

County of Sussex
Request for Proposals # 2018-01
County Attorney

Date: June 12, 2018

Contract Specifications

Summary of Request

The Board of Supervisors of the County of Sussex is seeking proposals for the provision of legal services. Individuals or firms meeting the requirements of this RFP are invited to submit their credentials. The Board of Supervisors will analyze the respondents and select either an individual or firm to represent Sussex County as the County Attorney. As an appointment of the Board of Supervisors, the County Attorney serves at the pleasure of the governing body. However, it is proposed that the County Attorney's services and initial term of service be memorialized in the form of a contract set on mutually agreeable terms.

Sussex County Profile

Sussex County is a community encompassing 496 square miles and home to approximately 12,000 residents. The County is governed by a six (6) member Board of Supervisors, elected by districts to four (4) year terms, with a Tie Breaker elected at large to a four (4) year term, as well. Sussex County is home to four (4) incorporated towns: Jarratt, Stony Creek, Wakefield and Waverly. Each town has its own governing body. The County, however, provides many essential services to the town residents.

Sussex County through its staff and Constitutional Officers provides a variety of services including, but not limited to: zoning and code enforcement, judicial services, law enforcement, fire and rescue, water/sewer utilities, solid waste disposal, revenue assessment and collections, economic development and general government administration. Inclusive of Constitutional Officers staff, the County employs approximately 115 full-time employees and has an annual operating budget of approximately \$35 million dollars. Sussex County Public Schools engages in its own, separate legal counsel.

Outline of Services to be Provided

The individual or firm serving as the County Attorney works at the direction and under the general oversight of the Sussex County Board of Supervisors. The County Attorney is expected to provide legal counsel to the Board of Supervisors, County staff and Constitutional Officers of Sussex County. Specific workload and commitment of hours will vary based on the needs of the County.

Services to be provided include, but are not limited to, the following:

Attendance at all regular meetings of the Board of Supervisors and Planning Commission. The Board meets at 7:00 p.m. on the third Thursday each month. The Planning Commission meets

the first Monday of the month at 6:00 p.m. From time to time the County Attorney may be asked to attend special meetings of the Board of Supervisors or advisory boards, commissions and Housing Oversight Board.

Provide counseling on issues as they arise to the Board of Supervisors and/or County Administrator and staff including Constitutional Officers where the consultation with Constitutional Officers does not conflict with the interests or policies of the Board of Supervisors.

Prepare and/or review contracts, leases, easements, deeds and other legal instruments on behalf of the County.

Draft ordinances, resolutions and other legal documents.

Assist staff in the administration and compliance with public procurement and public financing.

Provide legal counsel to staff on human resource and personnel related matters.

Support staff in the interpretation and implementation of the zoning ordinance and County code. Assist in the development of new and amended zoning, subdivision and general county ordinances as needed.

Keep the Board of Supervisors and senior staff apprised of changes to state and federal law, which potentially impacts Sussex County's government.

Litigating in all state and federal courts as required.

Knowledge, Skills and Abilities

The County Attorney shall possess the following:

- Thorough knowledge of Virginia local government law, legal precedents, court cases and administrative regulations pertaining to, but not limited to: land use, taxation, contracts, real estate, public sector employment law, civil litigation, constitutional law and related regulatory laws pertaining to local governments within the Commonwealth of Virginia.
- The ability to manage conflict in a professional, diplomatic and courteous manner.
- The ability to provide informed interpretation of Virginia State Code and appropriate application of law as it pertains to local units of government within the Commonwealth.
- Exceptional written and oral communication skills.
- A demonstrated understanding of Sussex County.

Qualifications

The individual appointed either as a sole practitioner or a member of a law firm shall be a member of the Virginia State Bar. The candidate should possess at least ten (10) years of experience as a practicing attorney in the Commonwealth of Virginia within the field of municipal law. The candidate shall be a member in good standing of the Virginia State Bar and have an active license to practice law within the Commonwealth of Virginia. The candidate must be admitted to practice law in all Virginia courts and applicable federal courts.

Term of Contract

It is the intent of the Sussex County Board of Supervisors to memorialize the relationship with the County Attorney in the form of a contract. The term of the contract shall be negotiated with the selected offeror.

The offeror should propose specific payment terms and arrangements (e.g. hourly rate vs. retainer or a combination). During the negotiation phase, Sussex County and the offeror will agree on a mutually agreeable payment arrangement and fee structure.

Submission Requirements

Name, education and experience of the individual(s).

Demonstrated areas of practice which illustrate candidate's ability to provide services in the areas identified in the knowledge, skills and abilities portion of the RFP.

Describe litigation experience involving the representation of local governments or political subdivisions of the Commonwealth of Virginia within local, state and federal courts

The location and normal operating hours of the offeror's office(s)

If the offeror is a firm, please include a description of the firm's experience and expertise as identified in the RFP. Please include the name and biographical information including resumes of any partner or associate that may be presented to Sussex County to represent the firm as the County Attorney.

Offerors should provide a minimum of three (3) references in which similar legal service contracts or services have been provided within the last five (5) years.

Written proposals for the supply of the services fully described herein will be accepted until position is filled. Please deliver to Mrs. Shilton R. Butts, Assistant to the County Administrator, 20135 Princeton Road, Sussex, Virginia 23884 or mailed to Post Office Box 1397, Sussex, Virginia 23884.

The County will utilize competitive negotiation to finalize a selection.