

# **Asturia Community Development District**

**c/o Vesta District Services**

250 International Parkway, Suite 208, Lake Mary, Florida 32746  
321-263-0132

## **REQUEST FOR QUALIFICATIONS DISTRICT ATTORNEY SERVICES**

**Qualification Due Date: 12:00 p.m. on Friday, December 8, 2023**

The Asturia Community Development District, located in the City of Odessa, Pasco County, Florida, hereinafter referred to as the 'District,' is soliciting qualifications from qualified individuals or law firms who are interested in providing legal services to the District.

Qualifications are due to the Office of Vesta District Services by 12:00 p.m. on or before Friday, December 8, 2023. The District seeks services encompassing the traditional scope of work including legal counsel, opinions, consultations and coordination with special counsel. Attendance at regularly scheduled Board of Supervisor meetings will be required as needed. Attendance at other specific meetings may be required as well; including workshops, construction meetings and special meetings. The District is not seeking criminal prosecutorial services at this time. Additional information can be obtained from the District website <https://www.asturiacdd.org/>. For other questions you may contact Tish Dobson, District Manager at (813-758-4841) or email: [tdobson@vestapropertyservices.com](mailto:tdobson@vestapropertyservices.com).

### **Delivery:**

Qualifications may be mailed by postal service to Vesta District Services; Attention: Tish Dobson, Asturia Community Development District, 250 International Parkway, Suite 208, Lake Mary, Florida, 32746. Please see RFQ package for specific information regarding delivery.

**ASTURIA COMMUNITY DEVELOPMENT DISTRICT  
REQUEST FOR QUALIFICATIONS DISTRICT ATTORNEY SERVICES**

**Minimum Qualifications:**

- a. Each attorney in the proposed team must possess a Juris Doctorate Degree and have graduated from a United States law school accredited by the American Bar Association.
- b. Each attorney in the proposed team must be a member in good standing with the Florida Bar.
- c. The proposed designated District Attorney must have a minimum of five (5) years' experience in the field of local government law; special purpose districts, land use laws.
- d. The proposed designated District Attorney must also have a minimum of three (3) years' experience in legislative lobbying, litigation and bond financing.

The District reserves the right to reject any or all qualifications, waive technicalities or irregularities, and accept any qualification if such action is believed to be in the best interest of the District.

**OVERVIEW:**

Please be advised this is a Board appointed position.

Some highlights of this position are:

The Board is very interested in and concerned regarding calculation of assets and acceptance of new District assets from the developer, as the District transitions from construction to completion. The resident-controlled Board sees a unique opportunity to work with counsel to create value for the residents of Asturia within the District.

Generally, experience with a resident Board is needed. All five Board seats are resident seats.

The timing of the transition from the current attorney to the new attorney can be anywhere from 30 to 60 days.

**Additional Scope of Work:**

1. The Attorney provides legal advice, counsel services, training, consultation and opinions to the District Manager, District Board, on a wide variety of civil assignments, including but not limited to laws against discrimination, construction of public works, purchasing and procurement, leasing, purchase and sale of property, employment, legal matters, public disclosure issues and tort law. The Attorney's advice includes methods to avoid civil litigation.

2. The Attorney shall represent the Board of Supervisors. The Attorney may be required to attend, either in person, telephonically, or virtually, District Board work sessions, District Board meetings or other meetings as directed by the District Board when items under consideration warrant legal input.
3. Draft and/or review resolutions, amendments, agreements, contracts, and correspondence; provide legal consultation on some District insurance matters; and provide legal advice or written opinions to District staff on matters related to their official duties. Workers' Compensation, Automobile Liability, General Liability and Casualty Insurance coverage are covered by the District's insurance carrier(s) and/or payroll vendor, as such, legal representation is provided by the carrier's selected attorneys for those cases covered under those policies.
4. As required by resolution of the Board of Supervisors, the Attorney shall defend the District on all civil complaints, suits or controversies in which the District is a party. Specifically, the District Attorney is responsible for defending the District in civil action when no counsel is provided by liability insurance or when the District's exposure exceeds its insurance coverage. The District Attorney may also represent an employee or elected official who is individually named in a suite as a result of the execution of the official duties with the District. When the District's insurance coverage is activated on a given matter, the District Attorney shall consult and cooperate as necessary with the legal counsel designated by the District's insurance company to ensure that the matter is dealt with in an expedient and professional manner.
5. Provides the Board members with guidance as to proper parliamentary procedure, Sunshine Law, public records and related procedural matters relating to the Board meetings.
6. Prepares legal opinions at the request of the District Manager and/or the District Board of Supervisors.
7. Provides the District Manager, Board members and District staff a legal perspective and advice on various governmental issues.
8. Performs other legal services and tasks, as assigned by the District Board.

**Specifications:**

1. At the request of the Board or District Management, the appointed Attorney will attend District Board meetings and such other special meetings, workshops, and attorney-client sessions as are scheduled from time to time.
2. The Attorney must be available at all times via telephone, cellular telephone, fax and email.
3. Timelines of response and accessibility to the Attorney is an important aspect of the service. Accessibility and responsiveness for the proposed designated Attorney is of greatest importance; although these elements will also be considered in relation to Assistant Attorney(s) as well.
4. Accessibility includes the ability to be generally available to attend meetings in person, telephonically, or virtually, on short notice and the ability to be reached promptly by telephone.

**Term:**

The District anticipates an initial period of two (2) years with options for two (2) year renewals. The agreement will be terminable by either party without cause.

**Cost Liability:**

The respondent shall bear all costs associated with submitting the RFQ, including RFQ preparation, or any travel connected with the submittal of the qualification. In no case shall any proposer be entitled to recover its preparation costs regardless of the circumstances.

**Contents of RFQ/Public Records:**

Once opened by the District, a response to this RFQ is public record under Chapter 119, Florida Statutes. The contents of the RFQ as accepted by the District may become part of any award as a result of this RFQ. All RFQs, being public record, will be available for public inspection during normal business hours.

## **How to Respond:**

Please provide five (5) hard copies and one (1) electronic copy on a USB flash drive of a written response, responding to each inquiry in the order below. Please attach one set of business cards for your team with the original.

1. Vendor Business History  
Please complete and submit Attachment 'A'.
2. Firm Experience
  - Provide a narrative description of the individual firm.
  - Describe the general experience of the individual or firm.
  - Identify other local government or special district clients.
  - Identify experience with local government/special district issues, including complicated agreements including interlocal agreements, public works, personnel and other local government specialties.
3. Proposed Attorney Team
  - Name and describe the attorney(s) and/or team proposed. Clearly identify the lead District Attorney and name Assistant Attorney(s) if applicable.
  - Provide a résumé or similar description for each team member, with considerable detail in the experience and qualifications of the lead District Attorney and any significant Assistant Attorney(s).
  - Specify the organization structure applicable to this assignment, including who the lead Attorney is, and the relationship of any Assistant Attorney(s) to that lead Attorney.
  - If specialty Attorney(s) or additional resources are available through your firm (in addition to the named team) to meet special or unusual needs, please identify such individuals and specialties as well.
4. Accessibility and Responsiveness
  - Identify the accessibility of the proposed designated Attorney, and the response time that the individual offers to the District.
  - Specifically identify the lead time required for attending scheduled or ad-hoc meetings.
  - Identify the same for any Assistant Attorney(s).
5. References
  - Provide three (3) references for the lead Attorney.
  - The District prefers references that include Special District experience.
  - Inclusion of the reference in your qualification is also agreement that the District may contact the named reference.
6. Fees
  - Provide Current Rate Sheet.

## Attachment "A": Submittal Form

### **Business Statement**

*Please complete and submit with your qualification response.*

1. Name of Business: \_\_\_\_\_
2. Business Address: \_\_\_\_\_
3. Phone: \_\_\_\_\_ Business Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_
4. Business Classification (check all that apply):  
\_\_\_ Individual \_\_\_ Partnership \_\_\_ Corporation \_\_\_ Women or Minority Owned
5. Federal Tax Number (a SSN or Federal Tax Number): \_\_\_\_\_
6. Name of Owner: \_\_\_\_\_
7. During the past five years, has the firm, business or any attorney in the firm or business, been involved in any (1) bond forfeiture, (2) litigation personally involving the firm, business or any attorney in the firm or business (other than dissolution of marriage), or (3) claims filed with any insurance carrier concerning the firm, business, or any attorney in the firm or business, and/or (4) Bar Association complaints? If yes, attach an explanation. Yes: \_\_\_\_\_ No: \_\_\_\_\_
8. Has the company been in bankruptcy, reorganization or receivership in last five years?  
Yes: \_\_\_\_\_ No: \_\_\_\_\_
9. Has the company been disqualified or terminated by any public agency?  
Yes: \_\_\_\_\_ No: \_\_\_\_\_

10. Has the proposed designated Attorney practiced local government or special district law for a minimum of five years?  
Yes: \_\_\_\_\_ No: \_\_\_\_\_
11. Is each proposed attorney accredited and in good standing with the State Bar?  
Yes: \_\_\_\_\_ No: \_\_\_\_\_
12. Qualification Offers shall be good and valid until the District completes award or rejections of qualifications. Failure to concur with this condition may result in rejection of the offer. Does the firm accept this condition?  
Yes: \_\_\_\_\_ No: \_\_\_\_\_ (If no, state the desired exception: \_\_\_\_\_)

*Having carefully examined all of the documents of the solicitation, including the instructions, the Terms and Conditions, the undersigned proposes to perform all work in strict compliance with the above-named documents, as well as in compliance with all submitted qualification information.*

FIRM NAME: \_\_\_\_\_ FID: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_