

April 23, 2015  
*Via Hand Delivery*

Board of County Commissioners  
Leon County Purchasing Office  
1800-3 North Blair Stone Road  
Tallahassee, Florida 32308

**Re: Bryant Miller Olive P.A.'s (FIN 602454) Response to Request for  
Proposals No. BC-04-23-15-24; Legal Services for the Gulf Consortium**

Dear Madam or Sir:

Bryant Miller Olive P.A. ("Firm") is pleased to submit this response to the above-referenced Request for Proposals (the "RFP") regarding Legal Services for the Gulf Consortium. As requested, one original, one electronic, and five complete copies of the Firm's proposal are enclosed.

The Firm is well qualified to provide the entire range of General Counsel services described in the RFP, from attending regular and special meetings of the Executive Committee and Board of Directors of the Gulf Consortium through participating in the development and revisions of the Gulf Consortium's policy, procedures, and governing documents, providing litigation services, participating in contract reviews, negotiations, and performing other services that may be duly assigned. Firm attorneys currently serve or have served as general counsel for Pinellas County, the cities of Safety Harbor, New Port Richey, St. Pete Beach and Largo, the Pinellas Suncoast Transit Authority, the Bellalago Educational Facilities Benefit District, the Flora Ridge Educational Facilities Benefit District, and the Industry Certification Training Center (ICTC) and Florida FIRST special districts. The Firm also assisted in the organization of and served as general counsel to the Tohopekliga Water Authority, a regional water supply authority serving Osceola County and a portion of Polk County.

My name is Christopher B. Roe; I am co-chair of the Firm's State and Local Government Practice Group and board certified in City, County and Local Government Law by The Florida Bar. I will be the primary contact person during the period of proposal evaluation as well as General Counsel to the Gulf Consortium in the event the Firm is selected. In such capacity I will be the attorney who regularly attends all Management, Executive Committee and Board of Directors meetings and will be the primary legal representative for the Gulf Consortium. I am

resident in the Firm's Tallahassee office and have authority to bind the Firm to the terms of this proposal. I am licensed to practice law in the State of Florida and a member in good standing of The Florida Bar, and have been engaged in the active practice of law for fourteen consecutive years with fourteen years of experience representing governmental bodies.

Neither myself nor the attorneys comprising the Firm represent any member of the Gulf Consortium Board of Directors on any matter related to advocacy as the member's securing of funding under the Spill Impact Component of the RESTORE Act or related to advocacy as to the selection and placement of projects and programs in the State Expenditure Plan at the time this proposal is submitted, and we will not engage in any such representation on behalf of any member of the Gulf Consortium Board of Directors at any time during the term of any contract entered into as a result of the RFP.

The information submitted in the proposal is in all respects fair and in good faith, without collusion or fraud. No principal of the Firm is presently suspended, proposed for disbarment, declared ineligible or voluntarily excluded from participation on this transaction by any agency.

Thank you very much for considering our proposal. We greatly appreciate this opportunity to be of service to the Gulf Consortium.

Very truly yours,

A handwritten signature in blue ink that reads "Christopher B. Roe". The signature is written in a cursive style with a large, stylized "R" at the end.

Christopher B. Roe  
Shareholder

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TAB A. FIRM'S INFORMATION

**The name, address and telephone number of the proposed general counsel and the law firm.**

We propose Christopher B. Roe as general counsel for the Gulf Consortium. Mr. Roe is a shareholder and can speak on behalf of, and commit the Firm, in connection with the actions required by the Gulf Consortium. While Mr. Roe will be the Firm's lead attorney for the engagement, we offer a team approach to the delivery of general counsel services featuring a full commitment of resources which will allow us to provide full-spectrum legal services in an efficient manner without affecting the cost incurred by the Gulf Consortium. Mr. Roe will lead a primary support team consisting of Susan Churuti (former Pinellas County Attorney) Alan Zimmet (current Largo and Safety Harbor City Attorney, general counsel for Pinellas Suncoast Transit Authority), Fred Springer (procurement and government contracting) Ellie Neiberger (litigation and appeals), and Nicole Nate (litigation, former New Port Richey City Attorney). The primary team will in turn be supported by the Firm's considerable resources of local government lawyers as well as practitioners in targeted practice areas including real property, government procurement, public contract, public finance, government consulting, land use and zoning law, litigation and tax law. The team approach is aimed at providing the highest level of legal services with a focus on efficiency for the Gulf Consortium which will benefit from particularized experience and counsel.

While Mr. Roe and each member of the primary support team enjoy thriving practices, each is able to assume the workload contemplated by the RFP and committed to providing the high quality legal services required by the Gulf Consortium, in a time efficient and cost-effective manner. Contact information for each attorney appears below.

**Proposed General Counsel**

Christopher B. Roe  
Bryant Miller Olive P.A.  
101 North Monroe Street  
Suite 900  
Tallahassee, Florida 32301  
Tel.: 850.222.8611  
Fax: 850.222.8969  
[croe@bmolaw.com](mailto:croe@bmolaw.com)

**Primary Support Team**

Susan H. Churuti  
Bryant Miller Olive P.A.  
201 North Franklin Street  
Suite 2700

# Bryant Miller Olive

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RFP Title: Request for Proposals for Legal Services for the Gulf Consortium  
Proposal Number: BC-04-23-15-24  
Opening Date: Thursday, April 23, 2015 at 2:00 p.m. Eastern Time

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**PROPOSAL RESPONSE COVER SHEET**

This page is to be completed and included as the cover sheet for your Proposal prepared in response to the subject Request for Proposals (RFP).

The Board of County Commissioners, Leon County, reserves the right to accept or reject any and/or all Proposals in the best interest of Leon County.

Shelly Kelley, Leon County Purchasing Director

Christopher L. Holley, Interim Manager  
Gulf Consortium

This solicitation response is submitted in response to the subject RFP by the below named firm/individual by the undersigned authorized representative.

Bryant Miller-Olive, P.A.

\_\_\_\_\_  
(Firm Name)

BY

*Ch B. Roe*

\_\_\_\_\_  
(Authorized Representative)

Christopher B. Roe, Esq.

\_\_\_\_\_  
(Printed or Typed Name)

ADDRESS

101 North Monroe Street

Suite 900

CITY, STATE, ZIP

Tallahassee, FL 32301

E-MAIL ADDRESS

croe@bمولaw.com

TELEPHONE

(850) 222-8611

FAX

(850) 222-8969

**ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)**

Addendum #1 dated \_\_\_\_\_ Initials \_\_\_\_\_

Addendum #2 dated \_\_\_\_\_ Initials \_\_\_\_\_

Addendum #3 dated \_\_\_\_\_ Initials \_\_\_\_\_

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TAB B. ACCOUNT RESPONSIBILITY AND ATTORNEYS' EXPERIENCES, DEMONSTRATED ABILITY AND LOCATION

The Firm's primary strength is the collective range of skills and experience possessed by its members. In order to ensure that the Gulf Consortium receives the full benefit of this strength, the Firm intends to utilize a team approach in the delivery of general counsel services as outlined under Tab A. This approach will ensure that the Gulf Consortium Executive Committee and Board of Directors will have access to the collective expertise of the entire Firm in a cost-effective manner. The members of the primary team have current, relevant experience acting as General Counsel to local government entities and are well qualified to satisfy the requirements of the RFP. Team members are Board Certified in City, County and Local Government Law, AV Rated by Martindale Hubbell and/or named as "Super Lawyers" by Thomson Reuters. A brief biography summarizing relevant experience follows, and resumes are included under Tab G.

- Christopher B. Roe will be the primary Firm attorney responsible for the engagement. Mr. Roe is a Shareholder in the Firm's Tallahassee office. Mr. Roe is the firm's lead attorney in its engagement as general counsel to the Bellalago and Flora Ridge Educational Facilities Benefit Districts and in that capacity attends regular and special meetings, facilitates the landowner election process and adoption of the annual operating and debt service budgets, and advises the respective boards and officials with respect to sunshine laws and ethics laws applicable to local government officials, and special district establishment and governance. His practice involves drafting ordinances, resolutions, interlocal agreements, administrative rules and regulations, notices for mailing and publication, pleadings and closing documents for public finance transactions. He is board certified by the Florida Bar in City, County, and Local government Law. His experience includes a wide range of local government undertakings including development, implementation, and administration of community redevelopment projects, public water and wastewater utility matters including rate setting and expansion of infrastructure, development and maintenance of special assessment programs to fund the delivery of infrastructure and essential services including fire protection, solid waste disposal, roadway potable water and wastewater improvements, impact fees programs, tax increment and other revenue generating mechanisms, creation and administration of stormwater utilities and related financing, municipal annexation, water purchase and wheeling agreements, and charter review and revision.

- Susan Churuti served in the Pinellas County Attorney's Office for twenty-seven years, twenty as the County Attorney. She oversaw a staff of twenty-two attorneys, and provided legal support to the Board of County Commissioners, as well as serving as the chief legal representative for the Clerk of the Circuit Court, the Property Appraiser, the Supervisor of Elections and the Tax Collector. Ms. Churuti managed an office that normally carried over 2,000 federal, state, bankruptcy, environmental enforcement, ordinance violation, forfeitures, civil

rights, condemnation and tax challenge cases in litigation or dispute at any given point in time. During her tenure she managed the representation of more than 50 boards, including the Canvassing Board, the Day Care Licensing Board, the Countywide Planning Authority, the Pinellas County Construction Licensing Board, the Pinellas County Charter Commission, and the Sheriff's Personnel Board. She has also served as an Adjunct Professor at Stetson University College of Law for eleven semesters, overseeing the Local Government Law Clinic Program. Ms. Churuti has been recognized by her peers, serving as the President of the Florida Association of County Attorneys, the Chair of the Eminent Domain Committee of The Florida Bar, and the Chair of the City County and Local Government Law Section of The Florida Bar, which voted her the Ralph Marsicano Award winner, for significant contributions to the development of local government law in Florida.

- Alan Zimmet has more than 30 years of legal experience, and is board certified by The Florida Bar in the area of City, County and Local Government Law. Mr. Zimmet is Co-Lead of the Firm's Litigation Group and he is AV rated by Martindale Hubbell and a Super Lawyer. He represents private entities and local governments, including cities, counties and special districts. His litigation practice focuses on construction matters and other complex civil litigation cases. Mr. Zimmet is also a certified circuit court mediator in Florida and a trained arbitrator. He serves as City Attorney for Safety Harbor and Largo, and as General Counsel for the Pinellas Suncoast Transit Authority. Mr. Zimmet began his legal career as an attorney for the United States Department of Labor. He then worked for the City of Clearwater as an Assistant City Attorney for three years before he entered private practice. He is regularly invited to write and speak about legal topics for such organizations as the Florida League of Cities, the Public Risk Management Association, Stetson University College of Law, and the Florida Bar.

- Fred Springer, a shareholder with the Firm, is a public sector procurement specialist with expertise in agency bidding, bid disputes, contracting and related litigation. He has served in the General Counsel's office of the Department of Management Services for the State of Florida, where he exercised legal oversight of the agency's contracting divisions and created new methods of contract solicitation and management. He subsequently became Director of State Purchasing, which possesses ultimate authority and accountability for policies and procedures governing executive agency purchasing. He was elected to the Board of Directors of the Association of State Procurement Officials, served as Interim Deputy Secretary of Operation Support, and Interim Executive Director of the Office of Efficient Government for the State of Florida. Mr. Springer not only has a track record of success at the trial and appellate levels in cases involving contract award and performance issues, but has both hands-on and executive skills necessary to deliver government solutions involving budget, legal, procurement, technology, project management, and substantive program areas.



- Ellie Neiberger practices appellate advocacy and litigation, with an emphasis on representing governments in high-profile and politically sensitive cases and cases of first impression. She represents clients in appeals, original proceedings for extraordinary writs, and trial and administrative-level litigation. Her practice involves a variety of business and government-related disputes, including challenges to state statutes, finance issues, public records and Sunshine Law claims, and bid protests. Ms. Neiberger graduated first in her class from the Florida State University College of Law in 2009. Upon passing the bar, she was elected to the Florida State Chapter of the Order of the Coif, and honored by the Florida Supreme Court for highest performance on the bar exam.

- Nicole Nate is a member of the Firm's State & Local Government practice group, where her primary practice includes representing city, county, and state governmental entities in all manner of legal matters, including complex litigation and public finance. Ms. Nate formerly served as City Attorney to the City of New Port Richey, Florida and currently acts as special counsel, and also represents numerous private and governmental entities in commercial litigation. Her work experience prior to law school includes working in accounting as a Finance Assistant for Global Spectrum, a leading event facility management company, and as an accountant for a C.P.A. firm in St. Petersburg.

**TAB C. BRYANT MILLER OLIVE'S EXPERIENCE, DEMONSTRATED ABILITY AND PERFORMANCE INFORMATION**

The Firm is a Florida professional association with over 30 attorneys. The Firm was established in 1970 and is rated "AV" by Martindale-Hubbell. The Firm also relies on a qualified 36-member support staff that includes paralegals, legal assistants, office administrators and information technology professionals. The Firm has offices in Tallahassee, Orlando, Tampa, Jacksonville, Miami, Atlanta, and Washington, D.C.

Serving government clients is and has always been the Firm's primary focus. The Firm was originally established as a public finance firm, and has since expanded its practice areas to comprehensively serve Florida's governments. The Firm offers legal expertise in a variety of complementary areas and is organized into the following primary practice areas: Public Finance, State and Local Government, Government Consulting, Litigation, and Complex Transactions. These services are provided to clients located throughout Florida, along the eastern seaboard states to the District of Columbia, and across the Gulf states.

**A detailed explanation of how the proposed general counsel and the law firm are equipped to handle the Specific Services Requested:**

**1. Attend all regular and special meetings of the Executive Committee and Board of Directors of the Gulf Consortium and provide telephonic consultation with members of the Gulf Consortium**

The Firm's main office is located in Tallahassee. Other offices are conveniently located in Orlando, Tampa, Jacksonville, and Miami, thus our attorneys can attend all regular and special meetings of the Executive Committee and Board of Directors of the Gulf Consortium in various locations throughout the state. Any Firm attorney can be available via telephone, electronic mail, video- or web-conference, or other means.

The Firm's lawyers will be available to the Gulf Consortium Executive Committee and Board of Directors at any time. Each office is equipped with a state-of-the-art network-based computer system and a full-service electronic library of resources which will be dedicated to serve the County on a high priority, as-needed basis. Attorneys and clients are able to access documents on a central server remotely from any Internet connection. We will attend all regularly scheduled Gulf Consortium Executive Committee and Board of Directors meetings, workshops and other staff meetings when requested and will be available to promptly appear in person or by telephone as requested, on any occasion.

**2. Monitor the status of the Gulf Consortium activities, provide legal opinions, and respond to direct inquiries from members of the Gulf Consortium**

The entire Team will be available to monitor activities of the Gulf Consortium and provide legal assistance on routine matters. The Team is prepared to respond to any specified legal inquiries on Gulf Consortium matters, perform follow up activities as needed and insure timeliness in our response. The Firm regularly provides legal opinions for our clients. In fact, often we are retained as outside counsel to render opinions about Florida Constitutional law and issues of local governance. The Firm is sought to opine on Public Records Law, Sunshine Law, and other specified local governmental issues as a troubleshooter by many general counsel to local governments around the State of Florida. We intend to foster such a relationship first and foremost by providing the highest quality of legal services across a broad range of specialized practice areas. A lasting and successful bond requires more, however, than technical expertise. The Firm has gained the confidence, respect, trust and repeat business of our client base for our emphasis on accountability and client satisfaction, energetic and enthusiastic approach to problem solving and "can-do" attitude.

**3. Participate in the development and revision of the Gulf Consortium's policy, procedures, and governing documents. Participate in contract reviews, negotiations, settlements, changes and protests.**

The Firm has extensive experience assisting clients in matters involving local governmental law, including the preparation of complex development and interlocal agreements, ordinances and resolutions. Illustrative of our expertise in this area is the Firm's involvement in facilitating the creation of an independent special district, the Tohopekaliga Water Authority, at the behest of the City of Kissimmee, and Osceola County, Florida. Creation of this district involved drafting a special act and related interlocal agreements, affecting the act's successful passage and validating both the interlocal agreements and the authority of the special district. We formerly served as general counsel of the Tohopekaliga Water Authority, which currently serves 73,000 water, 71,000 wastewater and 10,000 reclaimed water customers, since it commenced operations in 2003. The Firm recently represented the City of Ft. Myers in changing its form of government from strong mayor to city manager/council form, obtained the required federal court approval, handled an ancillary state court proceeding, and advised the City in connection with the redistricting. The Firm and/or individual attorneys have acted as general counsel to numerous cities, counties and special districts throughout Florida and are very familiar with the wide range of issues and challenges facing all forms of state and local governments.

The Firm has broad transactional and negotiation experience and has been responsible for the legal aspects of a large number of major projects as well as having served as part of a negotiating team on major projects. Bryant Miller Olive's Administrative & Public Procurement practice area represents clients in administrative matters and throughout the procurement process. For example, on behalf of the Jacksonville Port Authority, the Firm negotiated with

Hanjin Shipping Co., Ltd., for development of a terminal facility to bring over 5,000 jobs to the Jacksonville area with a total project cost estimated at nearly \$500 million. The Firm has extensive experience in the negotiation and documentation of development, ownership, project and finance agreements and documents in connection with the development of utility and industrial facilities.

Bryant Miller Olive is known throughout the state of Florida for its ability to analyze, structure and document complex transactions. The Firm's services include negotiation and drafting of transactional documents and agreements, including those related to (i) the organization of corporations, partnerships, limited liability companies and other entities; (ii) purchases and sales of entities (including, without limitation, sales of the outstanding stock or other equitable ownership interests by sale, merger or reorganization); (iii) redemptions of stock, partnership interests or other outstanding ownership interests; (iv) purchases and sales of entity assets; (v) commercial leases and options to sell or purchase assets; (vi) employment and executive compensation agreements; (vii) shareholders' agreements, partnership agreements and operating agreements; and (viii) corporate, partnership and limited liability company dissolutions and liquidations. The Firm's experience includes providing federal and state tax advice in connection with these transactions.

Contract negotiation and preparation also plays a central role in BMO's representation of public clients in Labor and Employment Law. The Firm's lawyers specialize in collective bargaining regarding retirement benefits, governance, drafting of plan amendments, compliance with applicable provisions of the Internal Revenue Code, and representation of plan sponsors before state administrative agencies. The Firm's lawyers also have experience with employee benefits, particularly with regard to litigation, compliance, and collective bargaining.

Procurement matters are at the forefront of government challenges and BMO understands the rules, laws and policies entailed in these complicated matters. BMO's attorneys are among the most skilled and respected on matters relating to public contracts, procurement strategy, business development and the bid process. Members of BMO have held top leadership positions with multiple state agencies and local governments and have hands-on procurement experience. Our attorneys have been integrally involved in crafting Florida's present procurement framework and practices. BMO attorneys remain on the cutting edge of procurement laws and regulations by providing counsel and advice on all procurement and technology related legislation.

Fred Springer is a shareholder with the Firm and a public sector procurement specialist with experience in agency bidding, bid disputes, contracting and related litigation. Mr. Springer has served in the General Counsel's office of the Department of Management Services for the State of Florida, where he exercised legal oversight of the agency's contracting divisions and created new methods of contract solicitation and management. He subsequently became

Director of State Purchasing, which possesses ultimate authority and accountability for policies and procedures governing executive agency purchasing. In that role, Mr. Springer was ultimately accountable for executive agency purchasing policies and procedures (covering \$4.5 billion in annual spend), interpretation and implementation of legislation, forecasts, budget (\$8mm+), audits, records, and metrics. He managed and developed purchasing personnel (49 FTEs), who contracted for spend exceeding \$1 billion annually and who delivered the purchasing subsystem of Florida Financial Management Information System. Mr. Springer has a track record of success at the trial and appellate levels in cases involving contract award and performance issues. He continues to represent State agencies and private companies in all facets of government contracting.

#### **4. Provide litigation services to the Gulf Consortium.**

The Firm will provide litigation services to the Gulf Consortium as needed. Our proposed team members' recent experience includes:

- Representing the Florida Association of Counties and 53 individual counties in a lawsuit challenging a 2012 state law concerning county Medicaid contributions. As a result of the lawsuit, the state agencies agreed to reduce the backlogs from \$373 million to \$168 million and adopted administrative rules allowing future contributions to be made from the county's choice of revenue source (rather than automatic deduction from state shared revenue). The parties entered a joint stipulation dismissing the action in November 2014.
- Representing the City of Clearwater at the trial and appellate levels in a case challenging the ballot language of a referendum regarding the City's proposed relocation of the Clearwater Marine Aquarium to its downtown area. The Firm obtained a summary judgment for the city, which was affirmed on appeal in March 2015.
- Representing the Tampa-Hillsborough Expressway Authority (THEA) in a putative class action alleging improper overcharges by the statewide SunPass tolling system. The Leon County Circuit Court complaint originally named only the Florida Department of Transportation (FDOT) as a defendant. FDOT moved to dismiss, arguing that THEA and other regional expressway authorities were necessary and indispensable parties. After the amended complaint added parties, THEA moved to dismiss on grounds of a home venue privilege. In March 2015, the trial court agreed and dismissed THEA as a party.
- Representing Leon County in a challenge to the county's Property Assessed Clean Energy (PACE) program. The Supreme Court of Florida heard oral

argument February 2015, and is expected to issue an opinion in the upcoming months.

- Representing the Federal Deposit Insurance Corporation as receiver of a failed bank pursuing claims under a Director & Officer Liability Policy. The Firm filed the action in federal court against five individual defendants, who were represented by three different law firms. The insurer and its outside counsel were also integrally involved in the litigation. The Firm's attorneys defeated multiple dispositive motions and conducted extensive discovery before amicably resolving the matter through a mediated settlement in late 2014.
- Representing the Florida Keys Aqueduct Authority in multiple matters arising from the \$185 million Cudjoe Regional Wastewater System. These matters included two separate circuit court challenges to construction contract awards, one of which went to the Third District Court of Appeal, where the Firm successfully defended the Authority's award decision. More recently, the Firm successfully defended a challenge against the Authority and Florida DEP involving a permit for the design and construction of the wastewater collection system. Currently, the Firm is defending challenges to the operation of the system's wastewater treatment plant.

The Firm has substantial experience applying sovereign immunity to limit liability of governmental entities. The Firm possesses significant litigation experience with general liability and insurance coverage litigation matters. In the course of its representation of owners and contractors, the Firm has developed considerable experience in interpreting and applying insurance laws and negotiating contract requirements for insurance for major infrastructure and industrial construction projects. The Firm fully understands the unique position of the public treasury and has successfully represented state agencies and local governments in preserving sovereign immunity, contract negotiations, disputes and litigation.

If selected, we will measure our own success by the strength of the relationship we've developed with the Gulf Consortium Executive Committee and Board of Directors. We will strive at all times to earn the Gulf Consortium's respect and trust and to demonstrate through our actions, attitude, integrity and proficiency that we deserve the privilege of serving in the role of legal advisor to the Gulf Consortium. We will also remain mindful of the fact that our role is one of providing legal services – we are not and will not seek to be business or financial advisors.

Table of Public Entity Client References

<b>Current General Counsel Engagements</b>		
<i>Point of Contact</i>	<i>Annual Value of the Account</i>	<i>Duration of the Contract</i>
<p>Flora Ridge Educational Benefit Facilities Benefit District                      Angela Barner, District Manager                      817 Bill Beck Blvd.                      Kissimmee, FL 34744-4495                      Phone: (407) 870-4909, extension 67510                      Fax: (407) 518-2906</p>	\$25,000	9 years
<p>Bellalago Educational Facilities Benefit District                      Migdalia Gonzalez Mercado, Board Member                      817 Bill Beck Blvd.                      Kissimmee, FL 34744-4495                      Phone: (407) 870-4831, extension 67518                      Fax: (407) 518-2906</p>	\$25,000	9 years
<p>City of Safety Harbor                      Matt Spoor, City Manager                      750 Main Street                      Safety Harbor, FL 34695                      Phone: (727) 724-1555, extension 1403                      Fax: (727) 724-1566</p>	\$100,000	25 years
<p>City of Largo                      Norton Craig, City Manager                      201 Highland Avenue Br                      Largo, FL 33779                      Phone: (727) 586-7454                      Fax: (727) 587-6703</p>	\$400,000	16 years
<p>Pinellas Suncoast Transit Authority                      Brad Miller, Chief Executive Officer                      3201 Scherer Drive                      St. Petersburg, FL 33716                      Phone: (727) 540-1807                      Fax: (727) 556-6506</p>	\$200,000	27 years

ICTC Governing Board d.b.a Amskills Bryan Kamm, Executive Director Regional Headquarters 7845 Campus Drive Port Richey, Florida 34653 Phone: (813) 415-7514	\$15,000	1 year
Florida FIRST David Cheung, Senior Vice President, Chief Operating Officer, FICM & DFIM Branch: Denver - Fixed Income Capital Markets 1600 Broadway, Suite 1100 Denver, Colorado 80202 Phone: (303) 764-6020	\$10,000	2 years



TAB D. ABILITY TO PROVIDE SUPPORT TO THE GULF CONSORTIUM

The Firm hereby certifies to the following:

(a) During the last five years the Firm was a party to litigation involving transactions that closed approximately twelve and seven years ago. The Firm was completely exonerated and the plaintiff dropped the Firm from the lawsuit. There are no grievances filed within the last five years against the respondent or any attorney listed in this proposal.

(b) There are potential conflicts of interest under the Code of Professional Responsibility relating to attorneys that respondent may have in performing the services described in the RFP. The Firm currently represents the Leon County Clerk of the Circuit Court and Comptroller in negotiating an interlocal agreement with the Gulf Consortium pursuant to which the Clerk will provide paying agent services to the consortium for expenditures related to development of the state expenditure plan mandated by the RESTORE Act. The Firm expects that its representation of the Clerk in such matter will conclude prior to commencement of the general counsel services contemplated by the RFP. In the event the Firm's service to the Clerk in such matter has not so concluded, the Firm will take such actions as may be required by the rules of professional conduct promulgated by The Florida Bar in order to resolve the conflict. Such actions may include seeking appropriate waivers and/or withdrawing from representation of the Clerk.

(c) The Firm contractually requires all its attorneys to adhere to all applicable ethical standards, including regular continuing legal education on ethics and professionalism. One of the Firm's shareholders is designated as the Risk Management Shareholder and oversees ethical, rules, and risk issues. The Firm provides ethics training and ethical compliance guidance to its attorneys. The Firm is insured by the Attorneys Liability Assurance Society (ALAS), a not-for-profit mutual society. Because ALAS is not a commercial carrier, its primary focus is loss prevention. It maintains a robust and active loss prevention program that focuses heavily on attorney and firm compliance and adherence to the highest legal and ethical standards. ALAS loss prevention attorneys are on call for consultation and have attended Firm events to present on risk and ethics topics.

(d) The Firm has current malpractice insurance with Attorney's Liability Assurance Society, Inc., a Risk Retention Group. The policy number is ALA#1943. The effective dates of insurance are January 1, 2015, to January 1, 2016. The current coverage amounts are \$20,000,000 per claim and \$40,000,000 in the aggregate. A copy of the policies exclusions is attached as Exhibit H.

(e) There is no litigation against the Firm that may be affected under the representation and legal services to be provided to the Gulf Consortium.

TAB E. BRYANT MILLER OLIVE'S FEES AND EXPENSES

The Firm will strive to provide top quality legal representation to the Gulf Consortium at an economical price. In order to remove uncertainty as to the types of legal services included and provide ease of budgeting for the Gulf Consortium, the Firm proposes a lump sum annual retainer arrangement with the Gulf Consortium as set forth below. The retainer would cover all legal services desired by the Gulf Consortium, including attendance at regular Board meetings, special Board meetings and workshops, consultation in person, by phone and email with Gulf Consortium officials and personnel, researching legal issues, drafting documents and undertaking those actions generally within the purview of general counsel or special counsel services for local government entities. The exception would be bond counsel services or other extraordinary legal services or legal opinions concerning the issuance of debt, litigation, etc., all of which would be available to the Gulf Consortium under retainer, but compensated in accordance with mutually agreeable terms set forth in individual work orders approved in advance by the Gulf Consortium Board of Directors or its designated representative.

The Firm proposes an annual retainer amount of \$60,000, paid in equal monthly installments. We anticipate that such amount will encompass the typical General Counsel responsibilities identified in the scope of work contemplated by the RFP. In the event of unusual or unforeseen events and circumstances which require extraordinary legal services above and beyond those provided through the retainer amount, the Firm will prepare and forward a governing work order and discuss same, as soon as practicable, with the appropriate executive officer(s) of the Gulf Consortium. The Firm understands and acknowledges the fiscal constraints placed upon the Gulf Consortium and pledges to offer reasonable billing accommodations in order to meet the needs and circumstances of the Gulf Consortium. Such accommodations may include deferral of all or a portion of fees or invoices associated with extraordinary legal services or particular work orders.

With respect to the hourly rates associated with extraordinary legal services and work orders, we have contractual arrangements and covenants with other clients not to charge, in certain circumstances, less than the lowest hourly rates afforded to other similar clients. Our lowest discounted rate for comparable legal services is currently a blended firm rate of \$265 for attorneys and \$70 for paralegals and law clerks.

The Firm will charge the Gulf Consortium for non-productive travel time at 30% of the hourly rate specified above, in accordance with the terms of the RFP. The Firm will be reimbursed for actual costs associated with travel, long distance telephone charges, overnight delivery charges and other customary charges incurred in providing services to the Gulf Consortium.

The annual and hourly rates set forth above are for year one of the engagement term. For each subsequent year thereafter through the third year, effective as of each anniversary date, the respective rates would increase by 5%.

If we are selected by the Gulf Consortium and the fee proposal described herein is inconsistent with the Gulf Consortium's financial situation, we are willing to negotiate terms and conditions to better suit the Gulf Consortium's needs and goals.

TAB F. FORMS, LICENSES, REGISTRATIONS

# *State of Florida*

## *Department of State*

I certify from the records of this office that BRYANT MILLER OLIVE P.A. is a corporation organized under the laws of the State of Florida, filed on October 6, 1970.

The document number of this corporation is 602454.

I further certify that said corporation has paid all fees due this office through December 31, 2015, that its most recent annual report/uniform business report was filed on January 21, 2015, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Twenty-first day of January,  
2015*



*Ken Detjmer*  
**Secretary of State**

Authentication ID: CC1016320494

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.

<https://efile.sunbiz.org/certauthver.html>

RFP Title: Request for Proposals for Legal Services for the Gulf Consortium  
Proposal Number: BC-04-23-15-24  
Opening Date: Thursday, April 23, 2015 at 2:00 p.m. Eastern Time

---

**PROPOSAL RESPONSE COVER SHEET**

This page is to be completed and included as the cover sheet for your Proposal prepared in response to the subject Request for Proposals (RFP).

The Board of County Commissioners, Leon County, reserves the right to accept or reject any and/or all Proposals in the best interest of Leon County.

Shelly Kelley, Leon County Purchasing Director

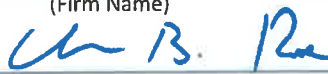
Christopher L. Holley, Interim Manager  
Gulf Consortium

This solicitation response is submitted in response to the subject RFP by the below named firm/individual by the undersigned authorized representative.

Bryant Miller-Olive, P.A.

\_\_\_\_\_  
(Firm Name)

BY



\_\_\_\_\_  
(Authorized Representative)

Christopher B. Roe, Esq.

\_\_\_\_\_  
(Printed or Typed Name)

ADDRESS 101 North Monroe Street  
Suite 900  
CITY, STATE, ZIP Tallahassee, FL 32301  
E-MAIL ADDRESS croe@bمولaw.com  
TELEPHONE (850) 222-8611  
FAX (850) 222-8969

**ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)**

Addendum #1 dated \_\_\_\_\_ Initials \_\_\_\_\_

Addendum #2 dated \_\_\_\_\_ Initials \_\_\_\_\_

Addendum #3 dated \_\_\_\_\_ Initials \_\_\_\_\_

---





RFP Title: Request for Proposals for Legal Services for the Gulf Consortium  
Proposal Number: BC-04-23-15-24  
Opening Date: Thursday, April 23, 2015 at 2:00 p.m. Eastern Time

INSURANCE CERTIFICATION FORM

To indicate that Bidder/Respondent understands and is able to comply with the required insurance, as stated in the bid/RFP document, Bidder/Respondent shall submit this insurance sign-off form, signed by the company Risk Manager or authorized manager with risk authority.

A. Is/are the insurer(s) to be used for all required insurance (except Workers' Compensation) listed by Best with a rating of no less than A:VII?

YES     NO

Commercial General Liability:    Indicate Best Rating: *Hartford A*    CNA A  
Indicate Best Financial Classification: *XV*    XV

---

Business Auto:    *Hired Non owned Chief*    Indicate Best Rating: *" SAME "*  
Indicate Best Financial Classification:

Professional Liability: Indicate Best Rating:    *N/A different agent*  
Indicate Best Financial Classification:

1. Is the insurer to be used for Workers' Compensation insurance listed by Best with a rating of no less than A:VII?

YES     NO    *N/A different agent*

Indicate Best Rating:  
Indicate Best Financial Classification:

If answer is NO, provide name and address of insurer:

2. Is the Respondent able to obtain insurance in the following limits (next page) as required for the services agreement?

YES     NO

✓ Insurance will be placed with Florida admitted insurers unless otherwise accepted by Leon County. Insurers will have A.M. Best ratings of no less than A:VII unless otherwise accepted by Leon County.

RFP Title: Request for Proposals for Legal Services for the Gulf Consortium  
Proposal Number: BC-04-23-15-24  
Opening Date: Thursday, April 23, 2015 at 2:00 p.m. Eastern Time

Required Coverage and Limits

✓ The required types and limits of coverage for this bid/request for proposals are contained within the solicitation package. Be sure to carefully review and ascertain that bidder/proposer either has coverage or will place coverage at these or higher levels.

Required Policy Endorsements and Documentation

✓ Certificate of Insurance will be provided evidencing placement of each insurance policy responding to requirements of the contract.

✓ Deductibles and Self-Insured Retentions

N/A

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Endorsements to insurance policies will be provided as follows:

✓ Additional insured (Leon County, Florida, its Officers, employees and volunteers) - General Liability & Automobile Liability

✓ Primary and not contributing coverage - General Liability & Automobile Liability

N/A

Waiver of Subrogation (Leon County, Florida, its officers, employees and volunteers)- General Liability, Automobile Liability, Workers' Compensation and Employer's Liability

✓ Thirty days advance written notice of cancellation to County - General Liability, Automobile Liability, Worker's Compensation & Employer's Liability.

N/A

Professional Liability Policy Declaration sheet as well as claims procedures for each applicable policy to be provided

Please mark the appropriate box:

Coverage is in place  Coverage will be placed, without exception

The undersigned declares under penalty of perjury that all of the above insurer information is true and correct.

Name Michelle Mercurio Signature *Michelle Mercurio*  
Typed or Printed  
Date 4/16/2015 Title Commercial Account Manager  
(Company Risk Manager or Manager with Risk Authority)

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## Hartford Fire Insurance Company

A.M. Best #: 002231 NAIC #: 19682 FEIN #: 060383750

**Domiciliary Address**  
 One Hartford Plaza  
 Hartford, CT 06155-0001  
[United States](#)

**Web:** [www.thehartford.com](http://www.thehartford.com)  
**Phone:** 860-547-5000  
**Fax:** 860-723-4289

Assigned to companies that have, in our opinion, an excellent ability to meet their ongoing insurance obligations.

Based on A.M. Best's analysis, [058707 - Hartford Financial Services Group Inc](#) is the **AMB Ultimate Parent** and identifies the topmost entity of the corporate structure. View a list of [operating insurance entities](#) in this structure.

### Best's Credit Ratings

View all of the [companies](#) assigned this rating as a part of an [AMB Rating Unit](#).

Financial Strength Rating	View Definition
<b>Rating:</b>	A (Excellent)
<b>Affiliation Code:</b>	p (Pooled)
<b>Financial Size Category:</b>	XV (\$2 Billion or greater)
<b>Outlook:</b>	Positive
<b>Action:</b>	Affirmed
<b>Effective Date:</b>	April 03, 2014
<b>Initial Rating Date:</b>	December 31, 1907

Best's Credit Rating Analyst
<b>Office:</b> A.M. Best Company, Oldwick NJ
<b>Senior Financial Analyst:</b> Gordon McLean
<b>Assistant Vice President:</b> Jennifer Marshall, CPCU, ARM

Long-Term Issuer Credit Rating	View Definition
<b>Long-Term:</b>	a+
<b>Outlook:</b>	Positive
<b>Action:</b>	Affirmed
<b>Effective Date:</b>	April 03, 2014
<b>Initial Rating Date:</b>	July 14, 2005

### Disclosure Information

- [View A.M. Best's Rating Disclosure Statement](#)
- [A.M. Best Revises Outlook to Positive for The Hartford Financial Services Group, Inc. and Its Property/Casualty Subsidiaries](#)  
Date: April 03, 2014April 03, 2014

u Denotes [Under Review Best's Rating](#)

### Related Financial and Analytical Data

The following links provide access to related data records that A.M. Best utilizes to provide financial and analytical data on a consolidated or branch basis.

AMB #	Company Name	Company Description
087049	Hartford Fire Insurance Company CAB	Represents financials for the Canada Branch of this legal entity.

### Reports and News

Visit Best's News and Analysis site for the latest [news and press releases](#) for this company and its A.M. Best Group.

**AMB Credit Report** - includes Best's Financial Strength Rating and rationale along with comprehensive analytical commentary, detailed business overview and key financial data.  
 Report Revision Date: 4/3/2014 (represents the latest significant change).

Historical Reports are available in [AMB Credit Report Archive](#).

**Best's Executive Summary Reports (Financial Overview)** - available in three versions, these presentation style reports feature balance sheet, income statement, key financial performance tests including profitability, liquidity and reserve analysis.

**Data Status:** 2014 Best's Statement File - P/C, US Contains data compiled as of 5/16/2014 Quality Cross Checked.

- **Single Company** - five years of financial data specifically on this company.
- **Comparison** - side-by-side financial analysis of this company with a peer group of up to five other companies you select.
- **Composite** - evaluate this company's financials against a peer group composite. Report displays both the average and total composite of your selected peer group.

**Best's Key Rating Guide Presentation Report** - includes Best's Financial Strength Rating and financial data as provided in the most current edition of Best's Key Rating Guide products. (Quality Cross Checked).

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[Best's Executive Summary Report - Composite - Property/Casualty](#)  
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[Best's Schedule BA \(Other Long Term Investments\) - P/C & L/H, US](#)

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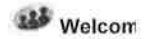
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## National Fire Insurance Company of Hartford

A.M. Best #: 002129 NAIC #: 20478 FEIN #: 060464510

**Domiciliary Address**  
 333 South Wabash Avenue Floor 22  
 Chicago, IL 60604  
[United States](#)

**Web:** [www.cna.com](http://www.cna.com)  
**Phone:** 312-822-5000  
**Fax:** 312-822-6419

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Financial Strength Rating	View Definition
<b>Rating:</b>	A (Excellent)
<b>Affiliation Code:</b>	g (Group)
<b>Financial Size Category:</b>	XV (\$2 Billion or greater)
<b>Outlook:</b>	Stable
<b>Action:</b>	Affirmed
<b>Effective Date:</b>	December 18, 2013
<b>Initial Rating Date:</b>	December 31, 1907

Best's Credit Rat
<b>Office:</b> A.M. Be
<b>Senior Financi</b>
<b>Assistant Vice</b>
<b>ARM</b>

Long-Term Issuer Credit Rating	View Definition
<b>Long-Term:</b>	a
<b>Outlook:</b>	Stable
<b>Action:</b>	Affirmed
<b>Effective Date:</b>	December 18, 2013
<b>Initial Rating Date:</b>	June 21, 2005

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[Best's Schedule F \(Reinsurance\) - P/C, US](#)

[Best's Schedule D - Hybrid - P/C & L/H, US](#)

[Best's Schedule DA \(Short Term Investments\) - P/C & L/H, US](#)

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directed toward, or to the detriment of, an EMPLOYEE or PROSPECTIVE EMPLOYEE.

- CC. The term "WRONGFUL PARTNERSHIP PRACTICE" means any alleged DISCRIMINATION, EMPLOYMENT RELATED DEFAMATION, SEXUAL HARASSMENT, RETALIATION, WRONGFUL TERMINATION, and/or EMPLOYMENT RELATED TORT directed toward, or to the detriment of, a PARTNER.
- DD. The term "WRONGFUL TERMINATION" means any actual or constructive termination of employment, demotion, or the failure or refusal to promote any person that is in violation of law, against public policy, or in breach of an implied agreement to continue employment.
- EE. The term "WRONGFUL THIRD PARTY PRACTICE" means any THIRD PARTY DISCRIMINATION, THIRD PARTY HARASSMENT, or THIRD PARTY EMPLOYMENT RELATED TORT.

### III. EXCLUSIONS

The COMPANY is not obligated to indemnify ASSUREDS for LOSS or DEFENSE EXPENSES with respect to CLAIMS:

- A. For violation of:
  - (1) The Employee Retirement Income Security Act of 1974 (ERISA) and any amendments thereto;
  - (2) The Workers' Adjustment and Retraining Notification Act, Public Law 100-379 (1988) (WARN) and any amendments thereto;
  - (3) Any workers' compensation law;
  - (4) Any unemployment compensation law;
  - (5) Any social security law;
  - (6) The Occupational Safety and Health Act (OSHA); or
  - (7) Any similar provisions of any federal, state, or local statutes, ordinances, regulations, or common law.

These exclusions shall not affect coverage for any CLAIM or POTENTIAL CLAIM arising from an alleged RETALIATION based upon the exercise of any right of the EMPLOYEE or PARTNER under any law referenced in these exclusions.



- B. For violation of, or benefits due under, any federal, state, or local wage and hours law, including without limitation the Fair Labor Standards Act (29 U.S.C. § 201 et seq.) and any amendments thereto or regulations promulgated thereunder, and any law, statute, or regulation of any jurisdiction similar to the foregoing. This exclusion shall not affect coverage for (i) CLAIMS brought under the Equal Pay Act (29 U.S.C. § 206(d)), except that LOSS arising from such CLAIMS shall not include any future compensation or employee benefits when the claimant EMPLOYEE or PARTNER is reinstated or continues as an EMPLOYEE or PARTNER at the FIRM; (ii) DEFENSE EXPENSES incurred in defending any CLAIM or POTENTIAL CLAIM subject to this exclusion, or (iii) any CLAIM or POTENTIAL CLAIM arising from an alleged RETALIATION based upon the exercise of any right of the EMPLOYEE or PARTNER under any law referenced in this exclusion.
- C. For fraud or dishonesty of an ASSURED if a judgment or other final adjudication shall establish, or if such ASSURED shall admit, that active and deliberate fraud or dishonesty was committed, or personally acquiesced in, by such ASSURED with actual fraudulent or dishonest purpose and intent. However, nothing contained in the foregoing shall exclude coverage to the FIRM or to any other ASSURED who neither was so adjudged nor has admitted to have committed or personally acquiesced in such fraud or dishonesty as described above, except that this Policy shall then only pay in excess of the full extent of the assets in the FIRM of any ASSURED who was so adjudged or has admitted to have committed or personally acquiesced in such fraud or dishonesty as described above, and any other personal assets of such ASSURED recovered by the FIRM (or any other ASSURED) in connection with such CLAIM shall inure, to the extent of the amount paid by this Policy, to the benefit of the COMPANY. Solely for purposes of this Clause III-C, the term "personally acquiesced in" shall mean fraudulently or dishonestly acquiescing in, or remaining passive after having personal knowledge of, fraud or dishonesty prior to or contemporaneously with the time that such fraud or dishonesty occurs. This exclusion shall not affect coverage for DEFENSE EXPENSES incurred up until the time of the judgment, other adjudication or admission described above.
- D. For bodily injury, loss of consortium, sickness, disease, or death of any person, or injury to or destruction of any tangible property, including the loss of use thereof; provided however, that this exclusion does not apply to CLAIMS for emotional distress, mental anguish, humiliation, or loss of reputation actually or allegedly resulting from a WRONGFUL EMPLOYMENT PRACTICE, WRONGFUL PARTNERSHIP PRACTICE, WRONGFUL DENIAL OF PARTNERSHIP, or WRONGFUL THIRD PARTY PRACTICE, or, if Coverage B is purchased, a PARTNERSHIP AGREEMENT DISPUTE.





Arising out of any alleged WRONGFUL EMPLOYMENT PRACTICE, WRONGFUL PARTNERSHIP PRACTICE, WRONGFUL DENIAL OF PARTNERSHIP, or WRONGFUL THIRD PARTY PRACTICE, or, if Coverage B is purchased, a PARTNERSHIP AGREEMENT DISPUTE of which the FIRM, any member of the FIRM's governing committee(s) or EEO/Sexual Harassment committee, or any FIRM ombudsperson(s), inside employment counsel, administrator, or human resource/personnel managers or supervisors had knowledge prior to the Original Inception Date set forth in Item 12 of the Schedule.

- F Arising from any CLAIM or POTENTIAL CLAIM that was the subject of any notice given under any other insurance policy, including but not limited to any policy of which this Policy is a renewal or replacement or which was identified in any summary or statement of CLAIMS or POTENTIAL CLAIMS submitted in connection with the APPLICATION or any application for any other policy, including any policy of which this Policy is a renewal or replacement.
- G Arising from any CLAIM or POTENTIAL CLAIM that was the subject of any litigation which was pending on or prior to the Original Inception Date set forth in Item 12 of the Schedule.
- H. Arising as a result of an ASSURED'S contractual assumption of another person's or entity's liability.
- I. Arising out of a lockout, strike, picket line, hiring of replacement workers, or other similar actions in connection with labor disputes or labor negotiations.
- J Against an ASSURED arising out of an alleged WRONGFUL EMPLOYMENT PRACTICE, WRONGFUL PARTNERSHIP PRACTICE, WRONGFUL DENIAL OF PARTNERSHIP, or WRONGFUL THIRD PARTY PRACTICE by such ASSURED or, if Coverage B is purchased, a PARTNERSHIP AGREEMENT DISPUTE which occurred or arose prior to the time that such ASSURED became a PARTNER or EMPLOYEE of the FIRM, whether through combination of the FIRM with another entity or otherwise.

Based upon or arising out of the terms of an express written employment contract with any EMPLOYEE.

Based upon or arising out of a PARTNERSHIP AGREEMENT except to the extent that PARTNERSHIP AGREEMENT DISPUTES are covered under Coverage B, if Coverage B is purchased.

- M. Which are covered under a Professional Indemnity Policy issued by the COMPANY to the FIRM.

RFP Title: Request for Proposals for Legal Services for the Gulf Consortium

Proposal Number: BC-04-23-15-24

Opening Date: Thursday, April 23, 2015 at 2:00 p.m. Eastern Time

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CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
AND OTHER RESPONSIBILITY MATTERS  
PRIMARY COVERED TRANSACTIONS

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - b) Have not within a three-year period preceding this been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and
  - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
3. No subcontract will be issued for this project to any party which is debarred or suspended from eligibility to receive federally funded contracts.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Shareholder

\_\_\_\_\_  
Title

\_\_\_\_\_  
Bryant Miller Olive, P.A.

\_\_\_\_\_  
Contractor/Firm

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RFP Title: Request for Proposals for Legal Counsel to the Leon County Code Enforcement Board  
Proposal Number: BC-10-23-12-04  
Opening Date: Tuesday, October 23, 2012 at 2:00 p.m. Eastern Time

**NON-COLLUSION AFFIDAVIT**

I, Christopher B. Roe of the city of Tallahassee  
according to law on my oath, and under penalty of perjury, depose and say that:

1. I am Shareholder  
of the firm of Bryant Miller Olive, P.A.

in response to the Notice for Calling for Proposal for:

Legal Counsel Services for the Gulf Consortium and that I executed the said proposal with full authority to do so.

2. This response has been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to qualifications or responses of any other responder or with any competitor; and, no attempt has been made or will be made by the responder to induce any other person, partnership or corporation to submit, or not to submit, a response for the purpose of restricting competition;
3. The statements contained in this affidavit are true and correct, and made with full knowledge that Leon County relies upon the truth of the statements contained in this affidavit in awarding contracts for said project.

C. B. Roe

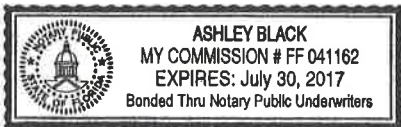
(Signature of Responder)

4/23/15

(Date)

STATE OF FLORIDA  
COUNTY OF Leon

Christopher Roe PERSONALLY APPEARED BEFORE ME, the undersigned authority, Ashley Black who, after first being sworn by me, (name of individual signing) affixed his/her signature in the space provided above on this 23 day of April 20 15.



Ashley Black

NOTARY PUBLIC

My Commission Expires: July 30, 2017

RFP Title: Request for Proposals for Legal Services for the Gulf Consortium

Proposal Number: BC-04-23-15-24

Opening Date: Thursday, April 23, 2015 at 2:00 p.m. Eastern Time

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DRUG-FREE WORKPLACE FORM

The undersigned vendor in accordance with Florida Statute 287.087 hereby certifies that:

Bryant Miller Olive, P.A.

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(Name of Business)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under response/bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under response/bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 (Florida Statutes) or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, or any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.



---

Responder's Signature

4/23/15

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Date

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TAB F. RESUMES OF THE ATTORNEYS

**Christopher B. Roe**



**Tallahassee Office**

850-222-8611 phone

850-222-8969 fax

[croe@bmolaw.com](mailto:croe@bmolaw.com)

**Education**

- Florida State University, Law School - J.D., 2001
- University of Central Florida - B.A., *English*, 1998

**Bar Admissions**

- Florida Bar (2001)

**Biography**

Chris Roe is a shareholder in Bryant Miller Olive's Tallahassee office. He is Board Certified by The Florida Bar in City, County and Local Government Law. He devotes his practice exclusively to state and local government matters. His experience with Bryant Miller Olive includes a wide range of local government undertakings including development, implementation and administration of community redevelopment projects, public water and wastewater utility matters including rate setting and expansion of infrastructure, development and maintenance of special assessment programs to fund the delivery of infrastructure and essential services including fire protection, solid waste disposal, roadway potable water and wastewater improvements, impact fees programs, tax increment and other revenue generating mechanisms, creation and implementation of stormwater utilities and related financing, municipal annexation, water purchase and wheeling agreements, charter review and revision, sunshine laws and ethics laws applicable to local government officials, and special district establishment and governance.

Chris is the firm's lead attorney in its engagement as general counsel to the Bellalago and Flora Ridge Educational Facilities Benefit Districts and in that capacity attends regular and special meetings, facilitates the landowner election process and adoption of the annual operating and debt service budgets, and advises the respective boards and officials. He routinely drafts ordinances, resolutions, interlocal agreements, administrative rules and regulations, notices for mailing and publication, pleadings and closing documents for public finance transactions. He has successfully conducted more than forty bond validation proceedings pursuant to Chapter

75, Florida Statutes, on behalf of local government clients and the funding of capital projects including the City of Marco Island's wastewater expansion program, Hillsborough County's improvement and modernization of U.S. highway 301, the City of Panama City Beach's Front Beach Road community redevelopment initiative, and St. Lucie County's PACE financing program pursuant to which the county will provide low-interest financing for renewable energy, energy efficiency and conservation and solar energy improvements for residential and commercial properties. Mr. Roe played a significant role in several cases decided and reported by the Florida Supreme Court in favor of local governments, including *Citizens Advocating Responsible Environmental Solutions, Inc. v. City of Marco Island*, 959 So. 2d 203 (Fla. 2007) and *City of Parker v. State*, 992 So. 2d 171 (Fla. 2008). He is currently representing the City of Cape Coral in its pending Supreme Court appeal regarding the validity of citywide special assessments imposed to fund fire protection services and facilities.

## **Professional Certifications and Affiliations**

- Board Certified Specialist in City, County and Local Government Law
- Member, The Florida Bar
- Member, The American Bar Association
- Admitted, United States District Court for the Middle District of Florida

## **Exemplary Speaking Engagements**

- Presentation, "Introduction to Community Redevelopment Law", October 17, 2008, Florida Redevelopment Association, Blountstown, Florida
- Presentation, "City of Parker v. State: A Case Study in Community Redevelopment", January 13, 2009, Department of Community Affairs' Waterfronts Florida meeting, Milton, Florida, January 13 & 14, 2009.
- Presentation, "PACE Financing Options in Florida," 3rd Annual Energy Options Conference, October 5, 2011
- Presentation, "Synthetic/Home Rule Tax Increment," Florida League of Cities Revenue Summit, January 27, 2012, Springfield, Florida
- Presentation, "Introduction to Special Assessments," Florida League of Cities Revenue Summit, February 24, 2012, Altamonte Springs, Florida
- Presentation, "Special Assessments for Fire Protection Services," Florida League of Cities Revenue Summit, March 30, 30, 2012, Cape Coral
- Palm Beach County League of Cities, July 21, 2014, "Overview of Special Assessments and Municipal Service Benefit Units.

Susan H. Churuti

## Tampa Office

813-273-6677 phone

813-223-2705 fax

[schuruti@bmolaw.com](mailto:schuruti@bmolaw.com)



## Education

- Washington and Lee University School of Law, Lexington, VA-J.D., 1979
- College of William and Mary, Williamsburg, VA- B.A. in English and History, *cum laude*, 1976

## Bar Admissions

- The Florida Bar (1979)

## Biography

Susan Churuti is the Co-Chair of the State and Local Government Practice Group. She worked extensively with the Pinellas County Attorney's Office, serving as the County Attorney for over twenty years. Mrs. Churuti has broad experience representing the county and its constitutional officers, which are the Clerk of the Circuit Court, Property Appraiser, Sheriff, Supervisor of Elections, and Tax Collector. Her expertise includes U.S. and state constitutional law, legislation, charters, eminent domain, elections, risk management, public construction, public finance, utilities, and procurement, as well as litigation and appellate practice. She is proficient in board representation, serving as general counsel for more than 50 boards, commissions, and special districts. She served for a long tenure as the attorney for the Pinellas County Legislative Delegation in drafting local bills and special acts. Mrs. Churuti has been active in the Florida Bar, serving as the Chair of the Eminent Domain Committee and the Chair of the City County and Local Government Law Section, which awarded her the Ralph A. Marsicano Award for significant contributions to the development of local government law in Florida. She has served as the President of the Florida Association of County Attorneys, and the President of the Clearwater Bar Association. Mrs. Churuti is a member of the Barney Masterson Inn of Court, which awarded her the Richard T. Earle Professionalism Award. She served as an adjunct professor at Stetson University College of Law for eleven semesters, and has been board certified in City, County and Local Government Law since 1996. Mrs. Churuti is active in her community, serving on the Chapter of St. Peter's Cathedral (Episcopal), on the Stuart Society of the Museum of Fine Arts, and fund-raising for the Girl Scouts of West Central Florida. She is currently the vice-chancellor of the St. Petersburg Deanery of the Diocese of Southwest Florida. She graduated from Washington and Lee University School of Law in 1979.



**Professional & Civic Activities**

- Florida Bar Association, Member (1979-Present)
- City, County, and Local Government Law Section, Chair (2001-2002)
- City, County, and Local Government Law Section, Board Certified (1996-Present)
- City, County, and Local Government Law Section, Executive Council (1993-2003)
- Board Certification Review Seminar, Chair (1996-1998)
- Eminent Domain, Committee (1985-2004)
- Eminent Domain, Chairman (1994-1995)
- Eminent Domain, Vice Chairman (1986-1988; 1993-1994)
- Florida Association of County Attorneys, President (1993-1994)
- Florida Association of County Attorneys, Board of Directors (1987-2007)
- Florida Association of Women Lawyers, Member (1981-Present)
- Barney Masterson Inn of Court, Master (1998-Present)
- Stetson University College of Law, Adjunct Professor
- Civil Government Law Clinic, Volunteer (1995-2000)
- Clearwater Bar Association, Chair (1981-Present)
- Clearwater Bar Association, Nominating Committee (2008)
- Clearwater Bar Association, President (1997-1998)
- Local Government Law Committee, Member (1987-2003)
- Pinellas Association of Women Lawyers, Member (1981-Present)
- Pinellas Association of Women Lawyers, Secretary (1992-1994)
- St. Petersburg Bar Association, Member (1979 -Present)

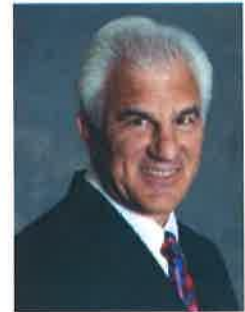
Alan S. Zimmet

**Tampa Office**

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[azimmet@bmolaw.com](mailto:azimmet@bmolaw.com)



**Education**

- The George Washington University Law School- J.D., *with honors*, 1980
- Franklin & Marshall College- B.A. in Government, *cum laude*, 1977

**Bar Admissions**

- The Florida Bar (1982)
- The District of Columbia Bar (1980)

**Court Admissions**

- U.S. Court of Appeals, 11th Circuit (1984)
- U.S. District Court for the District of Columbia (1982)
- U.S. District Court, Middle District of Florida (1984)

**Biography**

Alan Zimmet joined Bryant Miller Olive's State and Local Government Practice Group and Litigation Practice Group in 2012. Mr. Zimmet has more than 30 years of legal experience, and is board certified by The Florida Bar in the area of City, County and Local Government Law. He also is a member of the District of Columbia Bar and works from the firm's Tampa and Washington, D.C. offices.

Mr. Zimmet represents private entities and local governments, including cities, counties and special districts. His litigation practice focuses on construction matters and other complex civil litigation cases. Mr. Zimmet is also a certified circuit court mediator in Florida and a trained arbitrator.

Prior to joining BMO, Mr. Zimmet was a shareholder and founder of Zimmet, Unice & Salzman, P.A., where he practiced in the areas of construction litigation, local government law, land use, and employment law. He served as City Attorney for Safety Harbor and Largo, and as General Counsel for the Pinellas Suncoast Transit Authority. Mr. Zimmet began his legal career as an attorney for the United States Department of Labor. He then worked for the City of Clearwater as an Assistant City Attorney for three years before he entered private practice.

Alan Zimmet is rated AV Preeminent by Martindale-Hubbell. Mr. Zimmet has been named a Super Lawyer for 2014 and 2015. He is regularly invited to write and speak about legal topics for such organizations as the Florida League of Cities, the Public Risk Management Association, Stetson University College of Law, and the Florida Bar. Mr. Zimmet graduated from Franklin & Marshall College in 1977, with a bachelor's degree in Government, and from The George Washington University Law School, *with honors*, in 1980.

## News

- Florida Super Lawyers Recognizes Six Bryant Miller Olive Attorneys as Super Lawyers and Rising Stars
- Alan Zimmet and Nicole Nate Successfully Defended a Ballot Language Challenge
- Florida League of Cities Appoints Four Members of the GPG
- Florida Super Lawyers Recognizes 11 Bryant Miller Olive Attorneys as Super Lawyers and Rising Stars
- BMO Sets Precedent in Enforcing PILOT Agreements in Florida
- PSTA's Board of Directors Voted Unanimously to Keep BMO as its General Counsel
- Tampa Attorneys Speak at Law for Public Officials Seminar

## Professional & Civic Activities

- Government & Administrative Law Section, Clearwater Bar Association, Past Chairman, 1989
- Clearwater Bar Association, Member
- Speaker and Lecturer for multiple organizations, including: Florida League of Cities, State of Florida Division of Elections, The Florida Bar, Stetson University College of Law, Public Risk and Insurance Management Society and Public Risk Management Association

Frederick J. Springer



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**Education**

- Villanova University School of Law - J.D., *Magna Cum Laude*, *Order of the Coif*, 1991
- University of Maryland, College Park - B.S., Business Management, 1987
- University of Maryland, College Park- B.A. Philosophy, 1987

**Bar Admissions**

- The Florida Bar (1993)

**Biography**

Fred Springer possesses comprehensive, multi-disciplinary, public contracts experience. As a private attorney, he has a track record of success at the trial and appellate levels in cases involving contract award and performance issues. Through government service, he understands public sector needs and dynamics. Between 2001 and 2006, Mr. Springer served with the Florida Department of Management Services. In the general counsel's office, he exercised legal oversight of the agency's contracting divisions and created new methods of contract solicitation and management. He subsequently became Director of State Purchasing, which possesses ultimate authority and accountability for policies and procedures governing executive agency purchasing. He was elected to the Board of Directors of the National Association of State Procurement Officials. During 2006, he served as interim Deputy Secretary of Operations Support and as interim Executive Director of the Office of Efficient Government, which functioned as a center of excellence for complex outsourcing initiatives. During his tenure with the Department, Mr. Springer worked with leadership across branches of government and across the various knowledge areas necessary to deliver government solutions -- budget, legal, procurement, technology, project management, and substantive program areas. Between 1993 and 2001, Mr. Springer conducted a full range of legal tasks with a private law firm in Florida. His practice focused on public contracts and construction litigation, and included counseling clients, drafting documents and contracts, and prosecuting and defending cases in state and federal trial and appellate courts and specialized tribunals. Between 1991 and 1993, Mr. Springer served as a law clerk to United States District Court Judge Garrett E. Brown, Jr., in Trenton, New Jersey. He graduated magna cum laude in 1991 from the Villanova University School of Law, where he was elected to the Order of the Coif.

**Professional & Civic Activities**

- The Florida Bar, Administrative Law and Government Lawyer Sections, Member
- American Bar Association, Public Contract Law Section, Member
- National Association of State Procurement Officials (2004-2006) President's Award for Outstanding Service to NASPO (2006), Board of Directors

## Ellie Neiberger

eneiberger@bmoilaw.com



Ellie Neiberger practices appellate advocacy and litigation, with an emphasis on representing governments in high-profile and politically sensitive cases and cases of first impression. She represents clients in appeals, original proceedings for extraordinary writs, and trial and administrative-level litigation. Her practice involves a variety of business and government-related disputes, including challenges to state statutes, finance issues, public records and Sunshine Law claims, and bid protests.

Ellie graduated first in her class from the Florida State University College of Law in 2009. Upon passing the bar, she was elected to the Florida State Chapter of the Order of the Coif, and honored by the Florida Supreme Court for highest performance on the bar exam. She received her bachelor's degree with honors from the University of Florida in 2006.

*Florida Trend* magazine named her as a "Legal Elite Up and Comer" in 2012, 2013, 2014, and 2015, and she has been selected as one of *Super Lawyers'* 2015 Florida Rising Stars.

### Bar & Court Admissions:

- The Florida Bar
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Southern District of Florida

### Publications & Speaking Engagements:

- *Judge-Friendly Briefs in the Electronic Age*, Florida Bar Journal (2015)
- *Judicial Profile of Judge Timothy Osterhaus*, The Record: Journal of the Appellate Practice Section of the Florida Bar (2014)
- *Honest Services Fraud: Federal Prosecution of Public Corruption at the State and Local Level*, Florida Bar Journal (2010)
- *Contracting, Purchasing, and Sale of County Property*, Florida County Government Guide, Florida Association of Counties (2010 & 2012) (co-authored with Susan Churuti)
- *110 Degrees in the Shade: How to Stay Cool in Shade Meetings Under the Sunshine Law*, speaker, The Florida Bar, Annual Sunshine Law, Public Records and Ethics Seminar (2015)
- *Shade Meeting Exemption from the Sunshine Law*, speaker, Florida Association of County Attorneys Annual Seminar (2014)
- *Trial Preparation*, speaker, Big Bend Paralegal Association (2013)
- *Selection & Retention of Expert Witnesses*, speaker, Florida Department of Financial Services (2011)

- *Expert Witnesses*, speaker, Big Bend Paralegal Association (2010)

**Professional Associations:**

- ABA Council of Appellate Lawyers, Publications Committee and Rules Committee, Member
- ABA Litigation Section, Appellate Practice Committee, Member
- ABA Judicial Division, Court Technology Committee, Member
- Appellate Practice Section of The Florida Bar, Publications Committee and Pro Bono Committee, Member
- City, County, & Local Government Section of The Florida Bar, Member
- Scribes: The American Society of Legal Writers, Member
- Order of the Coif, Florida State Chapter, Member
- The Florida Bar Speakers' Bureau, Speaker
- Federal Bar Association, Member
- ABA Forum on Construction Law, Member

## Nicole C. Nate

### Tampa Office

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### Education

- Stetson University College of Law, J.D., *Cum Laude*, 2009
- University of Central Florida, B.A., *Cum Laude*, 2006

### Court Admissions

- U.S. Court of Appeals, 11th Circuit (2011)
- U.S. District Court, Middle District of Florida (2010)

### Biography

Nicole Nate is a member of Bryant Miller Olive's State & Local Government practice group, where her primary practice includes representing city, county, and state governmental entities in all manner of legal matters, including complex litigation and public finance. Ms. Nate serves as Special Counsel to the City of New Port Richey, Florida, and also represents numerous private and governmental entities in commercial litigation.

Prior to joining BMO, Ms. Nate was an associate with Zimmet, Unice & Salzman, P.A., where she focused her practice on all matters of local government representation, including commercial and governmental transactions, and litigation. In the tradition of many of the firm's attorneys, Ms. Nate worked as a law clerk with BMO while attending law school. During her clerkship, she was extensively involved in issues surrounding local government, high-profile government litigation, Florida Constitutional law, and employment law. Her work experience prior to law school includes working in accounting as a Finance Assistant for Global Spectrum, a leading event facility management company, and as an accountant for a C.P.A. firm in St. Petersburg.

A Florida native, Ms. Nate earned her law degree from Stetson University School of Law in 2009, *cum laude*. She received her Bachelor of Arts degree in Communications, *cum laude*, from the University of Central Florida in 2006. While in law school, Ms. Nate was selected as a judicial intern to the Appellate Panel of the Florida Sixth Judicial Circuit and for publication in the local government symposium of Stetson's Law Review. She was also selected as a competing member of the Stetson College of Law Alternative Dispute Resolution Board and competed in the American Bar Association's Regional Negotiation Competitions.



**Professional & Civic Activities**

- Co-Chair of the Government & Administrative Law Section of the Clearwater Bar Association, 2012-2013
- Appointee to Florida League of Cities' Growth Management and Economic Development Legislative Policy Committee, 2013-present
- Leadership Tampa Bay, Class of 2015
- Hometown Democracy: The St. Pete Beach Experience, 38 Stetson L. Rev. 491 (Spring 2009), Co-Author with Attorney Mike Davis