



Interoffice Memorandum

March 2, 2020

TO: Mayor Jerry L. Demings
and the Board of County Commissioners

~~FROM:~~ Carrie Mathes, CFM, CPPO, C.P.M., Manager, Procurement Division

CONTACT: John Petrelli, Manager, Risk Management Division
(407) 836-9636

SUBJECT: Selection of Firm, Request for Proposals Y20-160-AH, Secondary General Liability/Tort Legal Counsel

RECOMMENDATION:

Selection of Grower, Ketcham, Eide, Telan & Meltz, P.A. to provide Secondary General Liability/Tort Legal Counsel, Request for Proposals Y20-160-AH. Further request authorization for the Procurement Division to negotiate and execute a three-year contract within a budget amount of \$100,000.

The proposals were evaluated by the Procurement Committee on February 19, 2020. Commissioner Betsy VanderLey was assigned to the Procurement Committee.

PROCUREMENT:

The firm shall provide legal representation to defend the County in tort lawsuits.

FUNDING:

Funding is available through the claims loss fund.

APPROVALS:

The Risk Management and Business Development Divisions concur with this recommendation.

REMARKS:

Orange County and its Tax Collector, Property Appraiser, Supervisor of Elections, Clerk of Court, and Comptroller are parties to the Interlocal Risk Management and Self-Insurance Agreement. The agreement sets forth the self-insurance program for the Board of County Commissioners and the constitutional officers identified above. The implementation and administration of the agreement through the Board, the several constitutional officers, the County's Risk Management Committee, and the Director is referred to as the "Program." The Program is a mechanism through which liability and tort issues are settled, litigated or denied. The Program is administered by the Risk Management Director and a third-party administrator responsible for the initial investigation and evaluation of claims.

Selection of Firm, Request for Proposals Y20-160-AH, Secondary General Liability/Tort Legal Counsel

The disposition of claims is made by the Director in conjunction with the Risk Management Committee composed of members appointed by the County. This includes claims defense litigation similar to that required by an insurance carrier or large self-insurer. Under this contract, the consultant will work closely with Risk Management and the County's lead tort counsel firms.

Specific responsibilities of the firm include, but are not limited to, the following:

1. Provide competent and cost-effective legal defense, including appellate services in the area of general liability/tort law.
2. Provide legal advice and services unrelated to individual claims, such as drafting contract indemnity clauses, advice regarding insurance, and assistance in legislative tort issues.
3. Work with the County's lead tort counsel firms, Dean, Ringers, Morgan & Lawton, P.A., O'Connor & O'Connor, LLC and Hilyard, Bogan & Palmer, PA, under the guidance of the Director.

Four proposals were received in response to this Request for Proposals.

The proposals received from the following firms scored too low for Board consideration:

- Levy & Levy, L.L.C.
- McEwan, Martinez, Dukes & Hall, P.A.
- Pittman Law Group, P.L.

Consensus scores of the Procurement Committee are attached.



INTEROFFICE MEMORANDUM


January 23, 2020

TO: Alina Hernandez-Fernandez, Contracting Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator 
Business Development Division

SUBJECT: Business Development Division MWBE Proposal Evaluation

PROJECT: Y20-160-AH / Secondary General Liability/Tort Legal Counsel

APPROVED: 

Below are the respondents to the subject RFP with their firm's certified Minority/Women Business Enterprise (M/WBE) sub-consultants, Minority Business Enterprise Workforce and Women Business Enterprise goals:

1. Grower, Ketcham, Eide, Telan & Meltz, P.A.
MAJORITY PRIME

M/WBE Sub-consultant(s)	M/WBE Classification	Projected %	Sub-consultants Role
*			

*The Schedule of Sub-Contracting – MWBE Participation Form is blank. Therefore, the evaluator cannot assess points.

Total M/WBE Participation Proposed: 0%
M/WBE Sub consultant participation Weighted Score: 0

Total M/WBE Workforce: 13%
 Total WBE Workforce: 53%
Minority Workforce and Women Workforce Weighted Score: 0

Total M/WBE Participation Weighted Score: 0

Registered Service-Disabled Veteran(s) (SDV) Sub-consultant	Points	SDV Sub-consultant Role
*		

*The Schedule of Sub-Contracting – SDV Participation Form is blank.
Therefore, the evaluator cannot assess bonus points.

Registered SDV(s) Proposed: 0
SDV Bonus Points: 0

Displaced Worker(s) Proposed: 0
Displaced Worker(s) Bonus Points: 0

Total Bonus Points: 0
(Includes SDV & Displaced workers)

2. Levy & Levy, L.L.C.
MAJORITY PRIME

M/WBE Sub-consultant(s)	M/WBE Classification	Projected %	Sub-consultants Role
*			

*The Schedule of Sub-Contracting – M/WBE Participation Form is blank.
Therefore, the evaluator cannot assess points.

Total M/WBE Participation Proposed: 0%
M/WBE Sub consultant participation Weighted Score: 0

Total M/WBE Workforce: 22%
Total WBE Workforce: 44%
Minority Workforce and Women Workforce Weighted Score: 25

Total M/WBE Participation Weighted Score: 25

Registered Service-Disabled Veteran(s) (SDV) Sub-consultant	Points	SDV Sub-consultant Role
*		

*The Schedule of Sub-Contracting – SDV Participation and Letter of Intent Form was not Submitted with the proposal; Therefore, the evaluator cannot assess bonus points.

Registered SDV(s) Proposed: 0
SDV Bonus Points: 0

Displaced Worker(s) Proposed: 0
Displaced Worker(s) Bonus Points: 0

Total Bonus Points: 0
(Includes SDV & Displaced workers)

3. McEwan, Martinez, Dukes & Hall, P. A.
M/WBE PRIME

M/WBE Sub-consultant(s)	M/WBE Classification	Projected %	Sub-consultants Role
*			

*The Schedule of Sub-Contracting – M/WBE Participation Form is blank.

Therefore, the evaluator cannot assess points.

Total M/WBE Participation Proposed: 0%
 M/WBE Sub consultant participation Weighted Score: 0

Total M/WBE Workforce: 18%
 Total WBE Workforce: 45%
 Minority Workforce and Women Workforce Weighted Score: 25

Total M/WBE Participation Weighted Score: 25

Registered Service-Disabled Veteran(s) (SDV) Sub-consultant	Points	SDV Sub-consultant Role
*		

*The Schedule of Sub-Contracting – SDV Participation and Letter of Intent Form was not Submitted with the proposal; Therefore, the evaluator cannot assess bonus points.

Registered SDV(s) Proposed: 0
SDV Bonus Points: 0

*Displaced Worker(s) Proposed: 0
Displaced Worker(s) Bonus Points: 0

*The Displaced Worker Form was not submitted with the proposal.
 Therefore, the evaluator cannot assess bonus points

Total Bonus Points: 0
(Includes SDV & Displaced workers)

4. Pittman Law Group, P.L.
 MAJORITY PRIME

M/WBE Sub-consultant(s)	M/WBE Classification	Projected %	Sub-consultants Role
*			

*The Schedule of Sub-Contracting – M/WBE Participation and Letter of Intent Form was not submitted with the proposal. Therefore, the evaluator cannot assess points. Firm states the documents were “intentionally excluded, they are not applicable to Pittman Law Group, P.L.”

Total M/WBE Participation Proposed: 0%
 M/WBE Sub consultant participation Weighted Score: 0

Total M/WBE Workforce: 0%
 Total WBE Workforce: 0%
 Minority Workforce and Women Workforce Weighted Score: 0

Total M/WBE Participation Weighted Score: 0

Registered Service-Disabled Veteran(s) (SDV) Sub-consultant	Points	SDV Sub-consultant Role
*		

*The Schedule of Sub-Contracting – SDV Participation and Letter of Intent Form was not

Submitted with the proposal; Therefore, the evaluator cannot assess bonus points. Firm states the documents were “intentionally excluded, they are not applicable to Pittman Law Group, P.L.”

Registered SDV(s) Proposed: 0

SDV Bonus Points: 0

*Displaced Worker(s) Proposed: 0

Displaced Worker(s) Bonus Points: 0

*The Displaced Worker Form was not submitted with the proposal.

Therefore, the evaluator cannot assess bonus points. Firm states the documents were “intentionally excluded, they are not applicable to Pittman Law Group, P.L

Total Bonus Points: 0

(Includes SDV & Displaced workers)