

MEMORANDUM

February 8, 2012

TO: The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

FROM: Alberto M. Carvalho, Superintendent of Schools *AMC*

SUBJECT: AUTHORIZATION TO RETAIN OUTSIDE LEGAL COUNSEL TO REPRESENT THE BOARD IN REAL ESTATE AND EMINENT DOMAIN MATTERS

At the request of Mr. Walter J. Harvey, School Board Attorney, the attached Agenda Item G-6 is being withdrawn from the February 15, 2012 Agenda for further consideration.

AMC:mm
M781

Attachment

Cc: School Board Attorney
Superintendent's Cabinet

Office of Superintendent of Schools
Board Meeting of February 15, 2012

February 8, 2012

Office of School Board Attorney
Walter J. Harvey, Board Attorney

SUBJECT: AUTHORIZATION TO RETAIN OUTSIDE LEGAL COUNSEL TO REPRESENT THE BOARD IN REAL ESTATE AND EMINENT DOMAIN MATTERS

COMMITTEE: SCHOOL SUPPORT AND ACCOUNTABILITY

LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY

Presently the law firm of Greenspoon Marder represents the Board in eminent domain and real estate litigation. The Greenspoon Marder firm's representation of the Board in these types of cases resulted from its acquisition of the Ruden McCloskey law firm in bankruptcy proceedings on November 1, 2011. At its January 18, 2012 meeting, the Board approved Agenda Item G-8 (Request Approval of Assignment of Pre-existing Outside Counsel Contract to New Law Firm. . .) allowing the assignment of pending cases and matters from the Ruden McCloskey firm to Greenspoon Marder.

The retention of these firms was in accordance with the Request For Proposal ("RFP") issued by the District and approved by the Board on July 11, 2007 through its adoption of Agenda Item G-6 and the extension of contracts with law firms through a new RFP (No. 049-KK10-Legal Services), through the School Board's approval of Agenda Item E-142 at the Board's June 16, 2010 meeting. Item E-142 presented a slate of selected law firms (identified through the RFP process) that the Board Attorney would contract with--on behalf of the Board--for legal services in specialized fields of practice. Item E-142 also authorized the Board Attorney to contract with the selected firms on an as-needed basis.

In an effort to provide the most effective and efficient legal services to the School Board and so that the Board is not limited in its ability to obtain legal representation in the area of eminent domain and real estate litigation, it is recommended that the Board have available to it, two additional law firms that can represent the Board in these matters. Accordingly, the School Board Attorney requests that the School Board authorize the Board Attorney to enter into contracts with the following law firms:

WITHDRAWN
G-6

- Shutts & Bowen, P.A.
200 East Broward Boulevard
Suite 2100
Fort Lauderdale, Florida 33301

- Thomas Goldstein, P.A.
8015 Fairway Lane
West Palm Beach, Florida 33412

RECOMMENDED: That The School Board of Miami-Dade County, Florida, pursuant to the authority granted at the June 16, 2010 School Board meeting and in accordance with the RFP No. 049-KK10-Legal Services, further authorize the Office of the School Board Attorney to contract on behalf of the Board for legal services with the law firms of Shutts & Bowen, P.A., and Thomas Goldstein, P.A., up to the accepted rates quoted in the RFP for the respective practice areas, to represent the School Board's interests for the remainder of the original contract, with two additional one-year contract extensions subject to further Board approval in the areas of imminent domain and real estate, including the representation of the Board in any pending cases, at the discretion of the Board Attorney.