

**Spalding County Board of Commissioners**  
**Request for Qualifications for County Zoning Attorney Services**  
**2024-002**

**January 30, 2024**

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## **I. Purpose**

Spalding County Board of Commissioners (“County”) is soliciting statements of qualifications from qualified firms to provide legal services for Spalding County, Georgia. It is the intent of the County to engage legal counsel services from an individual attorney or attorneys from a qualified law firm(s). The County may select multiple firms to serve its specific needs, but its preference is to select a single entity for general legal services.

## **II. Instructions to Respondents**

A. All responses to this Request for Qualifications shall be sent to:

**Spalding County Board of Commissioners**  
**Attn: Dr. Steve Ledbetter**  
**PO Box 1087**  
**Griffin, Georgia 30224**

- B. Please place one (1) original and four (4) copies of your response in a sealed envelope and clearly labeled in the lower left corner **“Solicitation No. 24-002 Request for Qualifications – Legal Services, March 1, 2024.”** No faxed, emailed, or telephone statements will be accepted.
- C. All responses must be received by **March 1, 2024 @ 5:00pm ET**, at which time they will be opened. It is the responsibility of the respondent to ensure that the RFQ is received by Spalding County by the date and time specified above. Late responses will be returned to the respondent unopened. To ensure a fair review and selection process, firms and individual attorneys submitting qualifications are specifically requested not to make other contacts with Spalding County staff regarding this request.
- D. Any questions regarding this Request for Qualifications shall be in writing by email to [edye@spaldingcounty.com](mailto:edye@spaldingcounty.com). No questions shall be received after **5:00 p.m. ET, Friday, February 16, 2024**. Responses will be provided in an addendum by **5:00 p.m. ET, Monday, February 19, 2024**. No other County Staff or officials associated with this project should be contacted regarding this RFQ. **DOING SO, MAY RESULT IN DISQUALIFICATION.**
- E. All addenda, notices, additional information, etc. will be posted to Spalding County's website at [www.spaldingcounty.com](http://www.spaldingcounty.com) under the Purchasing Departments bid opportunities.

### III. Time Schedule

The following schedule is supplied as a guideline rather than a set of absolute deadlines. The County reserves the right to modify or alter the schedule as needed.

Event	Date & Time
Issue RFQ – First Advertisement	Friday, February 2, 2024
Second Advertisement	Friday, February 9, 2024
Third Advertisement and Questions Due	Friday, February 16, 2024, 5:00 pm ET
Addendum/Responses to Questions	Monday, February 19, 2024, 5:00 pm ET
Forth Advertisement	Friday, February 23, 2024
Deadline for submittal of RFQ	Friday, March 1, 2024, 5:00 pm ET
Selection of respondent(s) to interview	Thursday, March 7, 2024, 5:00 pm ET
Interviews	Tuesday, March 12, 2024
BoC Award	Monday, March 18, 2024, 6:00 pm ET

### IV. Terms and Conditions

- A. The County reserves the right to reject any and/or all proposals, call for new proposals, to waive any informalities in a proposal, and to select the qualified parties. The County reserves the right to accept, reject, and/or negotiate all proposals or parts of proposals deemed by the Board to be in the best interest of the citizens of Spalding County.
- B. The County reserves the right to request clarification of information submitted and to request additional information from any respondent.
- C. The County reserves the right to award any contract to the next most qualified respondent if the successful respondent does not execute a contract within thirty (30) days after the selection of the respondent.
- D. Any proposal may be withdrawn up until the date and time set above for opening of the RFQ responses. No proposal may be modified or withdrawn for a period of one hundred-twenty (120) calendar days thereafter.
- E. The professional services contract resulting from acceptance of a proposal by the County shall be in a form supplied or approved by the County and shall reflect the specifications in this RFQ. The County reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this RFQ, and which is not approved by Spalding County Board of Commissioners.
- F. Ownership of all data, materials, and documentation prepared for and submitted in response to this RFQ shall belong exclusively to Spalding County and will be considered a public record and subject to public inspection in accordance with Georgia public records laws. Exceptions may be requested by the applicant, citing applicable statutory authority for holding specific information in confidence. The approval of exceptions will be in the sole discretion of the County.
- G. By submitting their qualifications, all proposing parties certify that their proposals are made without collusion or fraud and that they have not offered or received any inducements from

any other person or party in connection with their proposals, and that they have not conferred on any Spalding County employee or official having official responsibility for this procurement transaction of any payment, loan, subscription, advance, deposit of money, services, or anything of value of more than nominal value, present or promise, unless consideration of substantially equal or greater value was exchanged.

- H. By submitting their qualifications, all proposing firms certify that they are not currently debarred from submitting bids or proposals on contracts by any agency of the State of Georgia and the federal government, nor are they an agent of any person or entity that is currently debarred from submitting bids on contracts by any agency of the State of Georgia or the federal government.
- I. Those submitting responses do so entirely at their expense. There is no expressed or implied obligation by the County to reimburse any individual for any costs incurred in preparing or submitting bids or providing additional information when requested by the County.

## **V. Scope of Services**

The office of the County Zoning Attorney provides timely, effective, and ethical legal representation, advice and counsel to the Board of Commissioners, County Manager, and County departments as mandated and authorized by the County ordinance and State statutes. The office of the County Zoning Attorney provides a broad range of legal services directed at promoting the public service objectives of the County, while protecting the County from loss and risk.

The applying attorney or firm must be licensed in the State of Georgia and demonstrate that the respondent is a current member in good standing with the Georgia State Bar. This person or persons must be able to effectively work with and coordinate the work of other attorneys with specialized expertise such as land use or labor. Under the proposed agreement, Counsel will provide the following:

- A. Provides legal advice, counsel, services, and consultation to the County Manager, County Commissioners, and County departments (specifically Community Development) on a wide variety of civil assignments, including but not limited to: zoning, zoning code updates and compliance, Land Use Code applications and appeals.
- B. Collaborating with local government officials and stakeholders.
- C. Handling legal aspects of zoning appeals, public disclosure issues, laws against discrimination, property/real estate law, contract law, statutory law related to service delivery and intergovernmental agreements, and law that may affect County governance ensuring Counsel's advice includes methods to avoid civil litigation.
- D. Ensure that the Board of Commissioners, County Manager, and County departments are priority clients to the selected respondent.
- E. Answers requests for legal opinions in writing and verbally. Prepares written legal opinions at the request of the County Manager, County Commissioners, and County departments. Availability to answer staff questions by telephone or email.

- F. Appears before courts and administrative agencies to represent Spalding County's interests.
- G. Works cooperatively with any special legal counsel retained by Spalding County for special projects. Coordinates with other special counsel, as needed, to ensure proper management of legal issues, and proper coordination and transition of legal information among special counsel.
- H. Provides guidance and legal advice on the Sunshine Law, the Freedom of Information Act, Robert's Rules of Order, and Spalding County's ordinances, rules, policies, and procedures.
- I. Assists staff to understand the legal roles and duties of their respective offices and interrelationships with others.
- J. Assists the County Manager, County Commissioners, and County departments to maintain ethical standards and appearance of fairness standard, and to avoid potential conflicts of interest, prohibited transactions, and the appearance of prohibited transactions.
- K. Prepares and reviews contracts, leases, intergovernmental agreements, resolutions, ordinances, proclamations, and other legal documents for correctness and acceptability. Negotiates said contracts, leases, intergovernmental agreements, resolutions, ordinances, proclamations, and other documents upon request.
- L. Reviews and re-drafts various ordinances and policies for legal correctness and acceptability. This would include, by way of example, but not limited to zoning ordinances, overlay districts, etc.
- M. Representation at all special County Zoning meetings, to include Board of Zoning Appeals, Planning Commission, and Board of Commissioners Zoning Public Hearing meetings and/or work sessions. Attend other meetings as requested, by way of example, but not limited to; special called meetings by Spalding County Board of Commissioners, Planning & Zoning meetings, etc.
- N. Perform other legal services and tasks as requested.

## **VI. Submission Requirements**

- A. Summarize the respondent's unique qualifications in providing legal services including brief history of the firm, size, structure, and areas of practice.
  - Complete resumes for three (3) qualified attorneys designated by the firm at which Spalding County will select one of the three as the point of contact or lead attorney if the firm is selected.
  - Provide information on certifications or licenses, educational institutions conferring law degree and year of degree, professional background, and professional associations.

- Provide information about the range of services offered and available support staff.
- Provide details of any ethics violations or board actions against the firm, its attorneys, and employees within the last ten (10) years.

B. Legal Experience

- Provide experience advising local and county governments.
- Provide experience advising clients providing similar services through local taxation, fees, local, state, and federal funds.
- Provide examples of expertise in the civil aspects of municipal law.
- Provide at least three (3) professional references including the names, addresses, and telephone numbers, email addresses, preferably references similar to Spalding County for the firm.
- Provide at least three (3) professional references including the names, addresses, and telephone numbers, email addresses, preferably references similar to Spalding County for each of the three (3) qualified attorneys designated by the firm which Spalding County will select one of the three as the point of contact or lead attorney.

C. Provide information on the following to demonstrate the respondent's availability and capacity to provide timely legal services.

- Provide a statement describing how the respondent proposes to provide legal services to the County. Address issues such as office location, accessibility to Spalding County Board of Commissioners and County Staff, Board Meeting attendance, and other meetings including any virtual meetings that may be required. Counsel must be available by phone, cell phone, and email.
- Provide documentation of workload capacity commensurate with the level of service required by the County.
- Provide information about the respondent's availability and capability to perform on short notice and to ensure timely response and completion based on the County's schedules and deadlines.

D. Understanding the required services and quality assurance.

- Provide a list of all local agencies or clients the respondent now represents which may cause a potential conflict of interest with Spalding County Board of Commissioners.
- Describe how the respondent protects client confidentiality. This applies to all information and communications, including electronic communications, unless available to the public through a public records request and otherwise not subject to specific exemption.

- Describe the respondent’s intended approach to communicate with the County regarding progress reports, status reports, recommendations, status of opinions, etc.

## VII. Selection Criteria

The relevant experience of each assigned party will be evaluated as it relates to the scope of services. A committee will review the responses to the Request for Qualifications and will make a recommendation to the Spalding County Board of Commissioners. The committee may elect to conduct interviews with any shortlisted person(s) or firm(s).

Proposals will be evaluated based on the criteria and scoring system shown below:

EVALUATION CRITERIA	WEIGHT GIVEN
Respondent Qualifications	20
Experience of the attorney	30
Respondent’s availability and capacity to provide timely legal services	40
Understanding the required services and quality assurance	10

## VIII. Contract

- A. **Contract Negotiations:** Upon selection of the most qualified respondent based on demonstrated competence and qualifications for the type of professional services required, the County will negotiate payment terms which it determines is fair and reasonable and negotiate any other portion of the contract deemed necessary. In the event the County is not able to negotiate successfully with the top ranked respondent, the County shall cease negotiations with that respondent and either begin negotiations with the next ranked respondent or may choose to cancel the solicitation in its entirety. Award shall be made to the respondent whose submittal and subsequent negotiation is most advantageous to the County. The County reserves the right to renegotiate terms as needed to obtain the most cost-effective services.
- B. **Contract Term:** The contract term is two (2) years at the hourly rate proposed with the option to renew up to two (2) additional one-year extensions upon mutual agreement from both parties. A signed contract extension should be executed within thirty (30) days of the original contract term.
- C. **Termination of Contract:** This contract may be terminated, in whole or in part, at any time by mutual written consent, or by the County, with or without cause, upon giving sixty (60) days written notice to the successful respondent. If this contract is terminated, the County shall be liable only for payment under the payment provisions of the contract for services rendered and accepted material received by the County before the effective date of termination.