

Request for Proposal for Dickenson County, Virginia Board of Supervisors

Purpose

The Dickenson County Board of Supervisors (Board) wishes to explore and evaluate available options for the position of County Attorney. The County is seeking proposals from individual attorneys or legal firms having an interest in providing attorney services for the Dickenson County Board of Supervisors. Successful candidates shall have experience in local government law, preferably including experience with government Code in the Commonwealth of Virginia.

The Dickenson County Board of Supervisors is a 5-member board of elected officials that elects its own officers annually. The County Attorney will work in close confidence with the Board and the County Administrator; the attorney serves at the pleasure of the County Board of Supervisors.

Respondents should deliver a signed, hard copy and one electronic copy of their proposal by 2:00pm on Friday January 31, 2020 to the physical address and e-mail address noted in the submittal instructions.

Responses should be clearly marked with the name and address of the respondent and the title of this RFP "Dickenson County Board of Supervisors Legal Services". An acceptable response will fully address the submission requirements, be signed by the respondent and be submitted on time to the proper address. Any response that does not comply with the instructions provided shall not be accepted.

The Board of Supervisors and County Administrator will review the submissions and determine a short-list of the best-qualified respondents for in-person interviews.

Scope of Services

The successful applicant will work directly with the Dickenson County Board of Supervisors and will generally provide the following services:

- Provide timely and relevant legal counsel to the County Board, County Administrator, County Constitutional officers and any committees of the Board
- Attend and participate in all Regular, Special and Emergency meetings of the Dickenson County Board of Supervisors and attend others meetings as requested by the Board
- Participate in meetings with outside agencies and entities at the request of the County Administrator
- Recommend, prepare and present items as requested by the County Board and Administrator
- Work with the County Board and Administrator in the interpretation, implementation and adherence to all applicable statutes, regulations and ordinances to ensure compliance
- Ensure that all legally binding documents and correspondence involving the County are accurate, legally sufficient and support the intent and vision of the Board of Supervisors
- Supervise the legal affairs of the County
- Prepare written legal opinions or documents for the Board
- Prepare certain ordinances and resolutions for the Board
- Review resolutions prepared by County staff or outside agencies or entities
- Assist in drafting and/or revising the Board's substantive policies and procedure rules

- Perform legal research; interpret and formulate opinions concerning governmental and administrative policies and procedures
- Prepare reports and opinions for submittal to the Board and Administrator
- Draft or review contracts, deeds, leases, releases, franchises and other legal documents as directed by the Board or Administrator
- Advise the Board of any changes in federal or state law, including court decisions, which may impact the operation of the Board
- Draft legal memorandum and various other legal documents
- Administer real property transactions
- Review all subpoenas, court orders and public record requests, including any documents proposed to be provided in response
- Will serve as the designated FOIA Officer for the County, including working with staff in collection of materials and then preparing all correspondence in response to such requests
- Represent the County in litigation proceedings or administrative appeals necessary to be instituted by the County and defending the County in similar matter brought against it and shall prepare a plan to handle all such matters
- Provide opinions as to legal questions in litigation, claims, leases, contracts, land titles and related legal matters
- Serve as Issuer's Counsel or Borrower's Counsel in County finance activities
- Prepare and supervise formal legal opinions upon the request of the Board or Administrator
- Advise and defend the County on all employment law matters, including but not limited to administrative hearings, Department of Labor matters, Equal Employment Opportunity Commission matters, Occupational Safety & Health Administration matters, unemployment correspondence and matters and workers compensation correspondence and matters.

Selection Process

This RFP does not commit the Dickenson County Board of Supervisors to enter into any agreement or to pay any cost incurred in the preparation or submittal of a proposal or in any subsequent negotiations. Acceptance of a proposal by the County is not a notice to proceed.

From the review of the proposals, the County may invite several firms to be interviewed prior to making its final selection. If the County desires to interview a firm, that firm will receive notification of the date and time of the interview.

At final selection, the selected firm will negotiate with the County on fee and contract conditions. If, in the sole opinion of the County, an agreement cannot be achieved with the first choice, negotiations will proceed with the second or subsequent choice until a mutually agreed upon contract can be established.

Submittal Requirements

Interested parties should submit the following items in packet form to the County for consideration. As part of the electronic submission, we ask that you provide this information in a single PDF file:

1. Statement of Qualifications and resources of the individual/firm, including governmental experience to include description of areas of expertise or relevant experience that may benefit the County
2. Statement of Interest in providing the required services
3. Indication of ability to provide timely and efficient service to the County, including an estimated specification of number of hours per week that could be devoted solely to County Attorney business
4. Suggested contractual terms to include hourly rates, retainer fees, charges for expense (if any) and any other related financial considerations
5. Other factors or information thought to be important to the County in consideration of the proposal
6. Resume of the prospective Attorney
7. Three professional references that the County may contact to validate experience, professionalism, trustworthiness and ethical standards

While the County Attorney is expected to perform the primary legal service functions for the County, the County may hire specialized legal counsel for representation in various matters considered outside the normal scope of work. In the event the Board of Supervisors hires outside counsel, the County Attorney is expected to represent the County's interest and coordinate the use of outside counsel to include keeping the Board aware of progress and the fees charged by outside counsel.

Evaluation Criteria

The Dickenson County Board of Supervisors and County Administrator will review all proposals and evaluate the following, including but not limited to:

- Juris Doctorate degree awarded by an accredited school of law
- Current license to practice law in the Commonwealth of Virginia
- Experience working with local government entities
- Experience representing boards and committees
- Experience in employment law
- Experience in applying and interpreting Virginia Code
- Experience responding to legal inquiries on behalf of and by local government officials
- Experience in preparing, proposing and advising on legislation and legal matters
- Level of availability in order to meet the needs of the Board
- Conflicts of Interest
- References

Terms

For a responding attorney or firm to be considered a qualified applicant to this RFP, no attorney in the practice or firm shall have had his/her license practice law revoked, suspended or voluntarily surrendered to or by the Virginia State Bar. In addition, the Respondent shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the Commonwealth of Virginia and provide proof of current, valid malpractice coverage with limits of at least \$1,000,000.

Submittal Instructions

NOTE: The Dickenson County Board of Supervisors reserve the right to reject any and all proposals, including cancellation of the entire process. This RFP document, as well as any information of update or cancellation, is available on the Dickenson County website at www.dickensonva.org.

Responses are to be directed to:

Dickenson County Board of Supervisors
PO Box 1098
818 Happy Valley Drive, Admin Suite
Clintwood, VA 24228

Phone: 276.926.1676

E-mail: tlyall@dickensonva.org

Required electronic submission must be in single PDF file; you may confirm receipt of both your hard and e-mail proposal by calling the above phone number.