




Interoffice Memorandum

August 26, 2022

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM:  Carrie Mathes, CFCM, NIGP-CPP, CPPO, C.P.M., Manager II,
Procurement Division

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

SUBJECT: Selection of Consultants, Request for Proposals Y22-192-MM, General
Liability/Tort Legal Counsel Services

RECOMMENDATION:

Selection of Dean, Ringers, Morgan & Lawton, P.A., Hilyard, Bogan & Palmer, P.A., and O'Connor & O'Connor, LLC to provide General Liability/Tort Legal Counsel Services, Request for Proposals Y22-192-MM.

Request authorization for the Procurement Division to negotiate and execute contracts in the total estimated amount of \$1,800,000 for a three-year term. Further request authorization for the Procurement Division to renew the contracts for two additional one-year terms.

Proposals were evaluated by the Procurement Committee on August 10, 2022. Commissioner Nicole Wilson was assigned to the Procurement Committee.

PURPOSE:

The consultants will provide legal counsel in the areas of general liability, tort issues and related matters to support the County's Risk Management Program.

APPROVALS:

The Risk Management Division concurs with this recommendation.

DISCUSSION:

The program is administered by the Risk Management Division Manager and a third-party administrator responsible for the initial investigation and evaluation of claims. The disposition of claims is made by the Risk Management Division Manager in conjunction with the Risk Management Committee composed of members appointed by the County. The Risk Management Committee members are made up from personnel from the Office of Accountability, Comptroller's Office, Utilities Department, Public Works Department, Convention Center, Community and Family Services Department, and the Supervisor of Elections. The law firms will provide claims defense litigation similar to that required by an insurance carrier or large self-insurer.

The Risk Manager, after consultation with counsel for the signatory entity against whom a claim is lodged, will assign each case to one of the several retained law firms as he or she may decide to be in the program's best interests.

The Risk Management Division Manager will designate a firm from time to time to serve as general counsel to the program. The designated firm will provide legal advice and services unrelated to individual claims, such as drafting contract indemnity clauses, advice regarding insurance, and assistance in legislative tort issues. Three law firms are required to meet projected workloads and to ensure the County retains adequate representation in the event of a conflict-of-interest involving a contracted firm. Fees for this service were specified in the Request for Proposals. Therefore, each contract will reflect the same fee structure.

Four proposals were received in response to this Request for Proposals. The proposal from McEwan, Martinez, Dukes & Hall scored too low for Board consideration. Scores of the Procurement Committee are attached.

Procurement Committee Meeting - August 10, 2022
Y22-192-MM, General Liability / Tort Legal Counsel

CRITERIA	Qual. of Staff	Qual of Firm	Technical Approach	Location	Total Weighted Points
Weighted Value	40	35	15	10	100
Dean, Ringers, Morgan & Lawton, P.A.	200.00	175.00	60.00	50.00	485.00
O'Connor & O'Connor, LLC	160.00	140.00	48.75	50.00	398.75
Hilyard, Bogan & Palmer, P.A.	120.00	105.00	52.50	50.00	327.50



BUSINESS DEVELOPMENT DIVISION

February 21, 2022

TO: Megan Miller, Contracting Agent
Procurement Division

From: Kesi Warren, Senior Contract Administrator
Business Development Division

Subject: Y22-192-MM, General Liability/Tort Legal Counsel Services

The Business Development Division has reviewed the preliminary scopes of services for the General Liability/Tort Legal Counsel Services Request for Proposals.

After reviewing this information, Business Development has determined there are no M/WBE firms available with the experience in the proposed scopes of services.

If the scope of services for this project changes, let us know so we can re-check for M/WBE availability.

Sheena Ferguson