or an equivalent combination of education, training and experience that provides the knowledge skills and abilities.
 - Experience practicing law in the public sector, including litigation, ordinance drafting, resolution drafting, and advising boards and/or constitutional officers. Experience in representing Florida public agencies is preferred.
 - Board certification in City, County and Local Government Law is preferred.
 - Knowledge of federal, state, county and municipal law, common law and constitutional law affecting County government is preferred.
 - Knowledge of judicial procedures and the rules of evidence.

GENERAL INSTRUCTIONS FOR SUBMITTAL REQUIREMENTS

1. Letter of Interest – This is a letter of the firm's interest and introduction of the response which must be signed by an authorized representative of the submitting party. The letter should also include a statement concerning the firm's experience working with local governments and explain any relationships between entities joining together for response.
2. Approach to Providing County Attorney Services – Provide a description of the approach that will be used and manner in which the respondent would recommend the provision of County Attorney services to Santa Rosa County, to include, but not limited to objectives, scope and methodology. Provide information about the structure of the service provision and whether services would be provided all-inclusively or include some County involvement.
3. Experience – Provide detail on the firm's and individual designated as the County Attorney's (firm/attorney) experience in the representation of cities, counties, special districts, and other governmental entities and define the relationship between the firm/attorney and the identified entity. Identify whether the firm/attorney is certified in city, county and local government law. Include experience in advising entities on Florida Sunshine and public records law, legislative, and quasi-judicial bodies.
4. Qualifications – Provide information on the firm's/attorney's professional qualifications to provide the services as requested and include ratings and/or recognition in the legal community for professional achievement; recognition or extraordinary participation in Florida Bar, Federal Bar, American Bar Association, local bar associations or professional

practices committees, or ratings by other nationally recognized systems. Identify and include qualifications and resumes of specific individuals who will provide legal services to Santa Rosa County, including the name and qualifications of the attorney who will be designated as the County Attorney. Identify the location and availability of staff to provide services and the depth of firm's ability to provide comprehensive services.

5. Litigation – List all judgments or lawsuits against each attorney and/or your law firm in the last five (5) years, including the nature of the lawsuit and the resolution thereof. List all lobbyists employed by your firm and the areas in which they lobby.
6. Conflict of Interest – List any clients you currently represent that could cause a conflict of interest with your responsibilities to Santa Rosa County. Describe how you would be willing to resolve these or any future conflicts of interest.
7. Fee proposal – The firm shall submit a proposal for compensation which should include, but is not limited to, an hourly rate option, monthly and/or annual fee options, if applicable, or a combination of these options. The fee schedule shall include the following information:
 - Provide breakdown of the hourly rates for the County Attorney, assistant county attorneys, senior attorneys and every other attorney, paralegal or staff member anticipated to provide services to the BOCC.
 - Proposed monthly and/or annual fee options.
 - The rates for reimbursable and/or out-of-pocket expenses, including, but not limited to, word processing, photocopying, faxing etc. Local travel costs associated with this work should be included in the fee proposal and will not be considered as an additional cost or reimbursable item.
 - The proposed rates for any and all other fee proposals or arrangements outside the standard hourly rates, if proposed by you or your law firm.
 - Propose a provision for rate increases in future years.
8. References – Please provide three (3) letters of reference, one (1) of which should be from a Florida public sector entity.
9. Assumptions – Describe any and all assumptions concerning County participation or contributions to this project.
10. Submittal Reproduction – Interested parties desiring consideration should provide an original and seven (7) copies of their letter of interest and supporting documents **along with one (1) electronic file in OCR (readable) PDF format**. All letters of interest must be in a sealed envelope reflecting on the outside thereof the respondent's name and "Request for Letters of Interest to Provide Legal Services as County Attorney for the Santa Rosa County Board of County Commissioners" and should be delivered to the Santa Rosa County Purchasing Department at the address listed below no later than **10:15 a.m. on August 13, 2021** in order to be considered.

SELECTION CRITERIA

The Selection Review Committee will evaluate on the basis of the written responses to this request for letters of interest, additional written information requested by the Committee and, possibly, oral interviews. The goal of the evaluation will be to select the firm who provides the best combination of qualifications and costs, and provides reasonable rates and demonstrated efficiency in providing counsel. The Selection Review Committee will also consider the following non-exclusive factors in making that determination:

1. Depth and quality of experience in representing and providing sound advice to cities, counties, special districts, other governmental entities in areas noted in item #3 in the "General Instructions for Submittal Requirements" section. Experience in representing Florida public agencies will be preferred.
2. Responsiveness to the Request for Letters of Interest.
3. Geographical location.
4. Extent and quality of firm's ability to meet County requirements as noted in the "Scope of Services" section.
5. Qualifications, experience and availability of individual designated as County Attorney, partners, associates and other professionals available to provide the requested services to the County. Board Certification in City, County and Local Government Law by individual designated as County Attorney will be preferred.
6. Result of reference checks.
7. Reasonableness of rates proposed, and demonstrated efficiency in providing sound advice and counsel without unnecessary or excessive charges. Ability and commitment to provide the most valuable services at the least total cost will be a critical factor.

COMPANY DATA

Physical Address & Phone #:

Respondent's Company Name:

Physical Address:

Contact Person (Typed-Printed):

Phone #:

Cell #:

Federal ID or SS #:

Respondent's License #:

Fax #:

Emergency #'s After Hours,
Weekends & Holidays:

**BOCC LEGAL
SERVICES
RFLOI: 21-046
RANKING SHEET**

Qualifications of firm to perform work under contract (25 pts)					
Responsiveness to request for letters of interest (5 pts)					
Geographic location (5 pts)					
Services provided of a similar nature (20 pts)					
References (15 pts)					
Staff/Capacity to meet County requirements (10 pts)					
Individual designated as County Attorney possesses Board Certification in City, County and Local Government Law (5 pts)					
Cost (15 pts)					
TOTAL POSSIBLE – 100 PTS					

PERSON RANKING _____

PRINTED NAME

POSITION/DEPT _____

SIGNATURE _____

DATE _____



SANTA ROSA COUNTY PROCUREMENT DEPARTMENT

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CONE OF SILENCE FORM

SRC Procurement Form COS 013_01_091619

The Board of County Commissioners have established a solicitation silence policy (Cone of Silence) that prohibits oral and written communication regarding all formal solicitations for goods and services (ITB, RFP, ITQ, ITN, and RFQ) or other competitive solicitation between the bidder (or its agents or representatives) or other entity with the potential for a financial interest in the award (or their respective agents or representatives) regarding such competitive solicitation, and any County Commissioner or County employee, selection committee member or other persons authorized to act on behalf of the Board including the County's Architect, Engineer or their sub-consultants, or anyone designated to provide a recommendation to award a particular contract, other than the Procurement Department Staff.

The period commences from the time of advertisement until contract award.

Any information thought to affect the committee or staff recommendation submitted after bids are due, should be directed to the Procurement Officer or an appointed representative. It shall be the Procurement Officers decision whether to consider this information in the decision process.

Any violation of this policy shall be grounds to disqualify the respondent from consideration during the selection process.

All respondents must agree to comply with this policy by signing the following statement and including it with their submittal.

I, _____ representing _____
(Print) (Company)

On this _____ day of _____ 2021 hereby agree to abide by the County's "Cone of Silence" clause and understand violation of this policy shall result in disqualification of my proposal/submittal.

(Signature)



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SWORN STATEMENT UNDER SETION 287.133 (3) (A) FLORIDA STATUTE ON PUBLIC ENTITY CRIMES

SRC Procurement Form SSPEC 016 01 091619

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract for: _____

2. This sworn statement is submitted by, _____, whose business address is, _____, and (if applicable) Federal Employer Identification Number (FEIN) is _____ (if the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement).
3. My name is _____ and my relationship to the entity named above is _____ (title).
4. I understand that a "public entity crime" as defined in paragraph 287.133 (1) (g) Florida Statute, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States including, but not limited to , any bid or contract for goods or services to be provided to any public entity or any agency or public subdivision of any other state or of the United States and involved antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.
5. I understand that "convicted" or "convicted" as defined in paragraph 287.133 (1) (b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in Paragraph 287 .133 (1) (a), Florida Statutes, means:
 - a. A predecessor or successor of a person convicted of a public entity crime; or
 - b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under an length agreement, shall be a prima facie case that one person controls another person. A person who knowingly convicted of a public entity crime, in Florida during the preceding 36 months shall be considered an affiliate.
7. I understand that a "person" as defined in paragraph 287 .133 (1) (e), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.



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8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

- Neither the entity submitting this sworn statement, nor any officers, directors, executive, partners, shareholders, employees, member, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.
- The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989 And (please attach a copy of the final order)
- The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order)
- The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the department of General Services)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM

Name

Signature

Date

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this day of _____, 20____, and is personally known to me, or has provided _____ as identification.

STATE OF FLORIDA
COUNTY OF: _____
My Commission expires: _____

Notary Public



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DEBARMENT FORM

SRC Procurement Form Debar 022_00_082719

Certification Regarding Debarment, Suspension, And Other Responsibility Matters

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name: _____ Title: _____

Signature: _____

Firm: _____

Street Address: _____

City: _____

State: _____ Zip Code: _____

Solicitation Name _____ # XX-XXX _____



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REFERENCES FORM

SRC Procurement Form Memo 024_00_082719

List work which best illustrates current qualifications relevant to this solicitation accomplished by personnel that will be assigned to the County's project. List at least three but no more than five (5) projects. (This form may be reproduced.)

YOUR FIRMS NAME _____
PROPOSAL POINT OF CONTACT _____ PHONE _____
EMAIL _____

REFERENCE I.

PROJECT NAME: _____

AGENCY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

CONTACT PERSON: _____

TITLE: _____

EMAIL: _____

TELEPHONE: _____

PROJECT COST: _____

COMPLETION DATE: _____

SCOPE of Project (list tasks, attach samples of deliverables, outlines or descriptions of items:
(You may attach information to this form)

List key personnel assigned to this project that will work on the County project (include assignments. You may attach information to this form):



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REFERENCE II.

PROJECT NAME: _____

AGENCY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

CONTACT PERSON: _____

TITLE: _____

EMAIL: _____

TELEPHONE: _____

PROJECT COST: _____

COMPLETION DATE: _____

SCOPE of Project (list tasks, attach samples of deliverables, outlines or descriptions of items:
(You may attach information to this form)

List key personnel assigned to this project that will work on the County project (include assignments. You may attach information to this form):

REFERENCE III.

PROJECT NAME: _____

AGENCY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

CONTACT PERSON: _____

TITLE: _____

EMAIL: _____

TELEPHONE: _____

PROJECT COST: _____

COMPLETION DATE: _____

SCOPE of Project (list tasks, attach samples of deliverables, outlines or descriptions of items:
(You may attach information to this form)

List key personnel assigned to this project that will work on the County project (include assignments. You may attach information to this form):



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REFERENCE IV.

PROJECT NAME: _____

AGENCY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

CONTACT PERSON: _____

TITLE: _____

EMAIL: _____

TELEPHONE: _____

PROJECT COST: _____

COMPLETION DATE: _____

SCOPE of Project (list tasks, attach samples of deliverables, outlines or descriptions of items:
(You may attach information to this form)

List key personnel assigned to this project that will work on the County project (include assignments. You may attach information to this form):

REFERENCE V.

PROJECT NAME: _____

AGENCY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

CONTACT PERSON: _____

TITLE: _____

EMAIL: _____

TELEPHONE: _____

PROJECT COST: _____

COMPLETION DATE: _____

SCOPE of Project (list tasks, attach samples of deliverables, outlines or descriptions of items:
(You may attach information to this form)

List key personnel assigned to this project that will work on the County project (include assignments. You may attach information to this form):



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CONFLICT OF INTEREST DISCLOSURE FORM

SRC Procurement Form COS 027_00_091319

For purposes of determining any possible conflict of interest, all respondents, must disclose if any Santa Rosa Board of County Commissioner, employee(s), elected officials(s), or if any of its agencies is also an owner, corporate officer, agency, employee, etc., of their business.

Indicate either "yes" (a county employee, elected official, or agency is also associated with your business), or "no". If yes, give person(s) name(s) and position(s) with your business.

Yes: _____ No: _____

Name(s)

Position(s)

All respondents must agree to comply with this policy by signing the following statement and including it with their submittal.

FIRM NAME: _____

BY (PRINTED): _____

BY (SIGNATURE): _____

TITLE: _____

ADDRESS: _____ State _____ Zip Code _____

PHONE NO: _____

E-MAIL: _____

Date: _____

Santa Rosa County
Insurance Requirements
March 2021

Workers' Compensation – meet statutory limits in compliance with the Workers Compensation Laws of Florida. This policy must include Employer Liability with a limit of \$100,000 for each accident, \$500,000 disease policy limit and \$100,000 disease each employee limit.

Commercial General Liability – coverage shall provide minimum limits of liability of \$1,000,000 per occurrence, \$2,000,000 Aggregate, for bodily injury and property damage. This shall include coverage for:

- a. Premises/operations
- b. Products/complete operations
- c. Contractual liability
- d. Independent contractors

Business Auto Liability – coverage shall provide minimum limits \$500,000. Combined Single Limit for bodily injury and property damage. If Split limit coverage is provided Limits of 500,000 per person/500,000 per accident and 500,000 for property damage are required.

This shall include coverage for:

- a. Owned autos
- b. Hired autos
- c. Non-owned autos

Special Requirements:

- 1) Prior to execution of a contract or agreement, certificates of insurance will be produced that shall provide for the following:
 - a. Santa Rosa County shall be named as an additional insured on all coverages except workers' compensation.

b. Santa Rosa County will be given thirty (30) days' notice prior to cancellation or modification of any stipulated insurance.

2) It is the responsibility of the contractor to ensure that all subcontractors comply with all insurance requirements.

3) It should be noted that these are minimum requirements which are subject to modification in response to specialized or high hazard operations.

In the event of unusual circumstances, the County Administrator, or his designee, may adjust these insurance requirements.