



RESPONSE TO LEON COUNTY
REQUEST FOR PROPOSALS FOR LEGAL
SERVICES FOR THE GULF CONSORTIUM
PROPOSAL NUMBER BC-04-23-15-24



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TAB A
FIRM INFORMATION AND TRANSMITTAL LETTER

1. PROPOSAL RESPONSE COVER SHEET FORM

PROPOSAL RESPONSE COVER SHEET

This page is to be completed and included as the coversheet 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.

Nabors, Giblin & Nickerson, P.A.

(Firm Name)

BY

Sarah M. Bleakley
(Authorized Representative)

Sarah M. Bleakley

(Printed or Typed Name)

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ADDENDUM ACKNOWLEDGMENTS: (IF APPLICABLE)

Addendum #1 dated _____ Initials _____

Addendum #2 dated _____ Initials _____

Addendum #3 dated _____ Initials _____

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April 23, 2015

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

Re: Response to Request for Proposals for Legal Services for the Gulf Consortium Proposal
Number BC-04-23-15-24

To the Representatives of Leon County:

Nabors, Giblin & Nickerson, P.A. ("NGN" or "Firm") is pleased to submit its Response to Leon County's (the "County's") Request for Proposals for Legal Services for the Gulf Consortium Proposal Number BC-04-23-15-24. The primary contact information for this response is as follows:

Sarah M. Bleakley, Esq.
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, Florida 32308
Tel. 850.224.4070 | Fax 850.224.4073 | Email: Sbleakley@ngnlaw.com
Web Address: www.ngnlaw.com | Firm FEIN No. 592427540

NGN was established in 1984 so that its principals could concentrate their practice upon the representation of local governments on a statewide basis. Consistent with this concept, NGN has developed into a full service law firm focused on the representation of local governments. NGN currently represents local governments throughout the state on a broad range of government issues including, but not limited to, the areas of public finance, general governmental law, litigation and appellate law, public utilities law, employment law, land use and real estate law, legislative consulting, and special project financing. All of these areas have proven to be complimentary to each other over the years. A listing of local government representation relationships is attached as Appendix 2.

NGN is uniquely suited to serve as General Counsel to the Gulf Consortium ("Consortium"). As General Counsel our mission is to represent the Consortium in a professional manner for a reasonable price encompassing the following:

- ***Protect the legal interests of the Consortium in all legal matters;***
- ***Provide quality and timely legal advice, representation, and opinions;***
- ***Assist the Consortium Board of Directors in the effective development and implementation of their policies, procedures and governing documents;***
- ***Assist the Consortium in the development and advancement of its State Expenditure Plan; and***
- ***Be available to ensure that all matters involving the legal interests of the Consortium are processed in a professional, effective, and efficient manner, including the consequences of any litigation that might involve the Consortium.***

We understand that to provide the broad scope of services necessary to effectively serve the needs of the Consortium, NGN will be required to provide a wide range of legal services. These areas generally include: (1) representing the Executive Committee and Board of Directors at public meetings; (2) reviewing and drafting contracts, resolutions, procurement documents, legal opinions, policies and procedures; (3) advising the Board of Directors on Public Records, Sunshine Law, Code of Ethics and Parliamentary Procedures; (4) interpreting policies, laws, regulations and guidelines applicable to the Consortium; and (5) provide litigation services to the Consortium. NGN has the experience and expertise to provide all of these services to the Consortium.

Additionally, as NGN primarily represents governmental entities, we do not have the usual conflicts that would arise through a proposing individual or firm that also represents private interests. This means that the risk of conflict is greatly reduced, if not eliminated.

Sarah M. Bleakley will be the Firm's designated General Counsel and will be assigned primary responsibility for the representation. The following additional members of the firm will be available to assist with the representation on an as-needed basis: Robert L. Nabors, Mark T. Mustian, Gregory T. Stewart, Heather J. Encinosa, Brian P. Armstrong, and Lynn M. Hoshihara. All are licensed to practice law in the State of Florida, are in good standing with the Florida Bar, and have been engaged in the active practice of law for no less than five (5) consecutive years prior to the date of issuance of this response, with no less than two (2) years of experience representing governmental bodies, special districts or similar public entities. The resumes of the above-named individuals are attached as Appendix 1 to this Response.

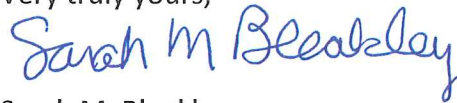
Ms. Bleakley currently serves as interim general counsel to the Consortium and was instrumental in assisting the Florida Association of Counties in the Consortium's formation. As

the designated general counsel the undersigned, Sarah M. Bleakley, will be the attorney who will regularly attend all Management, Executive Committee and Board of Directors Consortium meetings and will be the primary legal representative for the Consortium.

None of the attorneys who comprise NGN represent any member of the Consortium Board of Directors on any matter related to advocacy as to 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 of this response, and will not engage in any such representation on behalf of any member of the Consortium Board of Directors at any time during the term of any contact entered into as a result of any engagement with the Consortium. The undersigned also maintains that the information submitted in this Response to Proposal Number BC-04-23-15-24 is in all respects fair and in good faith, without collusion or fraud; no principal (which includes officers, directors, or executives) is presently suspended, proposed for disbarment, declared ineligible or voluntarily excluded from participation on this transaction by any agency; and that the undersigned has the authority to bind NGN.

As will be demonstrated in this response, NGN has well-established knowledge, experience and expertise in all areas necessary to serve the Consortium in its critical functions.

Very truly yours,



Sarah M. Bleakley

TAB B

**ACCOUNT RESPONSIBILITY AND GENERAL COUNSEL'S
EXPERIENCE, DEMONSTRATED ABILITY AND LOCATION**

ACCOUNT RESPONSIBILITY AND GENERAL COUNSEL'S EXPERIENCE, DEMONSTRATED ABILITY AND LOCATION

If selected, Sarah M. Bleakley, of Counsel to NGN, will serve as General Counsel to the Consortium and will have the primary responsibility to perform the services as described in this Response. Ms. Bleakley has the ability to speak and commit the Firm in connection with any action required by the Consortium. Ms. Bleakley is located at the Firm's Tallahassee office, 1500 Mahan Drive, Suite 200, Tallahassee, Florida 32308. Ms. Bleakley's resume is attached hereto in Appendix 1.

Ms. Bleakley has been engaged in the active practice of law for 35 years. Prior to joining NGN and focusing her practice on providing representation to local governments, Ms. Bleakley developed an understanding of the law by serving in the Florida legislative process. Just after law school, she served as an aide to Representative Bill Sadowski, a House member from Miami who later served as Secretary of the Department of Community Affairs and for whom the Sadowski Housing Act is named. Ms. Bleakley left the Capitol to serve as Director of Patient Legal Services at Florida State Hospital in Chattahoochee.

She returned to the legislative process after being appointed counsel to the House Committee on Finance & Taxation where she began to focus on local government matters. She drafted several important laws affecting local governments, including the local option sales tax and the statute allowing local governments to collect special assessments on the tax bill.

Since joining NGN, Ms. Bleakley has continued her legislative practice, but with a focus on representing local governments. She currently provides legislative consulting services to Lee County Board of County Commissioners, to Gadsden Board of County Commissioners, in partnership with Chris Doolin, and to the Florida Association of Counties.

Ms. Bleakley has built upon the solid legal foundation established in the legislative process. Along with Bob Nabors, she has co-authored the *Primer on Home Rule & Local Government Revenue Sources*, which has been published and updated annually for over 20 years. Additionally, Ms. Bleakley has advised many local governments on a wide variety of matters from taxes to transportation, from environmental law to solid waste, and from procurement to intergovernmental relations. In recognition of her local government expertise, she served as counsel to the Alachua County Charter Review Commission.

Currently, Ms. Bleakley serves as interim general counsel to the Consortium. She, Mark Mustian and Greg Stewart were instrumental in assisting the Florida Association of Counties in forming the Consortium. As general counsel, Ms. Bleakley is primarily responsible for providing legal advice and guidance to the Consortium, its directors, Gubernatorial appointees and its manager. This advice includes a wide variety of matters which impact on issues faced daily by all local governments, including public records, open meetings, contracting, and procurement as well as federal law requirements specifically governing the Consortium. Ms. Bleakley's service as interim general counsel has provided her a firsthand experience in the development

and implementation of the law governing the Consortium, including the Federal rules and guidance from the United States Treasury and the Gulf Restoration Council, the Memorandum of Understanding with the Governor, the contracts with the Consultant assisting the Consortium in the development of the State Expenditure Plan, and the Interlocal Agreements with Leon County regarding purchasing. Additionally, the group of officials involved in the RESTORE Act implementation at the local, state and federal, as well as the Consortium are all familiar with and reliant upon Ms. Bleakley and her legal advice to the Consortium. This experience with the Consortium enhances Ms. Bleakley's ability to use her legal and practical knowledge of the workings of public entities to continue to provide legal services to the Consortium.

Ms. Bleakley provides services to several local governments but will commit to provide the services as described herein without interruption. Ms. Bleakley has the capacity in her practice to continue providing services to the Consortium even if, as contemplated in the Request for Proposal, the engagement requires the commitment of additional time. Ms. Bleakley has consistently devoted more attorney time to the Consortium than 20 hours per month of attorney time allowed under its retainer agreement. In the last six months of billing, for example, Ms. Bleakley has provided legal services to the Consortium an average of 56 hours per month. Ms. Bleakley's practice representing local governments and the Florida Association of Counties in the legislative process and in accomplishing special projects for local governments allow her the flexibility to accept or decline the representation of clients for new projects or for providing legislative consulting services in future Legislative Sessions, if the Consortium's requirements exceed the time required to date. Additionally, the other experienced and capable attorneys in NGN can supplement Ms. Bleakley's efforts if the need should arise.

TAB C

**NABORS, GIBLIN & NICKERSON'S
EXPERIENCE, DEMONSTRATED ABILITY AND PERFORMANCE INFORMATION**

INTRODUCTION

The Consortium is a public entity created in October 2012 by Interlocal Agreement among Florida's 23 Gulf Coast counties. These 23 counties formed the Consortium to meet the requirements of the RESTORE Act for Florida to develop a State Expenditure Plan. The Consortium is working with Florida's Governor, state agencies and other restoration partners to advance common goals, reduce duplication, and maximize benefits to the Gulf Coast region. To this end, the Governor and the Consortium entered into a Memorandum of Understanding on June 12, 2013 to further the collective objectives of maximizing efficiencies and revenue opportunities under the RESTORE Act.

At this critical time, the Consortium is seeking individuals or firms to serve as general counsel to the Consortium Board of Directors, which is responsible for meeting the requirements of the RESTORE Act to develop the State Expenditure Plan for economic and environmental recovery of the Gulf Coast region. Many issues will be confronting the Consortium in the near term and it is very important that the general counsel be in a position to immediately address these issues and effectively assist the Consortium on these matters.

NGN's approach to the provision of general counsel services is based upon a thorough understanding of the issues that confront the Consortium and its needs. This understanding is gained as a result of Ms. Bleakley currently serving as interim general counsel to the Consortium. Ms. Bleakley clearly understands the scope and complexity of the needs of the Consortium and would not need to be educated on the issues or needs of the Consortium as she has been actively involved in assisting the Consortium in meeting those needs since its creation. No other firm or individual would have the same degree of understanding that NGN has as to the issues and the needs of the Consortium. As such, we anticipate that we can assume the position of General Counsel as soon as required by the Board of Directors and that we will accomplish the transition in a seamless manner.

NGN'S EXPERIENCE IN SIMILAR GOVERNMENTAL CONTRACTS

NGN is a Florida law firm with offices in Tallahassee, Tampa, and Fort Lauderdale. NGN was established over 30 years ago so that its principals could focus their practice upon the representation of local governments on a statewide basis. The firm still operates on this premise.

One of the distinguishing characteristics of NGN is its extensive representation of Florida local governments and the historical participation by its attorneys in shaping Florida local government statutory and case law. Such experience began with the creation of the constitutional and statutory home rule powers of counties and municipalities in the 1968 constitutional revision and its implementation by general law in the early 1970s. This experience and historical perspective is unparalleled in any other law firm.

As demonstrated herein, NGN also has unique experience in creating regional authorities by interlocal agreement. NGN also developed the concept and drafted the

amendment creating section 163.01(7)(g)1, Florida Statutes, which allows cities and counties to create authorities by interlocal agreement to acquire and operate water and wastewater facilities and provide other public facilities.

Chapter 163, F.S. Public Entity Representation

NGN has been exclusively representing counties, cities, special districts, and other government entities since the firm was organized in 1984. In addition to representing traditional local governments, NGN is a leader in Florida in the development and representation of public entities created pursuant to Chapter 163, Florida Statutes. The following are just a few examples of the Firm's innovation:

Florida Governmental Utility Authority ("FGUA")

The FGUA was created by NGN by an interlocal agreement pursuant to Section 163.01(7)(g), Florida Statutes, to acquire six separate utility systems owned by a single investor-owned utility in five different counties and a utility system located within the boundaries of two counties. The home rule solution of the FGUA allowed these seven counties to agree on a single authority charter that accommodated their different motivations and placed each separate utility system into a public ownership that was tailored to the individual local government preference. The FGUA structure allowed each county that was host to an acquired utility system to assume ownership at their option by assuming the outstanding FGUA debt incurred to acquire the individual utility. Thus a transfer to county ownership would occur without the issuance of additional debt and the acquired individual utility system was warehoused with the FGUA until the host local government was prepared to assume ownership. The FGUA has acquired over 100 private water and sewer systems in this fashion. NGN has served as Utility Counsel for FGUA since May, 2000. The point of contact at FGUA is Robert E. Sheets. The annual value of our contract is \$9,600 (\$800 per month) plus an hourly fee in the event legal services exceed 12 hours of attorney time per month.

Florida Local Government Investment Trust ("Florida Trust")

NGN created the Florida Trust by an interlocal agreement pursuant to Section 163.01(7)(g), Florida Statutes, to provide a local government investment pool through the joint efforts of the Florida Court Clerks and Comptrollers and the Florida Association of Counties. The Florida Trust is the longest running member-owned and member-governed local government investment pool in the State of Florida and the first in the State to obtain a Standard and Poors rating and third in the nation. Since its inception in 1991, NGN has and continues to serve as General Counsel to the Florida Trust. The point of contact at the Florida Trust is Ken Kent, Executive Director of the Florida Court Clerks & Comptrollers. The annual value of our contract is \$60,000.

Florida Courts E-Filing Authority ("E-Filing Authority")

Since 2010, NGN has been serving as General Counsel to the E-Filing Authority, which was created as a public entity by interlocal agreement to develop and implement a system for statewide electronic filing of Florida county, circuit and appellate court records. NGN's general representation includes attendance at all public meetings of the Authority Board, routine legal consultation with board members and staff and preparation of contracts, resolutions, policies and other legal documents. The point of contact at the E-Filing Authority is Tim Smith, Chairman of the Authority and Putnam County Clerk. The estimated annual value of our contract is \$25,500 (as this project is on an hourly fee basis, this amount represents a two-year average).

County/City Attorney Representation

By marshaling our firm's legal resources, NGN has expanded its practice to include representation of local government clients as city or county attorney providing all day-to-day legal needs. In fact, NGN currently employs five former county attorneys: Bob Nabors (Brevard County), Ed Dion (Broward County), Lynn Hoshihara (Walton County), Kerry Parsons (Citrus County), and George Nickerson (Alachua County) who is of counsel to the firm; and two current county attorneys, Greg Stewart (Okaloosa County) and Heather Encinosa (Wakulla County). Below is a representative list in which the firm or its members have provided legal representation as city or county attorney:

Wakulla County Attorney

NGN was selected in 2009 by Wakulla County to be its designated County Attorney. The Firm's mission as County Attorney to Wakulla County entails the following: protect the legal interests of Wakulla County in all legal matters; provide quality and timely legal advice, representation, and opinions; ensure that all civil litigation involving Wakulla County is processed in a professional, effective, and efficient manner; and assist Wakulla County in the enforcement of County laws and policies and in the orderly performance of County business.

Ms. Encinosa is the designated Wakulla County Attorney and oversees the resolution of the wide range of legal issues the county faces on a daily basis. Such general representation includes attendance at all regular meetings and pre-meeting briefings, routine legal consultation with council/commission members, the county manager and staff and preparation of ordinances, contracts, resolutions and other legal documents. Ms. Hoshihara also provides representation to Wakulla County as the Assistant County Attorney. The point of contact at Wakulla County is David Edwards, County Administrator. The annual value of our monthly retainer is \$123,228.

Okaloosa County

In 2014, NGN was selected to serve as the County Attorney for Okaloosa County. In this role, NGN attorneys are responsible for providing legal advice and services to the Board, the County Administrator and County departments, advisory boards and committees. This relationship will enable the County to take advantage of NGN's numerous attorneys and experience to provide a heightened level of responsiveness and efficiency. Mr. Stewart is designated as County Attorney providing the primary legal services with support from other firm partners and associates, including Ms. Hoshihara, who is designated as the Chief Assistant County Attorney. The point of contact at Okaloosa County is John Hofstad, County Administrator. The annual value of our monthly retainer is \$250,000, plus an hourly fee in the event legal services exceed 10 hours of attorney time on fee services in litigation matters.

City of Hallandale Beach Interim City Attorney

Mr. Dion recently served as Interim City Attorney to the City of Hallandale Beach. Mr. Dion's primary responsibilities included representation of the city commission, the city manager and city staff and advising them in legal matters affecting the City. Mr. Dion ensures that the City's operations perform pursuant to all federal, state and local statutes and regulations. Mr. Dion served as Interim City Attorney for 6 months. The point of contact at the City is Lynn Whitfield. The annual value of our contract was \$11,000.

Osceola County Interim County Attorney

In 1997, George Nickerson was appointed by the Osceola County Board of County Commissioners as Interim County Attorney for several months until the Board could find a permanent county attorney. Again, in 2010 Mr. Nickerson was asked to serve as Interim County Attorney and provided all county attorney services for the County until his retirement in July 2011. During this time, Mr. Nickerson assisted the County in drafting a transition plan for Osceola County to convert to a hybrid system consisting of limited in-house attorney support and outside law firm support. The point of contact at Osceola County is Andrew Mai, County Attorney. The annual value of our contract was \$35,000 in 1997.

Other County Attorney Positions

In 2013, Citrus County named NGN as its Interim County Attorney to work with its in-house counsel. NGN served as Interim County Attorney from 2013 to 2015. The point of contact at Citrus County is Denise Lyn. The annual retainer was \$96,000.

NGN's EXPERIENCE WORKING WITH FEDERAL GRANTS

NGN has assisted its local government clients with the submittal, contracting, and implementation of federal grants for various projects. In our role as County Attorney, NGN's attorneys routinely assist staff with the legal aspects of numerous federal grants, including

ongoing HUD grants, FEMA grants, federal grants administered through the state, and project specific federal grants. In this capacity, we have not only reviewed and negotiated federal grant agreements, but also dealt with issues concerning sub recipients, allowable costs, Davis Bacon Act and general compliance. NGN has also assisted in drafting and negotiating grant funding agreements with the Air Force regarding conservation land acquisitions in the area of Eglin Air Force Base.

As Interim General Counsel to the Consortium, Ms. Bleakley has provided advice and assistance on federal grants. She has worked with the Interim Manager to understand the new requirements from the U.S. Treasury and the Gulf Restoration Council that are applicable to the Consortium in applying for federal grants to fund the development of the Planning State Expenditure Plan (PSEP), which is essentially a plan for the Consortium's development of the State Expenditure Plan to be submitted to the federal Gulf Restoration Council. Ms. Bleakley and the Consortium staff have worked with the federal officials and the State Department of Environmental Protection on the development and implementation of the new rules and policies and how existing federal grant law applies to the federal grants available to the Consortium. Much more needs to be done on securing and administering a federal grant, but Ms. Bleakley has helped lay the Consortium's foundation for obtaining federal grant funds.

NGN'S ORGANIZATION AND ABILITY TO ASSUME NEW WORK

From its inception, NGN has concentrated its practice upon the representation of governmental entities on a statewide basis. Consistent with its mission, NGN has and continues to operate as a full service law firm focused on representation of governmental entities as it did three years ago and even thirty years ago.

The practice of NGN is organized into the following practice areas: Public Finance, Local Government Law, Litigation and Appellate Law; Public Utilities Law; Legislative Consulting; Employment Law; Land Use and Real Estate Law; and Special Project Financing. A current list of public entity clients, including points of contact and phone numbers, is attached as Appendix 2. Because of the breadth of NGN's client base, the list excludes various school boards, industrial development authorities, health facilities authorities, education facilities authorities, housing finance authorities and community development districts.

Local Government Law

In our role as a leader in the area of local government law in the State of Florida, NGN attorneys provide regular advice and consultation to elected officials and local government staff on issues affecting those governments, including Home Rule, statutory interpretation, constitutional, and finance and tax issues. In addition, NGN attorneys are also frequent lecturers at continuing education seminars on issues of local government law sponsored by The Florida Bar and other local government law organizations. Many NGN attorneys have participated for several years in the Florida Association of County Attorneys CLE training program lecturing on diverse topics such as public records, impact fees, special assessments

and other local government revenue sources. NGN also regularly sponsors and presents seminars around the State regarding local government finance and tax which are regularly attended by city and county managers, city and county attorneys, department heads, elected officials and finance professionals.

Local Government Litigation

Mr. Stewart and Ms. Hoshihara both provide litigation services for the Firm. NGN has an active litigation and appellate practice and represents governmental entities on a wide variety of issues. The primary areas of focus are litigation relating to the constitutional scope of county authority, tax and finance issues, labor and employment law, Sunshine and ethics law, and land use and comprehensive plan matters. NGN has also been directly involved in the representation of governmental entities in contract disputes, construction litigation and procurement issues.

Public Utility Representation

NGN has a utility practice which provides regular representation to utility authorities, such as the Florida Governmental Utility Authority, Okaloosa County and the City of Sunrise, on day-to-day operations, rate setting and connections policies. NGN provides legal guidance in the creation of government-owned water and wastewater utility systems including situations in which a government has entered the utility business through acquisitions of investor-owned utilities. NGN also has assisted county governments in the regulation of privately-owned utilities operating within their borders. Finally, NGN possesses a demonstrated and unique expertise in the development and implementation of legally defensible water and wastewater developer agreements, refundable advance agreements, connection fees, special assessments and other techniques which may be used to grow a government's utility business. In addition to his experience in the water industry, Mr. Armstrong has significant legal and regulatory experience in the energy and electric utility industries, having represented clients before the Florida Public Service Commission in numerous rulemaking proceedings, rate cases, and territorial disputes.

Legislative Consulting

Ms. Bleakley has extensive experience in the legislative process, particularly on state and local finance and tax matters. Ms. Bleakley served as counsel to then Representative William E "Bill" Sadowski, who later became Secretary of the Department of Community Affairs. She has provided legislative consulting services on behalf of a state agency, and served as legal counsel to the Florida House of Representatives Committee on Finance & Tax where she advised the members on both state and local tax and finance issues. She currently serves as special counsel for finance and tax to the Florida Association of Counties, providing advice and lobbying services on every important finance, tax and home rule matters, including property taxes, local option sales taxes, mandates, annexation, solid waste, water regulation and growth management.

Structure and Implementation of Home Rule Revenue Funding Sources

The creative mixing and application of home rule revenue sources in combination with available taxes has resulted in the successful implementation of partnerships with the private sector to provide essential infrastructure desired or mandated by local governments.

Assessment Transactions: NGN was a pioneer in the development of special assessments as a home rule revenue source for Florida counties and municipalities. Beginning with the Florida Supreme Court decision in City of Boca Raton v. State, 595 So. 2d 25 (Fla. 1992) (which held that home rule powers were an alternative to general law provisions as the authority to impose special assessments) and continuing through Lake County v. Water Oak Management Corp., 695 So. 2d 667 (Fla. 1997) (which found the distinction between those services capable of being funded through special assessments from those required to be funded from taxes), NGN has forged the development of the special assessment concept.

Impact Fees: NGN has also shaped the development of impact fees to ensure that growth pays its fair share of the infrastructure it demands. From the Fifth District Court of Appeal decision in Seminole County v. City of Casselberry, 541 So. 2d 666 (Fla. 5th DCA 1989) (upholding the home rule power of a county to impose an impact fee countywide to fund the growth portion of the roads within the countywide road system) to the Florida Supreme Court decision in St. Johns County v. N.E. Florida Home Builders Assoc., 583 So. 2d 635 (Fla. 1991) (upholding the authority of a county to impose school impact fees), NGN has been in the forefront of the development of this valuable growth management funding source. As discussed in more detail subsequently in the description of NGN's litigation experience, NGN has been the leading firm in the defense of impact fees.

Local Governance Options and Creation of Public-Private Partnerships

Local Governance Options

Prior to the creation of NGN, Mr. Nabors drafted the concept and secured the passage of section 125.01(5), Florida Statutes, which allows a county or a municipality to jointly create by ordinance a special district to include both the incorporated and unincorporated areas. NGN is also the leader in the structure and financing of community development districts authorized in Chapter 190, Florida Statutes. NGN has created or served as Bond Counsel in excess of 150 districts implemented with a total principal amount of bonds in excess of \$1.5 billion.

Public-Private Partnerships

Numerous public-private partnerships have been structured and financed by NGN. Some examples include: Osceola Parkway; International Drive; West 192 Redevelopment Program; and PGA Boulevard/A1A Flyover. Creation of such unique public-private partnerships is another characteristic distinguishing NGN from other Florida firms.

FINANCE PRACTICE

NGN has been consistently ranked by industry journals in the top three of Florida Bond Counsel law firms. NGN's attorneys who are involved in the issuance of tax-exempt indebtedness have nearly 200 years of combined public finance experience.

NGN has been one of the leading Bond Counsel firms in Florida with respect to financing local government infrastructure for 30 years. Since it was established in 1984, NGN and its members have provided Bond Counsel services to well over 100 cities, counties, special districts and other governmental entities in the State of Florida. Over just the last ten years, the Firm has served as Bond Counsel in approximately 900 Florida financings with an approximate principal amount of \$27.2 billion. We have also served as Disclosure Counsel in approximately 210 Florida transactions with an approximate principal amount of \$13.3 billion and as Underwriters' Counsel in approximately 250 Florida transactions with an approximate bond amount of \$20.0 billion.

The Tampa office is listed in the Fall 2013 Edition of The Bond Buyer's Marketplace on page 446, the Fort Lauderdale and former Fort Myers offices are listed on page 422 and the Tallahassee office is listed on page 442.

The Firm has been involved in the successful closing of bonds issued for every type of capital infrastructure need, including roads, bridges, recreational facilities, airports, seaports, solid waste facilities, jails, administrative facilities, water, wastewater and reclaimed water facilities, stormwater facilities, schools and many others. In addition to the more routine general obligation bond and revenue bond transactions, the Firm has been involved in virtually every type of innovative financing which has occurred in the State, including taxable and tax-exempt combination refundings, advance and current refundings, cross-over refundings, forward refundings, certificates of participation (for both master and single lease-purchase programs), window-refundings, letters of credit and insured transactions, unenhanced transactions, variable rate issues, capital appreciation bond issues, pooled transactions, private activity bonds, swap transactions and other derivatives and consumer price index financings.

TAB D

**NABORS, GIBLIN & NICKERSON'S ABILITY TO
PROVIDE SUPPORT TO THE GULF CONSORTIUM**

1. Litigation Involving NGN

No judgments have been entered against either NGN or any of its attorneys. NGN has only been named as a party in a lawsuit on one occasion. The Firm has been named as a Third Party Defendant in a matter before the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida. The style of that case is Government Services Group, Inc. v. Florida Rural Broadband Alliance, LLC v. Nabors, Giblin & Nickerson, P.A., Case No. 11-CA-2159. All issues in the case have been resolved and the case has been dismissed.

There have been no grievances filed within the last five years against NGN or any attorney listed in this Response with the Florida Bar or any regulatory or judicial body.

As indicated under Tab A, Letter of Transmittal, as NGN primarily represents governmental entities, the Firm does not have the usual conflicts that would arise through a proposing firm that also represents private interests. This means that the risk of conflict is greatly reduced, if not eliminated.

All members of NGN ascribe to the highest ethical standards and maintain an appropriate level of professional expertise by continually developing knowledge and skills. All members of NGN are encouraged to perform their professional duties in accordance with relevant laws, regulations, and technical standards and provide information and recommendations to its clients that are accurate, clear, concise, and timely.

2. Malpractice Insurance

NGN maintains current malpractice insurance with Underwriters at Lloyd's of London / Cooper Gay, policy numbers BO738SPOO758OI and B0738SP010S7OI, effective December 1, 2014, with a current aggregate coverage amount of \$8,000,000. Exclusions are as follows: (1) war and terrorism; (2) sanctions (United Nations resolutions or the trade or economic sanctions, laws or regulations of the European Union, United Kingdom or the United States of America); and (3) activities involving criminal, dishonest, fraudulent or malicious acts, errors or omissions.

3. Litigation Against Firm

NGN is not engaged in any litigation against the Firm that would affect its representation and legal services proposed to be provided to the Consortium. NGN also maintains that, should a potential conflict exist, NGN would set aside or resign from the engagement or representation creating the conflict in favor of the Consortium.

TAB E

NABORS, GIBLIN & NICKERSON P.A.'S
FEES AND EXPENSES

NGN'S FEES AND EXPENSES

NGN understands the financial constraints that the Consortium is operating under. As such, NGN will strive to provide the highest quality legal representation to the Consortium at a reasonable price.

1. Compensation for General Counsel Services

In consideration for the performance of General Counsel services to be provided, NGN proposes a monthly not-to-exceed amount of \$12,500. NGN also provides an hourly fee of \$250 per hour for each General Counsel attorney providing services. However, the Consortium would not be obligated to pay the General Counsel more the \$12,500 per month not-to-exceed amount, unless the Board approves an amount in excess of \$12,500. Time in travel would not be charged. Attorney time would be compensated on an hourly basis at the following rates:

Firm Partners and "Of Counsel" Attorney	\$250.00 per hour
Other Attorneys	\$250.00 per hour
Clerks/Paralegals.....	\$ 65.00 per hour

2. Other Additional Services

In the event the Board or the Manager requests the General Counsel to perform other legal services, including litigation, administrative challenges, and other extraordinary projects or work as determined by the Consortium, such services will be performed at the following hourly rates:

Firm Partners and "Of Counsel" Attorney	\$250.00 per hour
Other Attorneys	\$200.00 per hour
Clerks/Paralegals.....	\$ 65.00 per hour

As an alternative to the monthly retainer approach, NGN is agreeable to negotiating other options with the Consortium. One alternative is an annual not-to-exceed amount, which allows for recognition of periods when the Consortium's need for legal services may vary widely during the year. If NGN is selected by the Consortium, we are willing to negotiate terms and conditions to better suit the Consortium's needs and goals

For year two and beyond, there would be no automatic rate increase and any increase would be subject to a negotiated agreement between the parties. Below are the hourly rates for the specified contract terms:

Contract Term	General Counsel's Proposed Hourly Rate	Monthly Not-to-Exceed Rate
Year One	\$250 per hour	\$12,500
Year Two (if contract Extended)	\$250 per hour	\$12,500
Year Three (if contract extended)	\$250 per hour	\$12,500

3. Costs

In addition to the legal fees or other compensation provided, NGN shall be reimbursed for actual costs incurred in the provision of legal services including, but not limited to, on-line research expenses, overnight delivery charges, copy and fax costs, long distance telephone costs, and other charges incurred in providing services to the Consortium. Any travel expenses will be reimbursed in accordance with section 112.061, Florida Statutes.

TAB F

FORMS, LICENSES, REGISTRATIONS

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.

Nabors, Giblin & Nickerson, P.A.

(Firm Name)

BY

Sarah M Bleakley
(Authorized Representative)

Sarah M. Bleakley

(Printed or Typed Name)

ADDRESS 1500 Mahan Drive

Suite 200

CITY, STATE, ZIP Tallahassee, Florida 32308

E-MAIL ADDRESS Sbleakley@ngnlaw.com

TELEPHONE 850-224-4070

FAX 850-224-4073

ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)

Addendum #1 dated _____ Initials _____

Addendum #2 dated _____ Initials _____

Addendum #3 dated _____ Initials _____

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT

1. The contractors and all subcontractors hereby agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.
2. The contractor agrees to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

Signed:

Sarah M Breakley

Title:

Of-Counsel

Firm:

Nabors, Giblin & Nickerson

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: A

Indicate Best Financial Classification: XV

Business Auto:

Indicate Best Rating: X

Indicate Best Financial Classification: XV

Professional Liability: Indicate Best Rating: A

Indicate Best Financial Classification: XV

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

Indicate Best Rating: A

Indicate Best Financial Classification: X

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

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

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.

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 ☒ Except 30-day notice on Workers
Compensation not available any carrier.

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

Name Sarah M. Bleakley
Typed or Printed

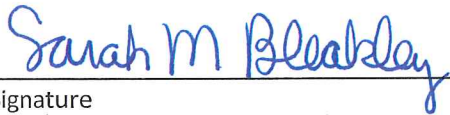
Signature 

Date April 23, 2015

Title Manager with Risk Authority
(Company Risk Manager or Manager with Risk Authority)

**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

Of Counsel

Title

Nabors, Giblin & Nickerson, P.A.

Contractor/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

AFFIDAVIT CERTIFICATION

IMMIGRATION LAWS

Leon County will not intentionally award County contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324 A(e) (Section 274a(e) of the Immigration and Nationality Act ("INA")).

Leon County may consider the employment by any Contractor of Unauthorized Aliens a violation of Section 274A(e) of the INA. **Such violation by the Recipient of the employment provision contained in Section 274A(e) of the INA shall be ground for unilateral cancellation of the contract by Leon County.**

BIDDER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: Nabors, Giblin & Nickerson, P.A.

Signature: Sarah M Bleakley Title: Of Counsel

STATE OF FLORIDA

COUNTY OF LEON

Sworn to and subscribed before me this ____ day of _____, 20__.

Personally known _____

NOTARY PUBLIC

OR Produced identification _____

Notary Public - State of _____

(Type of identification)

My commission expires: _____

Printed, typed, or stamped commissioned name of notary

The signee of this Affidavit guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

LEON COUNTY RESERVES THE RIGHT TO REQUEST SUPPORTING DOCUMENTATION, AS EVIDENCE OF SERVICES PROVIDED, AT ANY TIME.

NON-COLLUSION AFFIDAVIT

I, Sarah M. Bleakley of the city of Tallahassee
according to law on my oath, and under penalty of perjury, depose and say that:

1. I am Sarah M. Bleakley
of the firm of Nabors, Giblin & Nickerson

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.

Sarah M Bleakley
(Signature of Responder)

April 22, 2015
(Date)

STATE OF FLORIDA
COUNTY OF LEON

____ PERSONALLY APPEARED BEFORE ME, the undersigned authority, _____ who, after first being sworn by me, (name of individual signing) affixed his/her signature in the space provided above on this ____ day of _____ 20____.

NOTARY PUBLIC

My Commission Expires: _____

DRUG-FREE WORKPLACE FORM

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

Nabors, Giblin & Nickerson, P.A.

(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

April 22, 2015

Date

APPENDIX 1
RESUMES OF LEGAL PROFESSIONALS

Sarah M. Bleakley



**Sarah M. Bleakley | Of Counsel | sbleakley@ngnlaw.com
1500 Mahan Drive, Suite 200 | Tallahassee, Florida 32308
850-224-4070 Tel. | 850-224-4073 Fax**

Prior to joining NGN and focusing her practice on providing representation to local governments, Ms. Bleakley developed an understanding of the law by serving in the Florida legislative process. Just after law school, she served as an aide to Representative Bill Sadowski, a House member from Miami who later served as Secretary of the Department of Community Affairs and for whom the Sadowski Housing Act is named. Ms. Bleakley left the Capitol to serve as Director of Patient Legal Services at Florida State Hospital in Chattahoochee.

Currently, Ms. Bleakley serves as interim general counsel to the Gulf Consortium, a public entity formed by interlocal agreement among the 23 Gulf Coast counties from Escambia County to Monroe County. NGN was instrumental in assisting the Florida Association of Counties in forming the Consortium, which is responsible for developing Florida's plan for expending fines from the Deepwater Horizon Oil Spill to restore the environment and economy of the Gulf Coast. The Consortium's Board of Directors consists of one County Commissioner from each county. As general counsel, Ms. Bleakley is responsible for providing legal advice to the Consortium, its directors and its manager. The advice runs the gamut of issues faced daily by all local governments, including public records, open meetings, contracting, and procurement.

She returned to the legislative process after being appointed counsel to the House Committee on Finance & Taxation where she began to focus on local government matters. She drafted several important laws affecting local governments, including the local option sales tax and the statute allowing local governments to collect special assessments on the tax bill.

Since joining NGN, Ms. Bleakley has continued her legislative practice, but with a focus on representing local governments. She currently provides legislative consulting services to Lee County Board of County Commissioners, to Gadsden Board of County Commissioners, in partnership with Chris Doolin, and to the Florida Association of Counties, where she serves as special counsel.

Ms. Bleakley has built upon the solid legal foundation established in the legislative process. Along with Bob Nabors, she has co-authored the *Primer on Home Rule & Local Government*

Revenue Sources, which has been published and updated annually for over 20 years. Additionally, Ms. Bleakley has advised many local governments on a wide variety of matters from taxes to transportation, from environmental law to solid waste, and from procurement to intergovernmental relations. In recognition of her local government expertise, she served as counsel to the Alachua County Charter Review Commission.

Ms. Bleakley is an honors graduate of Florida State University College of Law, where she was a member of the Law Review.

- Serves as general counsel to the Gulf Consortium.
- Represents clients before the Florida Legislature on issues involving matters of finance and taxation, growth management, government financing, communications, transportation and environmental law.
- Assists local government clients with non-ad valorem assessment issues, annexation matters, and finance and tax questions.
- Represents clients before the executive branch on state rulemaking issues involving taxation, transportation and communications services.
- Serves as a contract lobbyist to the Florida Association of Counties.

Prior Professional Experience

- Counsel, House Committee on Finance & Taxation, Florida Legislature, 1987-1989.
- Lobbyist, Florida Department of Health & Rehabilitative Services, 1985-1987.
- Associate, Spriggs & Warren, P.A., 1984-1985.
- Director, Patient Legal Services, Florida State Hospital, 1982-1984.
- Legislative Assistant, Representative William E. ("Bill") Sadowski of the Florida House of Representatives, 1979-1982.

Professional, Civic & Community Involvement

- The Florida Bar, Member.
- The Florida Bar Association: Administrative Law Section, City, County and Local Government Law Section, and Tax Section.
- Tallahassee Women Lawyers (Founding Member).
- Florida Association of Professional Lobbyists.
- Florida Association of Intergovernmental Relations.
- Frequent speaker at seminars held by the Florida Association of County Attorneys and the Florida League of Cities on current issues, most recently on matters of finance and taxation, government financing, legislative matters, and communications services.
- Betton Hills Neighborhood Association.
- *Primer on Home Rule & Local Government Revenue Sources* (August 2013) coauthor with Robert L. Nabors.

Education

- J.D. (with honors), Florida State University, College of Law, 1979; Member of the Law Review.
- B.A. (with honors), Florida State University, 1976.

Brian P. Armstrong



**Brian P. Armstrong | Shareholder | barmstrong@ngnlaw.com
1500 Mahan Drive, Suite 200 | Tallahassee, Florida 32308
850-322-4097 Tel. | 850-224-4073 Fax**

Before joining Nabors, Giblin & Nickerson in March, 2000, Mr. Armstrong served as senior vice-president and general counsel of Florida Water Services Corporation, Florida's largest investor-owned water and wastewater utility. Prior to his service with Florida Water, Mr. Armstrong practiced in the public utilities department of the law firm of Cullen & Dykman in New York. He is a 1984 graduate of the Georgetown University Law Center.

- Represents counties, municipalities, authorities and special districts as both utility counsel and acquisition/divestiture counsel.
- Extensive experience before the Florida Public Service Commission.
- Legal and managerial experience in all facets of utility operations.
- Experience in a wide variety of water, wastewater, electric and natural

gas issues.

Prior Professional Experience

- Nabors, Giblin and Nickerson, P.A., 2000 to Present.
- Senior Vice President and General Counsel, Florida Water Services Corporation, then Florida's largest investor owned water and wastewater utility, 1990-2000.
- Cullen and Dykman, New York, serving public utilities with an emphasis in natural gas local distribution companies, 1984-1990.

Professional, Civic & Community Involvement

- The Florida Bar, Member.
- New York State Bar, Member
- Leadership Florida, Class XXXIII Member.
- Tallahassee Lions Club, Past President.
- Wolfpac Performing Arts Council, Inc., Past President.
- Habitat For Humanity, Family Support Committee Member.
- Capital City Tiger Bay Club, Member.
- KCCI, Advisory Committee, Member.
- The Economic Club of Florida, Member.
- The Village Square, Co-Chairman of the Board.

Education

- J.D., The Georgetown University Law Center, 1984.
- B.A., St. John's University, 1981.

Area of Practice

- Public Utilities Law

Heather J. Encinosa



Heather J. Encinosa | Shareholder | hencinosa@ngnlaw.com
1500 Mahan Drive, Suite 200 | Tallahassee, Florida 32308
850-224-4070 Tel. | 850-224-4073 Fax

Ms. Encinosa has dedicated her entire legal career to representing counties, cities, and other local government entities in the State of Florida. Ms. Encinosa is a 1996 graduate of the American University's Washington College of Law (summa cum laude) and a 1993 graduate of the University of Missouri (summa cum laude). Ms. Encinosa has been a member of the Florida Bar since 1997 when she joined NG&N. Ms. Encinosa is a member of the City, County, and Local Government Law Section of the Florida Bar.

Her practice includes representation of local governments on a variety of issues, including the review and negotiation of transactional documents, municipal and county home rule, constitutional and statutory interpretation, public utilities and governmental finance and tax matters.

Specifically, Ms. Encinosa serves as Wakulla County Attorney representing the county in the following practice areas: contracts and torts, procurement and purchasing, constitutional law, employment and labor, public law, litigation and appellate, administrative, finance, land use, planning and environmental, real estate and legislative. Ms. Encinosa also serves as lead counsel to the Florida Governmental Utility Authority ("FGUA"), where she provides on-going representation and advice to this governmental authority.

Ms. Encinosa serves several local governments in a special counsel capacity, touching upon all aspects of local government law. Ms. Encinosa has drafted numerous ordinances, resolutions, opinion letters, and contracts on behalf of her local government clients.

Ms. Encinosa is a frequent speaker before the Florida Association of Counties Small Counties Program, the Florida Government Finance Officers Association, and at NG&N's seminar on local government finance.

- Serves as county attorney to Wakulla County, Florida.
- Provides ongoing, day-to-day and special representation to local governments and public utility clients.
- Represents counties and municipalities in the development, structure, and implementation of special assessment programs for services and capital facilities.
- Represents counties, municipalities, and school districts in the development, structure, and implementation of impact fees for various growth-related capital improvements, such as schools, transportation, parks and recreational facilities, fire, EMS, and libraries.
- Assists clients with local government, constitutional, land use, home rule, public records, Sunshine law, and finance and tax issues.

Professional, Civic & Community Involvement

- The Florida Bar, Member.
- The Florida Bar: City, County and Local Government Law Section, Member.
- Speaker for Florida Association of County Attorneys, Florida Association of Counties Small County Coalition and Florida Government Finance Officers Association.
- Tallahassee Families with Asian Children Leadership Council, Past Chairman.
- Friends of Wakulla Springs, Board of Directors, Past Member.
- Girl Scouts of America Volunteer.
- Democratic Women's Club of Leon County, Board of Directors, Parliamentarian.

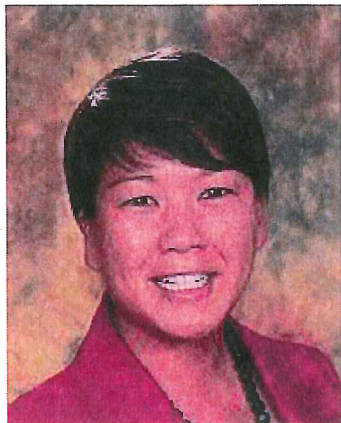
Education

- J.D., *summa cum laude*, The American University, Washington College of Law, 1996.
- B.J., *summa cum laude*, The University of Missouri, 1993.

Areas of Practice

- Local Government Law
- Public Utilities Law
- Special Project Financing
- Land Use and Real Estate Law

Lynn M. Hoshihara



Lynn M. Hoshihara | Shareholder | lhoshihara@ngnlaw.com
1500 Mahan Drive, Suite 200 | Tallahassee, Florida 32308
850-224-4070 Tel. | 850-224-4073 Fax

Ms. Hoshihara is a 2001 cum laude graduate of Florida State University and a 2005 graduate of the Florida State University College of Law. Ms. Hoshihara joined the Firm in 2012 where she concentrates her practice in the areas of litigation and appellate law and local governmental law. Ms. Hoshihara provides general representation to clients on litigation, employment issues, tax and finance matters and land use issues. Prior to joining the Firm, Ms. Hoshihara served as Walton County Attorney from 2010 through 2012 and as Staff Attorney for Walton County from 2005 through 2010.

- Member of the firm's Litigation and Appellate Law and Local Government Law practice areas.
- Represents clients before all state courts of the State of Florida.
- Provides general representation to clients on employment issues, tax and finance matters and land use issues.

Prior Professional Experience

- County Attorney for Walton County, Florida, 2010-2012.
- Staff Attorney for Walton County, Florida, 2007-2010.

Professional, Civic & Community Involvement

- The Florida Bar, Member.
- Admitted to practice in all courts of the State of Florida and the Middle District of Florida.
- Member of the Young Lawyers; Administrative Law; Environmental and Land Use Law; and City, County and Local Government Law Sections of The Florida Bar.
- Serves on Florida Association of County Attorneys Growth Management Committee.

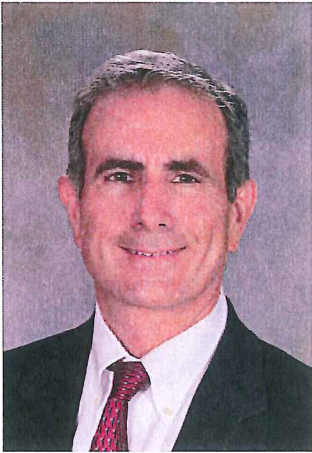
Education

- J.D., Florida State University, College of Law, 2005.
- B.S., Florida State University, cum laude, 2001.

Areas of Practice

- Local Government Law
- Litigation and Appellate Law
- Land Use and Real Estate Law
- Employment Law
- Public Finance

Mark T. Mustian



**Mark T. Mustian | Shareholder | mmustian@ngnlaw.com
1500 Mahan Drive, Suite 200 | Tallahassee, Florida 32308
850-224-4070 Tel. | 850-224-4073 Fax**

Mr. Mustian is a 1983 honors graduate of the University of Florida College of Law. He has practiced exclusively in municipal finance since his admission to The Florida Bar in 1983. Mr. Mustian is also a member of the State Bar of Georgia. In such practice, he has served as bond counsel in a variety of tax-exempt financings, including financings for educational facilities, health care facilities, airports, resource recovery facilities, housing and other local government infrastructure. He joined the Firm in April 1986 and was previously associated with the firm of Livermore, Klein and Lott, P.A., Jacksonville, Florida. Mr. Mustian is a member of the National Association of Bond Lawyers and the Local Government Section of The Florida Bar, and a graduate of both the Leadership Tallahassee and Leadership Florida programs. He has served as a member of the Board of Directors of the Young Lawyers Division of The Florida Bar, the Chair of the Tallahassee Area Chamber of Commerce and, from 2003-2012, as an elected City Commissioner of the City of Tallahassee.

- Represents clients in all facets of municipal and local government finance, including affordable housing, healthcare and community redevelopment.
- Represents lenders, borrowers, trustees and bondholders in lending, default and workout situations.

Prior Professional Experience

- Livermore Klein & Lott, P.A., Jacksonville, Florida, 1983-1986.

Professional, Civic & Community Involvement

- The Florida Bar, Member.
- Commissioner, Tallahassee City Commission, 2003-2012.
- Former Board Member, Florida League of Cities.
- Past President, Tallahassee Area Chamber of Commerce.
- Recipient of 2001 Distinguished Leader Award.
- Alumnus of Leadership Florida and Leadership Tallahassee.
- Also admitted to practice in Georgia.
- Author of the novel The Return, published 2000.
- Author of the novel The Gendarme, published 2010.
- Member, AARP National Policy Council.

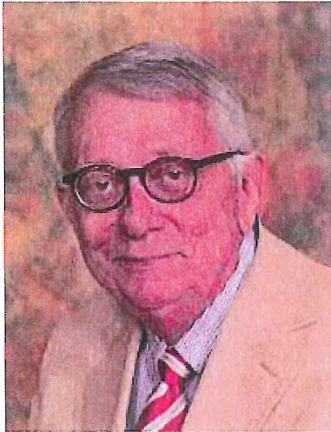
Education

- J.D., University of Florida, 1983.
- B.S., University of Florida, 1980.

Areas of Practice

- Public Finance
- Local Government Law
- Land Use and Real Estate Law

Robert L. Nabors



**Robert L. Nabors | Shareholder | rnabors@ngnlaw.com
1500 Mahan Drive, Suite 200 | Tallahassee, Florida 32308
850-224-4070 Tel. | 850-224-4073 Fax**

Mr. Nabors represented the Board of County Commissioners of Brevard County, Florida and various Brevard County constitutional offices and agencies as County Attorney from 1969 through 1982. Mr. Nabors is a past president of the Florida Association of County Attorneys and served as Chairman of the Local Government Law Section of The Florida Bar during 1979-80 (now known as the City, County and Local Government Law Section).

Mr. Nabors served as General Counsel to Governor Graham from March through August 1981 and as Special Counsel to Governor Graham for Legislative Affairs from December 1981 through May 1982. As Special Counsel, Mr. Nabors was responsible for coordinating the legislative efforts on the approval of an additional one cent sales tax in 1982, which included the Local Government Half Cent Sales Tax. He was appointed by Governor Graham to the Governor's Tax Reform Commission in 1979. Mr. Nabors was appointed by Governor Askew as Chairman of the Florida Solar Energy Task Force and served from 1975 through 1978.

Mr. Nabors has also served on other state commissions and study groups, including the Public Service Commission Nominating Council, the Governor's Public Facility Financing Commission, the Governor's Task Force on Medical Malpractice, and the Governor's Task Force on Community Mental Health.

Mr. Nabors has served as a member of the Florida Supreme Court Nominating Commission, as a member of the Fourth District Court of Appeal Nominating Commission, as a member and chairman of the Eighteenth Judicial Circuit Nominating Commission, and as a member of the Federal Judicial Nominating Commission for the Northern District of Florida.

Mr. Nabors was appointed by the late Governor Chiles as a member of the Governor's Growth Management Task Force, as a member of the Governor's Ad Hoc Work Group on Affordable Housing, and as a member of the Florida Telecommunications Taxation Task Force.

Mr. Nabors was appointed by the late Governor Chiles as a member of the 1997-1998 Constitution Revision Commission.

Mr. Nabors also served as an adjunct professor at the Florida State University College of Law in the areas of State Constitutional Law and Local Government Law.

- Represents clients in the structure and implementation of public/private partnerships and planning and finance issues relating to the provision of adequate public school facilities and other local government infrastructure and services.

Professional, Civic & Community Involvement

- The Florida Bar, Member.
- Served as County Attorney in Brevard County, Florida from 1970 through 1985.
- Served as General Counsel to Governor Graham from March through August 1981.
- Served as Special Counsel to Governor Graham for Legislative Affairs from December 1981 through May 1982.

- Appointed by the late Governor Chiles as a member of the 1997-1998 Constitution Revision Commission.
- Served as an adjunct professor at the Florida State University College of Law in the areas of State Constitutional Law and Local Government Law.
- Appointed by Governor Askew as Chairman of Florida Solar Energy Task Force and served from 1975 through 1978.
- Appointed by Governor Graham to Governor's Tax Reform Commission in 1979.
- Served on other state commissions and study groups, including the Public Service Commission, the Governor's Task Force on Medical Malpractice and the Governor's Task Force on Community Mental Health.
- Served as member of the Florida Supreme Court Nominating Commission, Fourth District Court of Appeal Nominating Commission and Eighteenth Judicial Circuit Nominating Commission.
- Appointed by Governor Chiles as a member of the Governor's Growth Management Task force, Governor's Ad Hoc Work Group on Affordable Housing and the Florida Telecommunications Taxation Task Force.
- The Florida Bar: City, County, and Local Government Law Section, Member.
- Frequent speaker for Florida Bar Continuing Legal Education, Florida Association of Counties, Small County Coalition, Florida School Board Association and Florida Government Finance Officers Association.
- Author of 2011 Florida Home Rule Green Book, published in 2011.

Education

- J.D., University of Florida, College of Law, 1966.
- B.S., Florida State University, 1962.

Honors

- AV® Preeminent™ 5.0 Peer Review Rated™ by Martindale-Hubbell®.
- *Best Lawyers In America®*, Municipal Law, First Year Listed 2007.

Areas of Practice

- Legislative Consulting
- Litigation and Appellate Law
- Local Government Law
- Public Utilities Law
- Public Finance
- Special Project Financing

Gregory T. Stewart



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850-224-4070 Tel. | 850-224-4073 Fax

Mr. Stewart, a Martindale-Hubbell AV-rated lawyer, is a 1975 honors graduate of the University of Florida, College of Law. Mr. Stewart served as an Assistant State Attorney for the Eighteenth Judicial Circuit from June 1975 through January 1981. He served as Chief Trial Attorney for the Public Defender's Office of Brevard County from January 1981 through August 1982. As a partner in the firm of Nabors, Potter, McClelland, Griffith & Jones, P.A., Mr. Stewart represented Brevard County, Florida as an Assistant County Attorney specializing in governmental litigation, including representation of Brevard County on personnel and employment issues, from September 1982 through March 1986. He has also served as trial counsel for various counties throughout the State of Florida in the areas of employment, land use, finance and intergovernmental litigation. He has lectured extensively on numerous aspects of local government litigation. Mr. Stewart has been selected as one of "The Best Lawyers in America" in the field of Litigation - Municipal and a Florida Super Lawyer. Mr. Stewart's area of practice includes governmental tax and finance, employment and construction law, and trial and administrative litigation.

- Head of the firm's Litigation and Appellate Law practice areas.
- Provides general representation to clients on employment issues, tax and finance matters and land use disputes.
- Serves as litigation counsel to clients relating to a variety of state and local revenue sources, including impact fees, special assessments and other taxes.
- Serves as litigation counsel to numerous counties and cities in matters relating to land use claims and actions relating to local government comprehensive plans.
- Represents clients before the Florida Supreme Court, all Florida District Courts of Appeal and Circuit Courts, the United States Supreme Court, the Eleventh Circuit Court of Appeals, and each of Florida's three Federal District Courts.
- Represents clients before numerous administrative bodies, including DOAH, PERC, EEOC, the FCHR and FPSC.
- Lectures to numerous professional organizations on a variety of topics, including state and local revenue sources, the Florida Sunshine Law, Florida public records law, the Americans with Disabilities Act and Family Medical Leave Act and land use issues.

Prior Professional Experience

- Nabors, Potter, McClelland, Griffith & Jones, Partner, 1982-1986.
- Chief Trial Attorney, Public Defender's Office (18th Judicial Circuit), 1981-1982.
- Assistant State Attorney (18th Judicial Circuit), 1975-1981.

Professional, Civic & Community Involvement

- Admitted to practice in all courts of the State of Florida, United States District Court for the Northern, Southern and Middle Districts of Florida, United States Bankruptcy Court for the Northern, Southern and Middle Districts of Florida, United States District Court for the Eastern District of Michigan, Eleventh Circuit Court of Appeals and United States Supreme Court.
- Member of the Leon County Bar Association.
- Former Member of the Board of Directors of the Brevard County Bar Association.

- Member of the American Bar Association and has served on its Individual Rights and Responsibilities Committee and Governmental Operations Committee.
 - Member of the City, County and Local Government Law and Trial Lawyers Section of the Florida Bar.
-

Education

- J.D., University of Florida, 1975.
 - B.S., Business Administration, University of Florida, 1972.
-

Honors

- AV® Preeminent™ 5.0 Peer Review Rated™ by Martindale-Hubbell®
 - *Best Lawyers In America®*, Litigation - Municipal, First Year Listed 2007
 - *Florida Super Lawyers®* magazine, 2013
-

Areas of Practice

- Litigation and Appellate Law
- Land Use and Real Estate Law
- Employment Law
- Public Finance

APPENDIX 2

CURRENT CLIENTS REPRESENTED BY NABORS, GIBLIN & NICKERSON, P.A.

The following are local government clients for which we currently providing legal services.*

Local Government Client	Full Name	Position	Business Phone
Alachua County	Michele Lieberman	County Attorney	(352) 374-5218
Alachua, City of	Adam Boukari	Office of the City Manager	(386) 418-6100
Bay County	Terrell Arline	County Attorney	(850) 248-8140
Bonita Springs Utilities, Inc.	Fred Partin	Executive Director	(239) 390-4801
Brevard County	Scott L. Knox	County Attorney	(321) 633-2090
Broward County	Joni Armstrong Coffey	County Attorney	(954) 357-7600
Cape Coral, City of	Delores Menendez	City Attorney	(239) 574-0408
Charlotte County	Janette Knowlton	County Attorney	(941) 743-1330
Citrus County	Denise Lyn	Interim County Attorney	(352) 341-6560
Collier County	George Yilmaz	Administrator – Collier County Public Utilities Division	(239) 252-2380
Columbia County	Marlin M. Feagle	County Attorney	(386) 752-7191
Coral Gables, City of	Diana Gomez	Finance Director	(305) 460-5275
Davie, Town of	William Ackerman	Director, Budget and Finance	(954) 797-1050
Deerfield Beach, City of	Hugh Dunkley	Director of Finance	(954) 420-5571
Farmton Water Resources, Inc.	Barbra Goering	Vice President	(321) 644-6720
Flagler County	Albert J. Hadeed	County Attorney	(386) 313-4005
Florida Association of Counties	Virginia Saunders Delegal	General Counsel	(850) 922-4300
Florida Courts E-Filing Authority	Tim Smith	Chairman	(386) 326-7600
Florida Governmental Utility Authority	Robert E. Sheets	CEO	(850) 681-3717
Florida Local Government Investment Trust	Ken Kent	Executive Director	(850) 577-4610
Floridians for Solar Choice	George Cavros	Treasurer	(954) 563-0074
Franklin County	Thomas M. Shuler	County Attorney	(850) 653-1757
Gadsden County	Deborah Minnis	County Attorney	(850) 425-5467
Glades County	Richard W. Pringle	County Attorney	(239) 332-4717
Gulf County	Jeremy Novak	County Attorney	(850) 229-4700
Hardee County	Kenneth B. Evers	County Attorney	(863) 773-5600
Hendry County	Mark F. Lapp	County Attorney	(863) 675-5295
Hernando County	Garth Coller	County Attorney	(352) 754-4122
Indian River County	Dylan Reingold	County Attorney	(772) 226-1424
Islamorada, Village of Island	Greg Tindle	Wastewater Program Manager	(305) 664-6400

Local Government Client	Full Name	Position	Business Phone
Lake County	Sandford Minkoff	County Attorney	(352) 343-9787
Lauderhill, City of	Kennie Hobbs, Jr.	Director of Finance	(954) 730-3010
Lee County	Richard W. Wesch	County Attorney	(239) 533-2236
Lehigh Acres Fire Control District	Richard Pringle	General Counsel	(239) 332-4717
Leon County	Herbert W. A. Thiele	County Attorney	(850) 606-2500
Levy County	Anne Bast Brown	County Attorney	(352) 486-3389
Liberty County	Shalene Grover	County Attorney	(850) 482-4050
Madison County	George Thomas Reeves	County Attorney	(850) 973-4186
Manatee County	Mitchell O. Palmer	County Attorney	(941) 745-3750
Margate, City of	Douglas E. Smith	City Manager	(954) 972-6454
Marion County	Matthew Guy Minter	County Attorney	(352) 438-2330
Martin County	Michael Durham	County Attorney	(772) 288-5442
Miami Dade County	R. A. Cuevas Jr.	County Attorney	(305) 375-5151
Monroe County	Bob Shillinger	County Attorney	(305) 292-3470
Nassau County	Mike Mullins	County Attorney	(904) 548-4590
Newberry, City of	Mike New	City Manager	(352) 472-2161
Okaloosa County	John Hofstad	County Administrator	(850) 651-7515
Okeechobee County	Laura Ann McCall	County Attorney	(863) 763-3131
Okeechobee County	John D. Cassels, Jr.	County Attorney	(863) 763-3131
Orange City, City of	Christine Davis	Finance Director	(386) 775-5432
Orange County	Jeffrey J. Newton	County Attorney	(407) 836-7320
Osceola County	Andrew W. Mai	County Attorney	(407) 742-2200
Palm Bay, City of	Andrew Lannon	City Attorney	(321) 409-7185
Palm Beach County	Denise M. Nieman	County Attorney	(561) 355-3389
Palm Beach, Town of	Thomas G. Bradford	Town Manager	(561) 838-5410
Parkland, City of	Nancy Morando	Finance Director	(954) 757-4135
Pasco County	Jeffrey Steinsnyder	County Attorney	(727) 847-8120
Pensacola, City of	George Maiberger	Purchasing Manager	(850) 435-1603
Pinecrest, Village of	Mitchell Bierman	Village Attorney	(305) 854-0800
Pinellas County	James L. Bennett	County Attorney	(727) 464-3354
Polk County	Michael S. Craig	County Attorney	(863) 534-6730
Pompano Beach, City of	Ernesto Reyes	Interim Budget Director	(954) 786-4049
Putnam County	Russell D. Castleberry	County Attorney	(386) 329-1903
Santa Rosa County	Roy Andrews	County Attorney	(850) 983-1857
Sarasota County	Stephen DeMarsh	County Attorney	(941) 861-7255
Sebring, City of	Scott Noethlick	City Administrator	(863) 471-5100
Seminole County	A. Bryant Applegate	County Attorney	(407) 665-7257

Local Government Client	Full Name	Position	Business Phone
South Miami, City of	Steven Alexander	City Manager	(305) 668-2510
Southern Alliance for Clean Energy	Stephen A. Smith	Executive Director	(865) 637-6055
St. Johns County	Patrick McCormack	County Attorney	(904) 209-0805
St. Lucie County	Daniel S. McIntyre	County Attorney	(772) 462-1441
St. Lucie Fire District	Ken C. Crooks	Fire District Attorney	(772) 621-3313
Sumter County	Thomas Hogan	County Attorney	(352) 799-8423
Suwannee County	James Prevatt	County Attorney	(386) 362-7979
Tallahassee, City of	Lewis E. Shelley	City Attorney	(850) 891-8554
Taylor County	Conrad Bishop	County Attorney	(850) 584-6113
Union County	Russell A. Wade, III	County Attorney	(386) 496-9656
Vice President - Legal Services	Erica Woods	Babcock Ranch Community Independent Special District/Kitson & Partners Communities	(941) 235-6900
Volusia County	Daniel D. Eckert	County Attorney	(386) 736-5950
Wakulla County	David Edwards	County Administrator	(850) 926-0919
Walton County	Mark Davis	County Attorney	(850) 892-8110

*Excludes various school boards, industrial development authorities, health facilities authorities, education facilities authorities, housing finance authorities and community development districts.