

NOTICE OF REQUEST FOR LETTERS OF INTEREST, QUALIFICATIONS AND PROPOSALS FOR LEGAL SERVICES

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Glenn is seeking proposals from an attorney(s) or law firm with qualifications and experience for providing professional legal services to the County. Interested individuals and or full-service law firms with experience advising and representing California counties are invited to submit Letters of Interest accompanied by Statements of Qualifications to provide legal services to the County of Glenn. The intent of this Request for Letters of interest and qualifications is to 1) acquire interim legal services; and to evaluate the options of contracting for legal services; and or 2) continuing with in-house County Counsel.

The County Counsel is the chief civil law officer of the County and provides legal services to the Board of Supervisors, County officials, and other agencies and districts. The County Counsel is a statutory officer appointed by the Board of Supervisors and serves a four-year term pursuant to Government Code 27641.

The attorney(s) or law firm will receive general direction from the Glenn County Board of Supervisors. The selected attorney(s) or law firm will be expected to perform all services described below:

- Serves as legal advisor to the Board of Supervisors, county officers, county departments, their employees, boards and dependent special districts on their respective powers, duties, functions and obligations.
- Attends all meetings of the Board of Supervisors, unless excused.
- Acts as attorney for the county, county agencies, county officers, and county employees in civil actions instituted by or brought against these entities or persons when acting as or on behalf of the County.
- Studies, interprets and applies statutes, ordinances, court decisions and legal opinions in the preparation of opinions, pleadings and briefs.
- Makes decisions concerning the advisability to prosecute, compromise or dismiss civil litigation.
- Appears before courts and at administrative proceedings to represent the County's interests as required. Prosecutes for civil remedies to enforce County ordinances, abate public nuisances, recover for damages to County property, and condemn property for public purpose and other matters.
- Provides legal services to the office of the Public Guardian/Public Administrator.
- Responds to and resolves difficult and sensitive citizen inquiries and complaints.
- Develops, plans and implements office goals and objectives; recommends and administers policies and procedures.
- Directs, oversees and participates in the development of the department's work plan; assigns work activities, projects and programs; monitors work flow; reviews and evaluates work products, methods and practices.
- Oversees compliance with the Health Insurance Portability and Accountability Act (HIPAA).
- Supervises and participates in the development and administration of the department budget; directs the forecast of additional funds needed for staffing, equipment, materials and supplies; monitors and approves expenditures; implements mid-year adjustments.
- Coordinates department activities with those of other departments and outside agencies and organizations.
- Prepares and submits reports and necessary correspondence as required.
- Attends and participates in professional groups and committees.
- Research, prepare or review of all written opinions, ordinances, resolutions, agreements, leases, deeds, contracts, and other documents of a legal nature necessary or requested by the Board of Supervisors.

- Represent the County in the administration of all claims and litigation filed by or against it; provided, however, special counsel may be retained to defend or prosecute actions requiring special expertise; further provided, that outside counsel shall be retained in the event of a conflict of interest which disqualifies the attorney(s) from such representation.
- Render advice and assistance to County on labor-relation matters, review memoranda of understanding or other labor agreements, drafting or implementing legislation or other pertinent documents; and representation of the County before mediators or arbitrators on matters arising from memoranda of understanding or the County's personnel rules.
- Render advice and assistance in the administration of the County's general liability risk management and insurance programs.
- Monitor activities of any special counsel retained by the County.
- Attendance at staff meetings or committee meetings deemed necessary and appropriate, or as requested by the Board of Supervisors.
- Provide conflict of interest assistance to the County and staff in seeking advice from the Fair Political Practices County.
- Provide guidance concerning requirements of the Brown Act, Conflict of Interest, the Political Reform Act, the Public Records Act, due process and other legal requirements imposed by statute and common law.
- Represent and/or advise the County in litigation not covered by the County's self-insured risk pool (which provide coverage for tort claims and worker's compensation claims) or otherwise being handled by outside counsel.

The services provided by County Counsel shall be governed in accordance with all the laws of the State of California including but not limited to the specific legal mandates described below:

To attend meetings of the Board of Supervisors, when required, and to attend and oppose all claims and accounts against the County when such claims and accounts are deemed unjust or illegal. *Government Code Section 26256.*

To render legal services, including legal opinions, to the County and all County officers. *Government Code Sections 26520 and 27642.*

To defend or prosecute all civil actions and proceedings in which the County or any of its officers is concerned or is a party in his or her official capacity, except where the Board provides other counsel to defend an action or proceeding brought against an officer, employee, or servant. *Government Code Section 26529.*

To act as attorney for the Public Administrator in all estates in which the Public Administrator is the executor or administrator as established by law. *Government Code Section 27643.*

To act as counsel in probate, conservatorship, guardianship, and juvenile dependency proceedings. *Government Code Section 27643 and 27646, Welfare and Institutions Code 318.5.*

To respond to petitions regarding conditions of confinement in the County jail.

To represent the County in mental health proceedings as established by law. *Government Code Section 27646.*

Upon request of the Auditor or Treasurer, to defend or prosecute any action brought by or against the Auditor or Treasurer for the purpose of testing the validity or constitutionality of any act of the Legislature or of the Board of Supervisors or of any order providing for the payment of any funds held in the County Treasury in those cases where the interest of the County is not adverse. *Government Code Section 26523.*

Prepare impartial analysis of county ballot measures showing the effect of the measure on the existing law and the operation of the measure. *Elections Code 9313.*

To serve as legal advisor to the Grand Jury with respect to civil matters. *Penal Code Section 934.*

To discharge all duties vested by law in the District Attorney of the County other than those of a public prosecutor. *Government Code Sections 26529 and 27642.*

I. STATEMENT OF QUALIFICATIONS

Glenn County seeks an attorney(s) or law firm, which has substantial experience in a broad range of County proceedings and the expertise necessary to meet all or most of the day-to-day specialized needs of the County. Statement of Qualifications should identify the member of the firm who will be assigned to act as the County Counsel and identify the qualifications, areas of expertise and prior experience of that individual.

II. SUBMITTAL REQUIREMENTS

Interested attorney(s) or law firms are requested to prepare qualifications using the following sequence. Submittals should be sent electronically and as a hard copy.

1. Cover letter of interest: Signed by an authorized representative committing to provide the legal services described above.
2. Resumes: Provide complete resumes of the person(s) designated to be the County Counsel.

For the individual(s) proposed for designation as County Counsel, please provide the following:

- a. Certificates, licenses, including State Bar of California number.
- b. Description of education (including name of educational institutions, degrees conferred, and year of each degree).
- c. Professional background and professional associations.
- d. Any disciplinary action taken by the State Bar or any malpractice claims against any member of the firm in the last 10 years.

Firm qualifications: in addition to the above outlined individual proposed for designation as County Counsel requirements also provide professional experience and qualifications of the firm and the designated individuals to provide the services specified in the Request for Proposals.

3. References: Provide contact information for three (3) municipal, public agency and/or key clients for which legal services have been provided in the last three years. Please include the contact person's name, address, phone number and email address.

5. Clients/Potential Conflicts of Interest

- a. Identify any foreseeable or potential conflicts of interest with public clients you serve and the manner in which you would propose to resolve these conflicts.
- b. For the person to be designated as County Counsel, list all public clients that he/she currently represents as general counsel, along with the meeting dates and times for each governing body.
- c. List all parties, including private clients, relatives, and any other individuals or entities that could potentially pose a conflict of interest with your representation of the County of Glenn.

III. COMPENSATION

Proposals shall describe how the firm proposes to bill for the legal services provided, either on a flat monthly retainer, or on a different basis. If it is proposed that general services will be paid for through a retainer with additional charges for special services, the proposals should clearly define what would be considered to be within the scope of general services covered by the retainer and what services would be considered special services subject to additional charges, and the rates that would be charged for those special services. If hourly billing rates would be charged and those rates would vary for different types of work, such as litigation, indicate what rates will be charged for each type of service.

General advisory services for employment and land use matters should be included within the scope of any retainer proposal for general county services, or included within the hourly rated applicable to general county services, if hourly rates are proposed.

Proposals shall also identify what charges, if any, the firm will impose for travel time. It is expected that the scope of work performed and the rates charged therefore will be reviewed and evaluated by the parties 30 days prior to the end of the agreed term and be subject to modification at that time based on the review. Initial term is expected to be six months. In that this six month limited term agreement includes an analysis of continuing contracted legal services or restoration of in-house legal services it is anticipated that this agreement may be extended to accommodate advertising and procurement or recruitment.

IV. SELECTION PROCESS

The Board of Supervisors will determine the process by which the proposals are reviewed, although it is anticipated that the material provided in the Letter of Interest, Statements of Qualifications and Proposals, interviews with the firms, and references will be the determinative factors in making a selection.

The Board of Supervisors reserves the rights and options to:

- Reject any or all of the submittals.
- Waive any of the provisions in the Request for Proposals.
- Issue subsequent Requests for Proposals.
- Cancel the Request for Proposal process.
- Waive any technical error in the responses it receives.
- Negotiate with any, all, or none of the respondents to the Request for Proposals concerning costs or to further refine the scope of services to be provided.
- Award a contract or contracts to more than one firm for different services.

All costs of preparing and submitting the proposals are to be borne by the submitter and not the County of Glenn.

V. SUBMITTAL DEADLINE

Interested firms should submit one unbound original and ten bound copies of the proposal in a sealed envelope, marked on the outside as **“RESPONSE TO REQUEST FOR PROPOSALS – COUNTY COUNSEL”** by **October 29, 2018, at noon** to:

LINDA DURRER, PERSONNEL DIRECTOR
Glenn County Personnel Department
525 W. Sycamore Street, Ste. A1
Willows, CA 95988