



REQUEST FOR LETTERS OF INTEREST

RFLOI# 24-06L
SCHOOL BOARD ATTORNEY

LETTERS OF INTEREST DUE BY:
JANUARY 4, 2024 @ 2:00 p.m. (EST)

CONTACT:
Kris Collora, NIGP-CPP, CPPB
Coordinator of Purchasing
collorak@flaglerschools.com

I. Introduction and General Information

- A. The School Board of Flagler County, Florida (“School Board”) is considering its options for legal services. The School Board intends to retain a single law firm to provide legal services as the School Board Attorney. This request for Letters of Interest does not limit the School Board’s ability to hire attorneys or law firms as needed or desired by the School Board.
- B. The School Board is comprised of five elected representatives of the community. Board Members are elected to four year terms. The Superintendent of Schools is appointed by the School Board.

Flagler County’s general population of an estimated 124,000+ supports 11 schools attended by more than 13,000 students. The District operates 11 schools, including 5 elementary schools, 2 middle schools, 2 high schools, 1 technical college, and 1 virtual school.

The annual budget for the District FY2024 totals \$225 million, including an operating budget of \$131 million, capital budget of \$43 million, and Federal Grants budget of \$37 million.

- C. Award will be based on the overall ranking by the School Board. It is the School Board’s intent to obtain services in which the firm has the capability and the capacity to perform legal services as required. The School Board Attorney will report directly to the School Board.
- D. The Coordinator of Purchasing will receive questions regarding the solicitation only through written inquiries. Deadline for receipt of written inquiries will be December 18, 2023 at 12:00 p.m. EST. Inquiries shall be emailed to collorak@flaglerschools.com.
- E. The School Board reserves the right to cancel this solicitation at any time and renew/renege the agreement with current firm.

II. Scope of Services

A. School Board Attorney

A firm shall be selected to act as the School Board Attorney and legal counsel for the School Board. The School Board Attorney shall furnish to the School Board and the Superintendent an opinion on any question of law affecting the School Board and shall perform such other professional duties as may be consistent and required by resolution of the School Board, prescribed under the laws of Florida or otherwise requested by the School Board or the Superintendent. The School Board Attorney shall be a lawyer admitted in and having authority to practice in all courts of the State of Florida.

B. Primary Duties, including but not limited to:

1. The School Board Attorney plans, coordinates and directs the legal activities of the School Board. Work duties require close coordination with the School Board, officials from other governmental units, and the Superintendent, if requested.
2. The function involves primary responsibility for performing legal research, preparing opinions and advising School Board members.
3. The School Board Attorney shall serve as chief legal advisor to the School Board.

4. The School Board Attorney shall represent the School Board in most legal matters, including the bringing and defending of suits. The School Board Attorney is also the Counsel on bond issues.
5. Attend all regular, special and workshop meetings of the School Board as required. For reference, the School Board regular meeting is held the third Tuesday at 6:00 p.m. each month. Workshops are also held on the first Tuesday of the month at 3:00 p.m. and third Tuesday of each month at 1:00 p.m. Each meeting lasts approximately three (3) hours. Some meeting may occasionally last longer.
6. Attend meetings as requested by the Board or Superintendent.
7. Shall timely respond to questions posed by School Board Members, the Superintendent or designee within 24 hours of the initial contact.
8. Draft contracts, resolutions and other documents at the request of the School Board.
9. The School Board Attorney shall review and approval all contracts, resolutions, and other documents generated by School Board staff prior to consideration by the School Board.
10. Keep the School Board and the Superintendent informed of legislation or judicial opinions that have potential impact to the School Board.
11. Is available to the School Board, as needed, to provide legal guidance and instruction on various projects, programs and issues requiring legal assistance.
12. The contract with the School Board Attorney will be with the School Board Attorney's law firm and will expressly authorize the use of the law firm (and other attorneys with such firm) of the School Board Attorney to complete legal services for the School Board.

C. Non-Exclusive Agreement

Each party acknowledges that this is not an exclusive agreement and that the Board may contract with other Firms providing same or similar services.

III. Time Schedule

The District will use the following timelines, which will result in the selection of a firm. Dates are subject to change if necessary.

11.30.2023	Release Request for Letters of Interest
12.06.2023	Legal Advertisement
12.18.2023	Deadline for written questions due no later than 12:00 p.m. EST
12.21.2023	Response to written questions
01.04.2024	Submittals due no later than 2:00 p.m. EST
X.X.2023	Submittals discussed by School Board
X.X.2023	Presentations/Discussions with Firms selected by School Board

*The School Board reserves the right to amend the above timeline

A reasonable, but not guaranteed, attempt of notification of any required changes to the time schedule will be made to the selected firms. Presentations/Discussions will take place at the Flagler County Government Services Building, 1769 E. Moody Boulevard, Bldg 2, Third Floor, Bunnell, FL 32110.

IV. Instructions to Respondents

- A. Responses should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics.
- B. All submittals must be prepared and submitted in accordance with the instructions provided in Section IV this document.

Submittals shall be delivered to:

Kris Collora, NIGP-CPP, CPPB
Coordinator of Purchasing
Flagler County Public Schools
1769 E. Moody Boulevard, Bldg. 2
Bunnell, FL 32110

- C. One (1) original response with a manual signature shall be submitted and seven (7) additional hard copies and clearly labeled "Request for LOI No. 24-06L" on the outside of the package. The legal name, address, Respondent's contact person, and telephone number shall also be clearly annotated on the outside of the sealed package.
- D. All submittals must be received no later than January 4, 2024 at 2:00 p.m. EST at which time the submittals will be opened.
- E. If a submittal is transmitted by US Mail or other delivery medium, the Respondent shall be responsible for its timely delivery to the designated District office. Submittals delivered to a location other than as specified will not constitute receipt. It is the responsibility of the Respondent to ensure submittals are timely received.
- F. Any submittals received after the stated time and date will not be considered and will be returned unopened to the Respondent, at the expense of the Respondent.
- G. Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and continue through and include the date the School Board makes its determination to approve or reject the final recommendation, any School Board member, employee and/or consultant of the District concerning any aspect of this solicitation. Communications initiated by a Respondent to anyone other than the Coordinator of Purchasing may be grounds for disqualifying the offending Respondent from consideration of said submittal and/or any future submittals.

V. Information to be Included in the Submittal

Each Submittal should address all pertinent areas and be specific. Any conditions should be clearly stated. The failure to disclose substantive terms, conditions, and covenants may be considered cause for the Respondent's submittal to be rejected by the School Board.

In order to maintain comparability and enhance the review process, it is requested that responses be organized in the manner specified below. All proposals should include at a minimum:

Tab 1 – Title Page/Table of Content/Cover Letter

The title page must show the requests subject, title, and request number; the firms name, the name, address, and telephone number of a contact person; and the date of the response. The response must contain a cover letter signed by a person who is authorized to commit the Respondent to perform the work included in the response.

The table of contents must list all major topics, their associated section number, and starting pages.

This section must also include name of attorney and law firm, date firm established, and location of all offices.

The cover letter must include the name of the attorney who will be designated as the School Board Attorney.

Tab 2 – Ability, Capacity, and Skill of the Firm

The ability, capacity, and skill of the Firm to be able to provide the services here in addressed. At a minimum, this section should include:

- An outline of the law firm’s background and experience providing the required services.
- An overview and history of your firm, and its practice in Florida, as well as any specific work you have done as it relates to representing previous School District(s).
- If the law firm’s proposal has geographic or other limitations on some or all of the services offered, these limitations should be clearly described.
- A description of the number of attorneys, supporting legal personnel and the number of years in existence for each of the firm’s offices in Florida.
- A comprehensive list of what areas of law are firm specialties and how these specialties will specifically benefit this School District.
- A summary of any litigation, claim(s), or contract dispute(s) filed by or against the law firm in the past five (5) years which is related to the services that the law firm provides in the regular course of business. The summary shall state the nature of the litigation, claim or contract dispute, a brief description of the case, the outcome or projected outcome and the monetary amounts involved.
- Other information the law firm may deem advantageous to demonstrate its qualifications to provide the requested services.
- A list of any known or potential conflicts of interest and, if none exists, a statement to that effect.
- A highly qualified firm will demonstrate the ability to represent and advise the School Board in such areas as:
 - a. The Florida School Code
 - b. The Florida Administrative Procedures Act
 - c. State Board of Education Rules

- d. Civil Rights Act
- e. The Florida Code of Ethic for Public Officers and Employees
- f. Labor Law
- g. The Florida Public Records and Sunshine Laws
- h. Public Bidding and Contracting
- i. Public Finance
- j. Special Education Law and Student Discipline
- k. Due Process Proceedings
- l. Suspension and Dismissal of Personnel
- m. Negligence Claims
- n. Claims of Discrimination
- o. Real Estate Law (transactions, eminent domain, litigation, and land use)

Tab 3 – Experience and Qualifications of Attorneys

Provide name and resume of attorney who will be designated as School Board Attorney. Indicate the number of years of experience as a local government attorney. Attorney shall have a minimum of five (5) years of local government experience as an attorney.

Provide the names and resumes of other attorneys, in your firm, who may assist in providing legal services to the School Board or Superintendent, and who may attend any of the School Board meetings or other meetings. Indicate then number of years of legal experience in local government for each attorney.

For each attorney, identify whether attorney is certified by the Florida Bar. Include any professional ratings and/or recognition in the legal community for professional achievement; recognition or extraordinary participation in the Florida Bar, Federal Bar, American Bar Association, local bar associations, or professional practice committee.

Tab 4 – Conflicts of Interest

Identify any clients that have matters currently pending before the School Board and whether the law firm is representing those clients in the specific matters. Identify any conflicts which would preclude the law firm from representing the School Board with respect to specific clients or matters.

Tab 5 – Fee Schedule

The Respondent shall submit a fee schedule for compensation which should include, but is not limited to, an hourly rate option, a monthly retainer fee option, or a combination of these options or other alternative fee proposals. The hourly rate option is mandatory. Rates are to be all inclusive of all expenses including travel and administrative expenses.

Tab 6 – References

Names, address, e-mail, and telephone numbers of no more than five (5) current or former clients for whom the firm has provided similar services along with a general description of the legal services provided. To the extent possible Respondent should identify at least three (3) current or former School Board clients. The District will check references listed by the Firm.

Tab 7 – Addenda

Any addenda issued subsequent to the release of this solicitation must be signed and returned with the firm’s proposal. Failure to return signed addenda may be cause for the proposal to be considered non-responsive.

Tab 8 – Documentation

- Respondent Acknowledgement
- Conflict of Interest Statement
- Drug Free Workplace
- Jessica Lunsford Act
- Flagler Schools Vendor Information Form and W9
- E-Verify Affidavit
- Vendor Questionnaire

Tab 9 – Other Services

Services relevant to this agreement that are in addition to the duties as outlined in the Scope of Services may be submitted in this section. Please include a sample billing statement; any additional services your Firm provides which are not previously listed in the Scope of Services but may also be a benefit to the District; and any/all exceptions taken to the content of the solicitation, or document(s) related to the solicitation.

VI. Evaluation of Submittals

Submittals will be reviewed by the School Board in accordance with the requirements of this LOI. If further information is desired, a Respondent may be requested to make additional written submissions or presentations before the School Board takes action. The School Board will base its decision on factors including, but not necessarily limited to, the following:

- Experience, qualifications, and technical ability of the firm as demonstrated by Submittal responses and background knowledge.
- Professional qualifications of the personnel who would be assigned to the School Board.
- Accessibility and availability of the firm and individuals assigned to the School Board.

VII. Presentations by Respondents

- A. The School Board, at its sole discretion, may ask individual respondents to make oral presentations, informal telephone interviews and/or demonstrations without charge to the School Board.
- B. The School Board reserves the right to require any Respondent to demonstrate to the satisfaction of the School Board that the Respondent has the fiscal and managerial abilities to properly furnish the services proposed and required to fulfill the Contract. The demonstration must satisfy the School Board and the School Board shall be the sole judge of compliance.
- C. Respondents are cautioned not to assume that presentations will be required and should include all pertinent and required information in their original proposal package.