



Fox Rothschild LLP
ATTORNEYS AT LAW

Response to Request for Qualifications for Legal Services

Solicitation No. RFQ 10-27-21-2

Prepared for:



April 30, 2021

John R. Herin Jr.

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April 30, 2021

VIA FEDEX

Sherley Desir
Riviera Beach Community Redevelopment Agency
2001 Broadway, Suite #300
Riviera Beach, FL 33404

Re: Response to RFQ for Legal Services – RFQ 10-27-21-2

Ms. Desir:

Thank you for the opportunity to respond to the Riviera Beach Community Redevelopment Agency ("RBCRA") RFQ for Legal Services. Fox Rothschild ("Fox") is pleased to submit our response, which outlines our capabilities, experience, proposed team, and additional information as requested in the RFQ.

As described throughout our proposal, I bring decades of experience serving as city attorney, assistant city attorney, assistant county attorney, general counsel, and special counsel to numerous local governments and quasi-governmental agencies throughout Florida. Backed by the resources of a national firm, our team is well-positioned to provide the services outlined in the RBCRA's Scope of Services.

We appreciate your consideration and the opportunity to participate in the proposal process. Should you have any questions about our submission, please do not hesitate to contact me.

Very truly yours,



John R. Herin Jr.

Qualifications and Experience

Firm Overview

Founded in 1907, Fox Rothschild is a national, *Am Law 100* firm with 950 attorneys practicing in 27 offices coast to coast, including Miami and West Palm Beach, Florida. Our attorneys provide the full range of legal services to private and public organizations, and we are home to 70 practice areas—including robust Government Representation and Relations, Litigation, Real Estate, Employment, Zoning & Land Use, Environmental, Construction, Corporate, and Tax groups, among many others. The firm has a broad base of experience in representing a variety of governmental entities in Florida and across the country. Our attorneys routinely work with cities, counties, community redevelopment agencies, municipalities, municipal authorities, municipal zoning and planning boards, transportation agencies, state universities, community colleges, and school districts, serving as a liaison and advocate for these entities.

In this role, we regularly appear before regulatory agencies, boards, and courts; attend meetings; offer training to board members on compliance issues; analyze proposed rules and regulations; review and prepare contracts and related documents; negotiate agreements; and handle complex matters and legislation, among many other services. Our attorneys have significant experience advising governmental entities on statutory and charter compliance, risk management and litigation strategies, construction and capital improvements, financing, asset leases and sales, and day-to-day operations. We are routinely involved in legislative, administrative, and regulatory matters at the local, state, and federal levels. Our attorneys appear before federal and state administrative agencies as well as courts throughout Florida.

Proposed Team

Partner John Herin will serve as the lead attorney and primary point of contact, overseeing matters for the RBCRA, managing staffing, and monitoring workload and budget. He will work closely with the other members of our team based in the firm's Miami and West Palm Beach offices. A brief summary of each team member's experience is provided below, and full attorney resumes as well as proof of Florida bar memberships can be found within the "Attorney Biographies" section of our proposal.

John R. Herin Jr., Partner | Miami – Primary Attorney

Mr. Herin is Florida Bar Board Certified in City, County, and Local Government Law, and he brings 30 years of experience in local government law, construction, land use, zoning, and environmental law. For clients in the public and private sectors, he handles complex development matters throughout Florida, including comprehensive plan, platting, permitting, site plan, and zoning applications and amendments; endangered species, submerged land leases, and stormwater and wastewater permitting; P3 projects; and lender/buyer due diligence issues. He also has extensive experience in representing clients with respect to eminent domain, inverse condemnation and land use litigation, as well as claims under Florida's Bert J. Harris, Jr., Private Property Rights Protection Act. Furthermore, Mr. Herin has provided legal services and advised community



development agencies, such as the City of Hallandale Beach CRA, the City of North Miami CRA and the Naranja Lakes CRA, on the full range of day-to-day legal and operational issues facing these agencies and is well versed in the intricacies and requirements of Florida's laws governing community redevelopment agencies.

Mr. Herin has handled a broad range of environmental and land use issues before the Florida governor and cabinet, cabinet aides, district and circuit courts, division of administrative hearings, state agencies, and local government bodies. He has also drafted hundreds of ordinances and resolutions for cities, community redevelopment agencies and counties on a wide range of subjects. John serves or has served as city attorney, assistant city attorney, assistant county attorney and special counsel to numerous local governments and quasi-governmental agencies throughout Florida.

His current roles include:

- Town attorney for the Town of Fort Myers Beach
- General counsel to the Broward County Housing Authority
- Special counsel to the City of Delray Beach (general government)
- Special counsel to the City of Hollywood (litigation)
- Special counsel to the City of Sarasota (environmental and related litigation)
- Code Enforcement Special Magistrate to City of Oakland Park and Village of Sea Ranch Lakes

Donald P. Dufresne, Partner | West Palm Beach – Backup Attorney

Mr. Dufresne is a highly skilled real estate attorney with over 30 years of experience, and also counsels clients on environmental due diligence and represents clients before municipal, county, state and federal governmental bodies and agencies. He has extensive experience in land use, zoning, code enforcement and other regulatory matters. Very active in his community, he serves on the board of the Palm Beach County Tourist Development Council and previously served as a member of the Palm Beach County Planning and Zoning Commission as well as the Palm Beach County Consumer Affairs Hearing Board. He is the former chairman of the Village of Wellington Equestrian Preserve Committee and past president of the Palm Beach County Sports Commission.

Joseph A. DeMaria, Partner | Miami – Team Member/Litigation

Mr. DeMaria is Florida Bar Board Certified as a Business Litigation Specialist, a designation reserved for attorneys who undergo rigorous vetting, including a written examination and peer review, to augment their deep experience in business litigation. He has handled major litigation cases representing government entities and public school systems and other clients from wide-ranging sectors, including banking and services, large-scale corporate construction, and international business, among others. Mr. DeMaria has also defended individuals under investigation and subject to criminal and regulatory charges by the Department of Justice and federal and state regulators. Currently, he serves as lead trial counsel for the City of Hollywood in several complex litigation matters.

Diane J. Geller, Partner | West Palm Beach – Team Member/Labor & Employment

Ms. Geller provides strategic general counsel services to a wide array of local government agencies and private and public companies. She frequently represents management on matters related to harassment and



discrimination claims. She also handles inquiries from the U.S. Equal Employment Opportunity Commission, U.S. Department of Labor, Office of Federal Contract Compliance Programs, Justice Department and Department of Homeland Security and has represented clients before the EEOC, the NLRB, the Human Rights Commissions, and various local arbitration associations. Ms. Geller currently serves as General Counsel to the Boca Raton Housing Authority and handles all employment and labor matters for the Broward County Housing Authority and the Town of Fort Myers Beach.

Experience

John Herin, the lead attorney on this representation, brings thirty years of experience representing Florida local government agencies, and is Florida Bar Board Certified in City, County, and Local Government Law. This distinction is bestowed on less than 7% of lawyers in Florida and recognizes Mr. Herin's special knowledge, skills, and proficiency in city, county, and local government law, as well as his professionalism and ethics in his day-to-day practice of law. As a Board Certified Specialist, Mr. Herin is fully versed in all aspects of the myriad day-to-day issues the RBCRA faces including, but not limited to contract negotiations, community redevelopment plans, comprehensive plan and land use matters, environmental regulations, government litigation, parliamentary procedures, procurement, public records and the sunshine law, public finance, and tort liability. Mr. Herin currently serves as the Town Attorney for the Town of Fort Myers Beach and General Counsel for the Broward County Housing Authority, and Special Counsel to the City of Deerfield Beach, City of Hollywood, City of Sarasota, and has served in a similar capacity to close to two dozen community redevelopment agencies, cities, counties, towns and villages throughout the state of Florida.

Mr. Herin, as well as the members of our proposed team, will be readily available to assist the RBCRA with issues as they arise, quickly respond and communicate with officials, and attend meetings and conference calls as needed. As the lead attorney, Mr. Herin will be available on a 24/7 basis for consultation on all regular or emergency matters that may arise. He brings extensive experience in handling the day-to-day operational needs of local governments and that experience is complemented by Fox's more than 950 attorneys in 27 offices throughout the country.

Governmental Law

Our attorneys have significant experience in governmental law, litigation, and governmental tort claims law. Across the country, we serve as city attorney or solicitor to numerous governmental agencies, and we have acted as special counsel to literally hundreds of municipalities, authorities, publicly appointed boards, and other local governmental entities. Our team includes seasoned local government attorneys and litigators with decades of experience, and we frequently handle matters in local, state, and federal courts at the trial and appellate levels involving a wide range of issues that affect governmental entities.

We have broad and significant experience advising governmental clients on day-to-day operations, building code and permitting issues, contracts, compliance issues, litigation, procurement and risk avoidance and management. We are involved in legislative, administrative, and regulatory matters at local, state, and federal levels. Our team has a longstanding and successful history of working with government bodies as participants



on commissions, solicitors, serving on government-appointed committees, and appearing before courts and regulatory agencies. We represent our government clients in disputes relating to bids and contracts, construction and public works projects, tax assessments, bankruptcy, and employment issues, in addition to handling other day-to-day issues.

Procurement and Contracting

Our representation of government agencies includes negotiating, developing, and advising on contracts while ensuring compliance with public contracting law. We leverage our substantial experience and understanding of public procurement and contracting requirements to guide our government clients through projects of all sizes.

Our attorneys regularly develop contracts for local government entities across the country, and we have extensive experience working within the framework of the EJCDC and AIA form documents to provide design professionals and contractors a familiar contractual platform for public construction projects. Our attorneys also routinely structure and negotiate leases, prepare and review RFPs and RFQs, and draft and review construction manuals as well as other operational documents.

Real Estate

Our team of real estate professionals is at the ready to help clients maximize real estate opportunities. We are well versed in HUD regulatory compliance issues, financing, zoning, land use, construction, tax appeals, condemnation, and all aspects of complex real estate transactions. We assist government entities, owners, developers, investors, lenders, design professionals, landlords, tenants, financial institutions, syndicators, insurance companies, and many other clients with their real estate needs. Additionally, our Real Estate Practice is experienced in negotiating agreements such as restrictive covenants, easements and declarations to address protection of open space, protection of water rights, access easements, utility easements and recreational trails.

Land Use and Zoning

Fox's zoning and land use attorneys are active champions of our government clients' right to regulate land use activities within their jurisdictions and aggressively focus their efforts on helping clients achieve their objectives in zoning and land use activities, in real estate development work, and where necessary, in litigation proceedings. Our attorneys deliver swift and effective service as a project evolves—we have worked with local government staffs to tackle subdivision approvals for new residential housing developments; land development approvals for new office, industrial, and commercial developments and for the renovation and expansion of existing projects; re-zonings; conditional use approvals, variances, special exceptions, and certificates; highway-related permits; and environmental permits, approvals, clearances, and releases from environmental liability.

We deliver swift and effective service and have extensive experience in zoning and land use related permits and approvals; real estate development; litigation proceedings related to the zoning and land use process; and environmental-related services.

Additionally, we work closely with our colleagues in the firm's condemnation and eminent domain, construction law and litigation practice areas. We leverage the depth and breadth of our national network of attorneys to provide clients with excellent and cost-effective legal representation.

Environmental Law

Fox has a strong Environmental Practice that encompasses a wide range of key environmental issues, including sewage planning, storm water management, water, energy, health and safety, municipal and residual waste, environmental management systems and other regulatory programs and compliance. Our lawyers are well versed in emerging areas of environmental law and policy, including climate change and greenhouse gases, and chemical restriction and registration rules. We are experienced in all compliance and related aspects of siting and redeveloping properties, and we regularly address wetlands issues in the context of real estate development, NRD, and remediation.

We also handle environmental litigation in state and federal courts, environmental aspects of transactions, regulation of discharge of hazardous materials into the environment, and environmental permitting (air and water).

Attorneys in our environmental practice offer extensive experience across the broad spectrum of environmental law, from compliance advice to litigation, and we know how to work, negotiate, and litigate with government agencies such as federal and state environmental protection agencies.

Ethics and Public Records

Our attorneys have handled numerous cases before both state courts and offices of open records related to public records laws. Through our representation of governmental agencies, including community redevelopment agencies, we have extensive experience in various freedom of information laws, including Florida's Public Records Law and Sunshine Law. Our attorneys regularly advise clients on public records laws, address matters under these laws, and file public records requests with state, county and local agencies; as well as advise and represent appointed and elected officials, and staff members of local government agencies, on a wide-range of ethics matters at the state and county level (i.e., State of Florida Commission on Ethics).

Labor and Employment

We have extensive experience handling the challenges faced by public sector employers—including states, counties, cities, municipalities, state universities, community colleges, state transportation and port authorities, and public transit organizations.

Our labor and employment lawyers have extensive experience negotiating contracts and defending claims related to unions, and we counsel national, regional, and local public employers on how to maintain positive employee relations. Through our extensive work with municipalities, public school districts, authorities, and other government entities, we have negotiated hundreds of labor contracts and related matters. Fox attorneys have served as chief negotiators in significant and high profile labor relations disputes and have negotiated labor contracts with every major international union at company locations in more than 35 states. We have also

served as special labor counsel at the request of state governors in connection with various projects and initiatives. Our practice includes former National Labor Relations Board attorneys as well as lawyers who served as general counsel to *Fortune* 500 companies.

Our nationwide team audits and develops employer procedures, policies, and manuals, and we offer training to HR professionals, managers, and executives. Further, our team includes more than 40 attorneys with experience in conducting on-site sexual and workplace harassment prevention training to clients across the country.

Our attorneys are also experienced in the full range of employment issues, including claims of age, disability, sex and race discrimination and retaliation; sexual harassment; wrongful discharge; employment at will; whistle-blower violations, non-compete, nondisclosure and trade secret disputes; defamation; fraud; invasion of privacy; public policy violations; and a wide variety of other common law and statutory claims arising in the employment context. Fox attorneys also have experience handling matters under the Affordable Care Act, Americans with Disabilities Act, Family and Medical Leave Act, Family Leave Act, Older Workers Benefits Protection Act, and Age Discrimination in Employment Act, as well as employee benefit work, including matters falling under COBRA and ERISA. We regularly counsel clients on statutory compliance and risk management activities, and issues arising from drug testing and employee discipline. We also prepare employee handbooks and municipal policies.

Fee Structure

Fox Rothschild is proposing to provide General Counsel general legal services on a monthly retainer basis for \$8,300.00 per month. This includes general legal advice to CRA Board and staff on day-to-day legal and operational issues, such as (but not limited to) contracts; employment & labor (not including EEOC charges or administrative and court actions); procurement review and bid protests that do not go to civil court; planning & zoning advice and review, and attending related staff meetings as necessary; and of course, attendance at all CRA Board meetings.

On all other matters, the hourly rate which Fox will use as the base rate under any Agreement entered into with the CRA Board is \$250.00. Matters that fall outside of the category of general legal services include, but are not limited to:

- Litigation matters (administrative, appellate or trial work);
- Bond financing work;
- Complex real estate transactions;
- Collective bargaining; and
- Enterprise fund utility matters.

We will not charge for travel time to the city, nor for the attendance of more than one attorney at any council meeting unless the attendance of the second attorney is as a result of a litigation matter or special project. Lastly, we will not charge for routine telephone calls (generally a call of less than 20 minutes)

We believe that a strong team approach and working relationship between the General Counsel and the CRA Board and CRA staff is critical to the effective provision of legal services. Mr. Herin will be the primary attorney responsible for overseeing all firm attorneys that will work on CRA matters. Accordingly, he will be available on a 24/7 basis for consultation on all regular or emergency matters that may arise. Lead partner John Herin, as well as the members of our proposed team, will be available to assist the CRA with issues as they arise, quickly respond and communicate with officials, and attend meetings and conference calls as needed. Our professionals will be available by email and phone, and we are sufficiently staffed so that if someone is immediately unavailable, a backup will be available to quickly respond.

Our local experience is complemented by Fox Rothschild's over 900 attorneys in twenty-seven offices throughout the country and Washington D.C. We listen to our clients and give our clients the focus and service of a boutique—with the reach and resources of a national firm. We are committed to providing the CRA and its appointed officials with superior legal services in the most cost effective manner possible.



References

We invite you to contact the following client references:

- **City of Hollywood**
Doug Gonzales, City Attorney
2600 Hollywood Blvd, Room 419, Hollywood, FL 33022
(954) 921-3201
dgonzales@hollywoodfl.org
- **City of Sarasota**
Robert Fournier, City Attorney
1 S. School Ave., Suite 700, Sarasota, FL 34237
(941) 906-1199
robert.fournier@sarasotagov.com
- **Town of Ft. Myers Beach**
Roger Hernstadt, Town Manager
2525 Estero Blvd., Ft. Myers Beach, FL 33931
(239) 765-0202 x 1100
roger@fmbgov.com

Required Disclosures

A. Do you have any potential conflicts of interest or any arrangement or relationships, formal or informal, which may be interfere with your ability to provide independent, unbiased advice to the RBCRA?

To the best of our knowledge, no conflict of interest exists that would prohibit the Firm from representing the RBCRA in the services set forth in the RFQ.

B. Are there any investigations, lawsuits, or administrative proceedings involving you that the RBCRA should be aware of in considering your capacity to represent the RBCRA?

As a firm with 950 attorneys in 27 offices, from time-to-time, claims have been asserted regarding the provision of legal services. Those claims that have proceeded to trial have resulted in defense verdicts. With few exceptions in the past ten (10) years, those matters that have settled were settled for amounts well within our self-insured retention ("SIR") amount. Also, there have been, on a few occasions, instances wherein dissatisfied clients or adversaries have filed complaints with a disciplinary board. During the past ten (10) years, almost all of those matters have been summarily dismissed and the remaining matters were investigated and concluded without any sanctions or reprimand being imposed upon the attorneys involved. Any requests for additional information should be directed to our firm's General Counsel, Thomas D. Paradise at (215) 299-2774.



John R. Herin Jr.

Partner

Miami, FL

Tel: 305.442.6544

Fax: 305.442.6541

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John has more than 20 years of experience in land use, zoning and environmental law.

For clients in the private and public sectors, John handles complex development matters throughout Florida, including comprehensive plan, platting, permitting, site plan and zoning applications and amendments; endangered species, submerged land leases, and stormwater and wastewater permitting; and lender/buyer due diligence issues. He also has extensive experience in representing clients with respect to eminent domain, inverse condemnation and land use litigation, as well as claims under Florida's Bert J. Harris, Jr., Private Property Rights Protection Act.

John has handled a broad range of environmental and land use issues before the Florida governor and cabinet, cabinet aides, district and circuit courts, division of administrative hearings, state agencies and local government bodies. He has also drafted hundreds of ordinances and resolutions for cities and counties on a wide range of subjects.

Representative Matters

Public Sector Experience

John serves or has served as city attorney, assistant city attorney, assistant county attorney and special counsel to numerous local governments and quasi-governmental agencies.

He has previously served as:

- City attorney for the City of Marathon
- City attorney for the City of Doral
- Interim village attorney for the Village of Palmetto Bay
- Town attorney for the Town of Miami Lakes
- Village attorney for the Village of Islamorada
- Special counsel to city in the negotiation and drafting of a development agreement wherein property owner voluntarily contributed monetary and off-site improvements benefiting city's residents



- Special counsel to city in an annexation dispute with adjacent local government
- Special counsel to town with respect to draft environmental impact statement for proposed runway expansion
- Special counsel to hospital special district in court challenge to the imposition of a municipal special assessment
- Special counsel to municipality in special assessment dispute with county
- Code Enforcement Special Magistrate to local municipality in Broward County

Reported Cases

- *Sansbury v. City of Orlando*, 654 So.2d 965 (Fla. 5th DCA 1995) [upholding juvenile curfew]
- *Bott v. City of Marathon*, 949 So.2d 295 (Fla. 3rd DCA 2007) [enforceability of affordable housing restrictive covenant]
- *Beyer v. City of Marathon*, - So.3d - , 2013 WL 5927690 (Fla. 3rd DCA 2013) [inverse condemnation claim – owners were not deprived of all economically beneficial use of their property]
- *City of Coral Springs v. North Broward Hospital District*, - So.3d - , 4D14-2351 (Fla. 4th DCA 2015) [imposition of city fire service special assessment on district property was illegal]
- *Department of Community Affairs v. City of Marathon*, DOAH Case No. 04-3500GM [challenge to adopted comprehensive plan]
- *Florida Keys Citizens Coalition, Inc. & Last Stand, Inc. v. Florida Administration Commission & City of Marathon*, DOAH Case No. 04-2755RP [proposed Administration Commission rule amending city's comprehensive plan not invalid exercise of delegated legislative authority]
- *Rossignol v. Village of Islamorada & Department of Community Affairs*, DOAH Case No. 01-2409GM [comprehensive plan provisions limiting transient rental uses in residential areas supported by appropriate data and analysis]
- *Department of Community Affairs v. Village of Islamorada*, DOAH Case No. 01-1216GM [challenge to adopted comprehensive plan]

Private Sector Experience

- Obtained a vested rights determination on summary judgment for developer of proposed 12-story beachfront residential condominium, notwithstanding a referendum initiative that resulted in an amendment to the city charter limiting the height of all new construction to three stories
- Obtained required permit approvals from local government allowing developer to use transferable development rights to increase density and height of office building project
- Assisted owner of regional mall in securing amendments to local government's comprehensive plan and land development regulations to facilitate redevelopment of property into a mixed-use regional activity center
- Represented group of agricultural property owners in a \$172 million Bert J. Harris, Jr. Private Property Rights Protection Act claim arising from county's change in interpretation of open-space requirements in comprehensive plan and land development regulations
- Negotiated and drafted public-private agreement for the construction of dual radio transmission/emergency management communications tower on special district property
- Represented clients completing environmental remediation projects in connection with ongoing industrial operations and redevelopment projects



- Assisted national banking institution in securing amendments to the Palm Beach County Land Development Code to allow stand-alone banking centers as a matter of right in most commercial zoning districts
- Represented clients in due diligence associated with acquisition of land for industrial, commercial and residential development

Before Fox Rothschild

Prior to joining Fox, John was a member of a regional Florida firm's Land Use, Environment, and Government Affairs Department.

Beyond Fox Rothschild

John is a frequent speaker on governmental and land use topics.

Honors & Awards

- Martindale Hubbell, AV Preeminent
- *The American Lawyer & Corporate Counsel*, Top Lawyer in Land Use and Zoning, 2013

Practice Areas

- Environmental
- Construction
- Infrastructure & Development
- Real Estate
- Zoning & Land Use
- Government Relations

Bar Admissions

- Florida

Education

- Stetson University College of Law

Memberships

- The Florida Bar
 - Board Certified in City, County and Local Government Law
 - City, County and Local Government Law Section, Member
 - Environmental and Land Use Law Section, Member
- Florida Municipal Attorneys Association, Member
- Greater Miami Chamber of Commerce, Member
- Cuban American Bar Association, Member

Proof of Florida Bar Membership

John Raymond Herin Jr.



THE FLORIDA BAR

Member in Good Standing

Eligible to Practice Law in Florida

Bar Number: 907928

Mail Address: Fox Rothschild LLP
2 S Biscayne Blvd Ste 2750
Miami, FL 33131-1833
Office: **305-442-6540**
Fax: 305-442-6541

Email: jherin@foxrothschild.com 

Personal Bar URL: <https://www.floridabar.org/mybarprofile/907928>

vCard: 

County: Miami-Dade

Circuit: 11

Admitted: 11/01/1991

10-Year Discipline History: None

Law School: Stetson University College of Law, 1991

Board Certifications:	Area	Year
	City, County and Local Government Law	2015

Sections: City, County & Local Govt Law
Environmental & Land Use Law

Firm: Fox Rothschild LLP

Firm Size: >100

Firm Position: Partner/Shareholder

Firm Website: <http://www.foxrothschild.com> 





Donald P. Dufresne

Partner

West Palm Beach, FL

Tel: 561.804.4425

Fax: 561.835.9602

Miami, FL

Tel: 786.501.7361

ddufresne@foxrothschild.com

Donald is a skilled real estate attorney with three decades of experience in advising clients on a broad range of real property matters, including acquisition, development, sale, construction, leasing and financing.

He also counsels clients on environmental due diligence and represents clients before municipal, county, state and federal governmental bodies and agencies. He has extensive experience in land use, zoning, code enforcement and other regulatory matters, including agricultural tax classifications.

Donald's practice is broad and includes work on agricultural, commercial, condominium, assisted living, equestrian and residential properties. He also advises institutional lenders and commercial borrowers in real property and asset-based lending.

In addition, Donald counsels clients in contract negotiations, asset purchase and sale transactions as well as general business matters. His background allows him to provide input regarding strategic, substantive and procedural matters in litigation. He has a particular focus in equine law and matters involving the equestrian industry and is also a Certified Circuit Court Mediator.

Beyond Fox Rothschild

Donald is active in many community, civic and charitable organizations. He serves on the board of the Palm Beach County Tourist Development Council and previously served as a member of the Palm Beach County Planning and Zoning Commission as well as the Palm Beach County Consumer Affairs Hearing Board. He is the former chairman of the Village of Wellington Equestrian Preserve Committee and past president of the Palm Beach County Sports Commission.



Honors & Awards

- Rated AV® Preeminent™ by Martindale-Hubbell
- Named one of the "Top Rated Lawyers in Real Estate" by American Lawyer Media and Martindale-Hubbell (2013)
- Named one of South Florida's Top Rated Lawyers (2012)

Practice Areas

- Real Estate
- Affordable Housing
- Zoning & Land Use
- Property Tax

Bar Admissions

- Florida
- District of Columbia

Education

- University of Miami School of Law (J.D., 1986)
- Florida Atlantic University (B.B.A., 1983)

Memberships

- Equine Preserve Committee, Village of Wellington (Former Chair)
- Palm Beach County Sports Commission (Past President)
- Palm Beach County Consumer Affairs Hearing Board
- Leadership Palm Beach County
- Forum Club

Board of Directors

- Palm Beach County Tourist Development Council
- South Florida Fair
- Palm Beach County Planning and Zoning Commission (Former Board Member)

Proof of Florida Bar Membership




Donald Patrick Dufresne



THE FLORIDA BAR

Member in Good Standing

Eligible to Practice Law in Florida

Bar Number:	600120
Mail Address:	<p>Fox Rothschild LLP Phillips Point 777 S Flagler Dr Ste 1700 West Palm Beach, FL 33401-6159 Office: 561-835-9600 Cell: 561-835-9600 Fax: 561-835-9602</p>
Email:	ddufresne@foxrothschild.com 
Personal Bar URL:	https://www.floridabar.org/mybarprofile/600120
vCard:	
County:	Palm Beach
Circuit:	15
Admitted:	10/16/1986
10-Year Discipline History:	None
Law School:	University of Miami School of Law, 1986
Sections:	<p>Alternative Dispute Resolution Real Property, Probate & Trust</p>
Practice Areas:	<p>Agricultural Business Contracts Corporate Dispute Resolution Entertainment, Arts and Sports Mediation Real Estate</p>
State Courts:	<p>District Of Columbia Florida</p>
Firm:	Fox Rothschild LLP
Firm Size:	>100
Firm Position:	Partner/Shareholder
Firm Website:	http://www.foxrothschild.com 



Joseph A. DeMaria

Partner

Miami, FL

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jdemia@foxrothschild.com

Joseph is Florida Bar Board Certified as a Business Litigation Specialist, a designation reserved for attorneys who undergo rigorous vetting, including a written examination and peer review, to augment their deep experience in business litigation. Joe has handled major litigation cases representing government entities and public school systems and other clients from wide-ranging sectors, including banking and services, large-scale corporate construction, and international business, among others. He has also defended individuals under investigation and subject to criminal and regulatory charges by the Department of Justice and federal and state regulators. Currently he serves as lead trial counsel for the City of Hollywood in several complex litigation matters.

A proven success, in three distinct areas of the law — business litigation, construction litigation and white-collar criminal defense. Joseph offers a rare skill set: Strength in three diverse legal areas, coupled with trial victories in major litigation cases representing clients from wide-ranging sectors, including banking and services, large-scale corporate construction, international business, government entities and public school systems, among others. He has also defended individuals under investigation and subject to criminal and regulatory charges by the Department of Justice and federal and state regulators. Read more about Joseph's **litigation successes**.

During his more than three-decade legal career, Joseph has been a key player in many of South Florida's most high-profile — and highly publicized — business litigation and financial criminal cases, beginning with his years as a member of the Miami Organized Crime Strike Force with the U.S. Department of Justice, and continuing through his present representation of businesses and individuals. He thrives under the pressure inherent in these cases — a trait that benefits his clients.

Honors & Awards

- Named to "The Best Lawyers in America" list for Commercial Litigation, Criminal Defense: White-Collar, Legal Malpractice Law - Defendants and Litigation - Construction in Florida by *Best Lawyers* (2009-2021)
- Selected, Florida Trend's Florida Legal Elite (2017-present)



- Named a "Florida Super Lawyer" for Business Litigation by *Super Lawyers* (2006-present)
- Named a "Top Lawyer" by *South Florida Legal Guide* (2015-present)
- Rated AV Preeminent™ in Judicial Edition of Martindale-Hubbell® (2018-present)

Practice Areas

- Litigation
- Directors' & Officers' Liability & Corporate Governance
- White-Collar Criminal Defense & Regulatory Compliance
- Construction
- Intellectual Property
- Law Firms & Attorneys
- Securities Industry
- Franchising & Distribution

Bar Admissions

- Florida
- New York

Court Admissions

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Southern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. Court of Appeals, Second Circuit
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Western District of New York

Education

- State University of New York at Buffalo Law School (J.D., *cum laude*, 1982)
- St. Bonaventure University (B.A., *magna cum laude*, 1979)

Memberships

- American Bar Association
- Litigation Section, Leadership
- Member, Roundtables Committee, 2020
- Litigation Counsel of America, Fellow
- The Florida Bar
- Business Litigation Certification Committee, 2006-2012; Chair, 2009-2011
- Federal Practice Committee, 2012-2018
- Legal Malpractice Certification Subcommittee, 2013-2017

Proof of Florida Bar Membership

Joseph A DeMaria



THE FLORIDA BAR

Member in Good Standing

Eligible to Practice Law in Florida

Bar Number: 764711

Mail Address: Fox Rothschild LLP
2 S Biscayne Blvd Ste 2750
Miami, FL 33131-1833
Office: **305-442-6547**
Cell: **305-322-2263** - No Text Messages
Fax: 305-442-6541



Email: jdemaria@foxrothschild.com 

Personal Bar URL: <https://www.floridabar.org/mybarprofile/764711>

vCard: 

County: Miami-Dade

Circuit: 11

Admitted: 09/22/1988

10-Year Discipline History: None

Law School: University at Buffalo Law School, The State University of New York, 1982

Board Certifications:	Area	Year
	Business Litigation	1998

Sections: Business Law
Trial Lawyers

Firm: Fox Rothschild LLP

Firm Size: >100

Firm Position: Partner/Shareholder

Firm Website: <http://www.foxrothschild.com> 



Diane J. Geller

Partner

West Palm Beach, FL

Tel: 561.804.4469

Fax: 561.835.9602

New York, NY

Tel: 212.878.7900

Fax: 212.692.0940

dgeller@foxrothschild.com

Diane provides strategic general counsel services to a wide array of local government agencies and private and public companies. She frequently represents management on matters related to harassment and discrimination claims. Diane also handles inquiries from the U.S. Equal Employment Opportunity Commission, U.S. Department of Labor, Office of Federal Contract Compliance Programs, Justice Department and Department of Homeland Security and has represented clients before the EEOC, the NLRB, the Human Rights Commissions and various local arbitration associations. She currently serves as General Counsel to the Boca Raton Housing Authority and handles all employment and labor matters for the Broward County Housing Authority and the Town of Fort Myers Beach.

A former general counsel for a major public company in the staffing and funding industry, Diane is a seasoned practitioner who helps clients stay compliant with the ever-changing federal and state regulations governing the workplace, as well as the daily challenges facing business owners.

Diane serves as a trusted business adviser to a range of privately owned and public companies, assisting in contract drafting and negotiations, employment matters, and general corporate matters. She also negotiates and structures documentation for purchase or sale of businesses assets and their entities.

Before Fox Rothschild

Diane previously served as general counsel for a multimillion-dollar publicly traded company in the staffing and funding industry. She also was formerly in-house counsel, providing management of the legal needs and risk management for businesses in the propane gas, medical, dental and insurance service industries.

Beyond Fox Rothschild

Diane is a nationally recognized author and speaker on employment law topics – including the complex role of social media in the workplace – at staffing industry and contingent workforce events throughout the United States.



Honors & Awards

- Named among Staffing Industry Analysts' 2018 list of "Global Power 150 – Women in Staffing" (2018)
- Named one of "America's Most Honored Professionals" by American Registry (2016)
- Named among ALM's "Women Leaders in the Law" (2015, 2018)
- Named among the "Top Rated Lawyers in Labor and Employment" by ALM (2015)
- Martindale-Hubbell "AV Preeminent" rated

Practice Areas

- Labor & Employment
- Staffing Law
- Corporate
- Franchising & Distribution
- Employee Privacy & Background Checks
- Employment Counseling, Policy Development & Audits
- Employment Training
- Sexual Harassment Prevention Training
- Unfair Competition & Trade Secrets
- Wage & Hour Law
- Animal Law

Bar Admissions

- Florida
- New York
- Virginia

Education

- Hofstra University School of Law (J.D.)
- Long Island University, C.W. Post Center (B.A., *summa cum laude*)

Memberships

- American Staffing Association
- TechServe Alliance
- Florida Staffing Association
- American Bar Association

Board of Directors

- Florida Staffing Association

Proof of Florida Bar Membership

Diane Joyce Geller



THE FLORIDA BAR

Member in Good Standing

Eligible to Practice Law in Florida

Bar Number: 108987

Mail Address: Fox Rothschild LLP
Suite 1700 West Tower
777 S Flagler Dr
West Palm Beach, FL 33401-6161
Office: **561-804-4469**
Cell: **561-804-4469** - No Text Messages

Email: dgeller@foxrothschild.com 

Personal Bar URL: <https://www.floridabar.org/mybarprofile/108987>

vCard: 

County: Palm Beach

Circuit: 15

Admitted: 05/05/1997

10-Year Discipline History: None

Law School: Hofstra University School of Law

Sections: Labor and Employment Law

Firm: Fox Rothschild LLP

Firm Size: >100

Firm Position: Partner/Shareholder

Submittal Forms and Attachments

The documents listed below are attached on the following pages:

- Signature Page
- Rate Sheet
- Addendum Page
- Public Entity Crimes Statement
- Drug Free Workplace Form and Statement
- Evidence of Professional Liability Insurance

SECTION 8: SUBMITTAL FORMS

In addition to the proposal, the forms listed below are to be completed and submitted with your proposal.

- 1) Rate Sheet
- 2) Addendum Page
- 3) Public Entity Crimes Statement
- 4) Drug Free Workplace

NOTE: Please ensure that all of these documents are completed and submitted with your bid in accordance. Failure to do so may result in your bid not being considered for award.

SIGNATURE of AUTHORIZED REPRESENTATIVE

This signature page must be completed and included with the submittal.

By signing below, the undersigned acknowledges they are an expressly authorized agent of the Company/firm listed below.

Date: April 29, 2021

Full Legal Name of Company: Fox Rothschild LLP

Signature:  _____

Printed Name: John R. Herin

Title: Partner

Rate Sheet

Blended rate of \$250/hr. for all attorney work outside of general legal services, and \$150/hr. for all paralegal work outside of general legal services

ADDENDUM PAGE

The undersigned acknowledges receipt of the following addenda to the Request to Qualify (indicate number and date of each):

Addendum No. N/A Dated

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

COMPANY

SIGNATURE _____

TITLE _____

NOTE: PLEASE ENSURE THAT ALL OF THESE DOCUMENTS ARE COMPLETED AND SUBMITTED WITH YOUR QUALIFICATIONS IN ACCORDANCE WITH THE INSTRUCTION SHEET ON THE PRECEDING PAGE. FAILURE TO DO SO MAY RESULT IN YOU NOT BEING CONSIDERED FOR AWARD.

IT IS THE PROPOSER'S RESPONSIBILITY TO CONTACT THE PROCUREMENT DEPARTMENT PRIOR TO SUBMITTING YOUR QUALIFICATION TO ASCERTAIN IF ANY ADDENDA HAVE BEEN ISSUED, TO OBTAIN ANY AND ALL SUCH ADDENDA AND RETURN EXECUTED ADDENDA WITH YOUR QUALIFICATIONS.

CITY OF RIVIERA BEACH NOTIFICATION OF PUBLIC ENTITY CRIMES LAW

Pursuant to Section 287.133, Florida Statutes (1995), you are hereby notified that a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in s. 287.017 [F.S.] for CATEGORY TWO [\$35,000.00] for a period of 36 months from the date of being placed on the convicted vendor list.

Acknowledged by:

Fox Rothschild LLP

Firm Name



Signature

John R. Herin, Partner

Name & Title (Print or Type)

DRUG FREE WORKPLACE

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids, which are equal with respect to price, quality, and service, are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

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 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 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 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, by 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 form complies fully with the above requirements.

THIS CERTIFICATION is submitted by John R. Herin the (INDIVIDUAL'S NAME)
of

Partner of Fox Rothschild LLP

(TITLE/POSITION WITH
COMPANY/VENDOR)

(NAME OF COMPANY/VENDOR) who does hereby certify that said Company/Vendor has implemented a drug free workplace program which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

Please see attached statement

SIGNATURE

April 29, 2021

DATE



Drug Free Workplace Form Exceptions

The firm complies with the listed requirements with the following exceptions:

- Section 1: The firm's policy does not specifically state anything related to the "unlawful manufacture" of controlled substances.
- Section 5: The firm does not currently require that someone participate in a drug abuse assistance/rehabilitation program if they were convicted in Florida, but could look to adhere to this if this comes about.



December 29, 2020

Fox Rothschild LLP
2000 Market Street
20th Floor
Philadelphia, PA 19103-3222

To Whom It May Concern:

CONFIRMATION OF INSURANCE

We hereby confirm that Fox Rothschild LLP has Professional Liability Coverage under Policy LPL 1933-2020 with an annual limit of \$50,000,000 per claim and \$100,000,000 in the aggregate with the right, under stated conditions, to purchase extended reporting rights upon termination of such Policy by ALAS.

The self-insured retention under such Policy is \$1,000,000 each claim up to an aggregate of \$2,000,000 and \$100,000 each claim thereafter.

The Policy effective date is from January 1, 2021 to January 1, 2022.

Such Policy is subject to the terms, conditions, limitations and exclusions stated therein.

ATTORNEYS' LIABILITY ASSURANCE SOCIETY LTD., A RISK RETENTION GROUP

By: 

Nancy J. Montroy
Vice President – Director of Underwriting

Date: 12/29/2020

311 S. Wacker Drive, Suite 5700
Chicago, IL 60606-6629
tel 312.697.6900
fax 312.697.6901

alas.com