

CITY OF CLEWISTON

RLI: Municipal Legal Services

May 7, 2025

PREPARED BY

GRAYROBINSON

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CITY OF CLEWISTON
FINANCE DEPARTMENT
MAY / 2025

RECEIVED

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A. LETTER OF TRANSMITTAL

One (1) or two (2) printed pages. Briefly state your understanding of the work to be done and provide a positive commitment to perform the work.

City of Clewiston
Lakisha Q. Burch, City Clerk
115 West Ventura Avenue
Clewiston, FL 33440

May 7, 2025

Dear Ms. Burch,

On behalf of GrayRobinson, we are pleased to offer this proposal to provide representation for the City of Clewiston (the City) for Municipal Legal Services. We present the enclosed response, including our professional experience and qualifications that make us uniquely prepared to represent your City.

GrayRobinson is a multidimensional team of professionals providing integrated legal, lobbying, and regulatory services to leading and emerging businesses, state and local governments, industry stakeholders, and entrepreneurs nationwide. We are agile, adaptable, and fully embedded to deliver results at the local, state, and federal levels. Our team's approach to helping our clients successfully navigate legal challenges and projects is evident by the recognition of GrayRobinson attorneys in the *Florida Trend* Legal Elite, *U.S. News and World Report's* Best Law Firms and Best Lawyers in America, Chambers USA, and Chambers Global rankings.

GrayRobinson understands the broad and essential responsibilities required to provide municipal legal services to the City. We are fully prepared to meet the City's legal needs as outlined in the Scope of Services.

In representations such as the City of Clewiston, GrayRobinson implements a team approach to maximize communication and responsiveness without over-staffing. As your primary points of contact, we will oversee the work done by GrayRobinson professionals and ensure you and your team remain satisfied with the quality, timeliness, and effectiveness of our representation. We believe this approach allows us to provide quality legal services and respond swiftly and thoroughly to the needs of our clients.

GrayRobinson is ready and able to represent the City of Clewiston. We are grateful for the opportunity and hope you will recognize the exclusive assets of GrayRobinson's professionals and favorably consider this proposal.

Regards,

Derek P. Rooney
Shareholder and Local Government Team Lead
GrayRobinson

Kaylee A. Tuck
Of Counsel
GrayRobinson

B. PROFILE OF OFFEROR

1. Description of organization, size, structure, areas of practice, and whether Offeror is national, regional, or local.

FIRM OVERVIEW

THRIVING WHERE OPPORTUNITY AND RISK CONVERGE.

GrayRobinson is a multidimensional team of professionals providing integrated legal, lobbying, and regulatory services to leading and emerging businesses, state and local governments, industry stakeholders, and entrepreneurs nationwide. We are agile, adaptable, and fully embedded to deliver results at the local, state, and federal levels.

We thrive where opportunity and risk converge. For us, growing and protecting your enterprise is a collective endeavor that requires a diverse network of talent and a clarity of ideas to overcome constraints and harness forward momentum. Our strategies and approach go beyond the conventional. We're focused on outcomes – not barriers – to help create possibilities, cultivate conditions for optimal growth, and build resilience to rapid change.

INFORMED BY THE PAST, WITH OUR EYES ON YOUR FUTURE.

Grounded by more than fifty years of service and advocacy, we are intimately connected to Florida's dynamic economy. Our people have helped transform commerce and communities across the Sunshine State, and our growing ecosystem of resources and relationships has expanded to our nation's capital and beyond. We collaborate with clients nationally from 16 key markets in Florida and Washington, D.C.

BUILT ON INDIVIDUAL INSTINCTS, SHAPED BY SHARED EXPERIENCES.

Built on individual instincts and shaped by our shared experience, we support and develop professionals who collaborate across service lines to strengthen strategic alliances, tap meaningful spheres of influence, and reframe critical conversations. We evolve alongside our clients in pursuit of new and different ways to help rewrite the future of business.

PRACTICE AND INDUSTRY GROUPS

GrayRobinson provides individualized service backed by the resources needed to efficiently and creatively represent our clients. The breadth of services offered by GrayRobinson eliminates the obstacles associated with managing multiple outside lawyers, advisors, and firms to meet your legal and legislative needs. With more than 80 practice and industry groups, state and federal lobbying services, and nearly 300 attorneys and advisors, we put our resources to work for our clients.

Attorneys and advisors collaborate within their section and across specialties, including our dedicated local government team, to bring the expertise needed for each project and matter. Not only do attorneys, government affairs advisors, and consultants work together seamlessly for our clients, but we also work in teams comprised of professionals from multiple GrayRobinson offices across the state – bringing together the credentials, contacts, and experience appropriate to help our clients accomplish their goals.

GrayRobinson professionals represent clients in the following areas of law and advocacy.

- Administrative and Regulatory
- Alcohol Beverage
- Antitrust and Trade Regulation
- Appellate and Trial Support
- Attorney General Defense
- Aviation and Drone Law
- Banking and Finance
- Bankruptcy and Creditors' Rights
- Cannabis Industry
- Class Action Defense
- Communications, Broadband, and New Media
- Construction
- Corporate
- Criminal and White Collar Defense
- Cruise Line
- Data Privacy and Security
- Education
- Elder Law
- Election Law
- Eminent Domain and Condemnation
- Entertainment and Sports
- Environmental and Sustainability Law
- ERISA and Employee Benefits
- ERISA Litigation
- ESOPs
- Estate Planning
- Exempt Organizations
- Food Law
- Franchising and Licensing
- Government Affairs and Lobbying
- Guardianship
- Health Care
- Higher Education
- Hospitality
- Immigration
- Insurance Defense
- Intellectual Property and Technology
- International
- Labor and Employment
- Land Use Law
- Litigation
- Managed Care
- Marital and Family Law
- Maritime Litigation
- Media and First Amendment Law
- Mediation and Alternative Dispute Resolution
- Medicaid Planning
- Medical Malpractice Defense
- Mergers and Acquisitions
- OSHA
- Patent
- Personal Injury
- Petroleum
- Probate
- Product Liability and Toxic Tort
- Professional Liability Defense
- Public Finance
- Real Estate
- Religious Organizations
- Residential, Resort, and Club
- Restaurant
- Securities
- Securities Litigation, Arbitration, and Regulatory Practice
- Senior Housing
- Special Needs Law and Advocacy
- Subrogation
- Taxation
- Technology Transactions
- Tobacco
- Trade Secret, Noncompete, and Unfair Competition
- Trademark
- Transportation
- Trusts
- Utilities
- Venture Capital
- Wealth Transfer

2. Lead Attorney as well as other assigned attorneys with accompanying resumes including individual experience.**Lead Attorney: Derek P. Rooney**
Shareholder
Local Government Team Leader

derek.rooney@gray-robinson.com
239.340.7979

Focus

- Environmental and Sustainability Law
- Government
- Land Use Law
- Senior Housing

Fully embedded government lawyer and litigator helping transform commerce and communities across Southwest Florida. Board certified by The Florida Bar in City, County, and Local Government law.

Derek Rooney practices in the areas of land use law and local government law and is a Board-certified Attorney in City, County and Local Government law. Derek represents private and government clients on questions of general municipal law, land use, and public-private partnerships.

Derek currently serves as counsel to the City of Bonita Springs, the City of LaBelle, the Charlotte County Industrial Development Authority, the Lee County Metropolitan Planning Organization, the Area Agency on Aging for Southwest Florida, and as special counsel to a number of other local government entities. He previously served as counsel to the Charlotte County–Punta Gorda Metropolitan Planning Organization, the Village of Estero, the Town of Fort Myers Beach, the City of Marco Island, and Charlotte County.

Derek has a multi-disciplinary practice involving land use law, real estate and land development, environmental law, municipal finance, and economic development.

While he has represented clients throughout the state, Derek focuses on the needs of Southwest Florida and primarily practices in Charlotte, Collier, Desoto, Glades, Hendry, Lee, Manatee, and Sarasota counties. As a litigator, Derek concentrates on prosecuting and defending land use decisions before Florida courts, the Division of Administrative Hearings, and a variety of state and local bodies. He also has extensive experience with claims under the Bert J. Harris, Jr., Private Property Rights Protection Act.

Recognition

- *Best Lawyers in America*, 2018-2025
 - Environmental Law
 - Land Use and Zoning Law
 - Lawyer of the Year, 2023
- *Naples Illustrated*, Top Lawyers, 2018-2020, 2023, 2024

Insights

- "Florida Case Law for Planners: Six Court Opinions that won't Appear on the AICP Exam" and "Avoiding Legal Crises: City/County Attorneys' Tips on How to Keep Your Bosses (and You) out of Legal Trouble," American Planning Association, Florida Chapter – Promised Lands Section, Planners in Peril! Symposium, Bonita Springs, Florida, December 6, 2019
- "First Amendment Auditors: Citizen Oversight or Harassment?" Florida Association of County Attorneys Conference, Orlando, Florida, June 12, 2019
- "Discover Your Enterprise: Getting Started as a Solo Practitioner," Ave Maria School of Law, Naples, Florida, August 17, 2018
- "Land Use Issues in Golf Course Redevelopment," The Florida Bar's Environmental and Land Use Law Sections "New, Different, Unusual, and Uncertain – Environmental and Land Use Law Issues Facing All Floridians" Conference, Orlando, Florida, January 29, 2016
- "Understanding Riparian and Water Rights," Determining Land Ownership and Access Rights Seminar, HalfMoon Education, Inc., Fort Myers, Florida, June 12, 2015
- "Who Participates in a Land Use Hearing," The Promise Lands of the American Planning Association (APA)'s Land Use Symposium, Port Charlotte, Florida, May 8, 2015
- "The Cast of Thousands," Relevance of Testimony and the Standard of Review in Quasi-Judicial Hearings, The Promise Lands of the American Planning Association Land Use Symposium, Cape Coral, Florida, May 16, 2014
- "Nollan and Dolan II, Burden of Proof," The American Planning Association's National Conference, Atlanta, Georgia, April 28, 2014

Affiliations

- The Florida Bar
 - Board-certified in City, County and Local Government Law since 2012
 - City, County and Local Government Law Section
 - Environmental and Land Use Law Section
 - City, County and Local Government Law Certification Standing Committee, 2017-2023
 - Military Affairs Standing Committee, 2016-2019
- Florida Municipal Attorneys Association, Member
- Punta Gorda Charter Review Committee, 2021-2022
- Punta Gorda Utility Advisory Board, 2021-current
- Charlotte County Economic Development Partnership, Secretary
- Charlotte County Manatee Advisory Committee
- Tiger Bay Club of Southwest Florida, Treasurer
- Charlotte County Law Library, Board of Trustees

Credentials

- J.D., American University Washington College of Law, 2006
- B.A., Florida International University, 2002

Admissions

- Florida
- District of Columbia



**Lead Attorney: Kaylee A. Tuck
Of Counsel**

kaylee.tuck@gray-robinson.com
239.340.7979

Focus

- Communications, Broadband and New Media Law
- Land Use Law
- Real Estate

Passionate and thoughtful land use and real estate attorney. Current Florida House Representative for the 83rd District.

Kaylee serves as Of Counsel attorney in the firm's Fort Myers office and currently represents Florida's 83rd District in the Florida House of Representatives. She focuses her legal practice on commercial and residential sales and leases, development, land use, and survey matters. Kaylee's recent experience includes providing land use counsel and representation to private sector commercial developers and members of the telecommunications and broadband industries.

Prior to her legal and legislative career, Kaylee served as an intern for the Office of Fiscal Integrity within Florida's Department of Financial Services and as a policy analyst with Florida State's Social Entrepreneurship Program, where she evaluated the sustainability of converting dilapidated buildings into high quality and affordable migrant farmworker housing. Kaylee also served as an intern for the St. Petersburg Police Department and a volunteer with Gulfcoast Legal Services legal aid clinic.

Recognition

- Florida *Super Lawyers*, Rising Star, Land Use and Zoning Law, 2021-2024

Insights

- Florida Chamber "2023 Learners to Earners Workforce Solution Summit," Panelist, The Progress Report: A 2023 Legislative Update, June 27, 2023
- 2022 Real Property, Probate, and Trust Law Society Legislative Update, "Making Over MRTA and Protecting Private Parking Lots," July 22, 2022
- 2021 Real Property, Probate, and Trust Law Society Legislative Update, "Taking' the Burdens Off Real Property," July 24, 2022

Media

- "Personnel File --- People on the Move, July 24, 2023," *News Service of Florida*, July 24, 2023
- "Fla. Lawmaker Brings Real Estate Practice To GrayRobinson," *Law360*, July 21, 2023

- "Personnel note: Kaylee Tuck joins GrayRobinson's Real Estate and Land Use Section," *Florida Politics*, July 20, 2023

Affiliations

- Florida House of Representatives, District 83
 - Choice and Innovation Subcommittee, Chair
 - Local Administration, Federal Affairs and Special Districts Subcommittee, Vice Chair
 - PreK-12 Appropriations Subcommittee, Vice Chair
 - Education & Employment Committee
 - Agriculture, Conservation and Resiliency Subcommittee
 - Criminal Justice Subcommittee
- The Florida Bar
 - City, County and Local Government Law Section
 - Environmental and Land Use Law Section
 - Real Property, Probate and Trust Section
 - Young Lawyers Section

Credentials

- J.D., Stetson University College of Law, 2018
- B.S., Florida State University, 2014

Admissions

- Florida



Thomas A. Cloud, B.C.S.
Of Counsel

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407.843.8880

Focus

- Administrative and Regulatory
- Land Use Law
- Utilities
- Government
- Environmental and Sustainability Law

Board-certified attorney with over 40 years of experience representing Florida cities in land use, environmental, utility, and local government law. Trusted legal counsel for complex municipal matters, including development, regulation, and finance.

Through four decades, Tom has been a local and state government, utility, land use, and environmental law attorney. Board-certified by The Florida Bar in City, County and Local Government Law, Tom has represented over 100 Florida cities, including six as city attorney. His practice includes negotiating complex contracts, drafting dozens of city and county legislative initiatives and ordinances, creation and defense of municipal rates, fees, assessments, and charges, obtaining state and local government regulatory approvals and all matters attendant to the acquisition, development, and utilization of both real property and business acquisitions and sales. He has been responsible for the application and approval of over 25 Developments of Regional Impact throughout central Florida, as well as dozens of other complex land use matters. Tom has handled a variety of matters directly involving regional planning councils throughout Florida, including comprehensive plan amendments, DRI reviews, interlocal planning agreements, and agreements between RPCs and local governments. Tom helped create and served as the first general counsel to the Volusia Growth Management Commission, a charter-created intergovernmental entity that reviewed plan amendments within Volusia County. In addition to handling state administrative, municipal, land use, and environmental matters, Tom is one of the preeminent municipal utility attorneys in Florida, having successfully handled a wide variety of both transactional and litigation matters within the field. He has handled a variety of complex municipal, county, and special district financial transactions, including the defense of various capital and operational rates, fees, assessments, and charges. Tom has written, presented, and published dozens of articles on a variety of local government topics for various sections of The Florida Bar, *Stetson Law Review*, and other publications.

Tom currently serves as city attorney in four cities across Central Florida, and serves as general counsel to the Utilities Commission of New Smyrna Beach. He previously served as president of the Florida Municipal Attorneys Association, and has represented hundreds of cities and counties throughout Florida in a variety of legal matters since 1980.

Recognition

- *AV Preeminent*® rated by Martindale-Hubbell
- Florida Municipal Attorneys Association Paul S. Buchman Award, 2021
- Florida League of Cities Home Rule Hero Award, 2021
- *Chambers USA*, Energy and Natural Resources, 2021-2024
- *Best Lawyers in America*, 2012-2021
- *Orlando Magazine*, Best Lawyers, 2014, 2019-2021
- *Florida Trend*, Legal Elite, 2004-2005, 2013
- *Daily Business Review*, Top Rated Lawyer, Energy, Environmental and Land Use Law, 2013
- *Florida Super Lawyers*, 2006-2007

Insights

- "John Moses Cheney's Impact Throughout the Orlando Region," Reflections From Central Florida, March 1, 2022
- "Local Government Revenue Sources," Florida Municipal Attorneys Association's 39th Annual Seminar, July 8, 2021

Media

- "Approves Massive Solar Farm Near Florida Polytechnic University," *Lakeland Now*, December 18, 2023
- "Lake Wales Commissioners Expected to Vote on Code Revision, Clearing Way for Pipe Plant," *The Ledger*, April 17, 2023
- "Fla. Town Says City Breached Water Services Contract," *Law360*, April 4, 2023
- "Importance of a Feasibility Study for City of Pensacola," *Pensacola News Journal*, February 10, 2022
- "Pensacola inches closer to creating electric utility amid anger toward FPL rate increase," *Pensacola News Journal*, January 27, 2022

Affiliations

- The Florida Bar
 - Board Certified in City, County, and Local Government Law
 - Environmental and Land Use Law Section, 1990-present
 - Executive Council, 1981-present
 - Chair, 1987-1988
 - City, County and Local Government Law Section, Member
 - Governmental and Public Policy Advocacy Committee
- Florida Municipal Attorneys Association
 - President, 2015-2016
 - Executive Council, 2010-2017
- American Bar Association
- Florida League of Cities, Energy, Environment and Natural Resources Legislative Policy Committee
- Florida Chamber Growth Management, Leadership Committee
- Boone High School Foundation Member, Board of Directors
- Wake Forest University National Alumni Council

- Greater Orlando Chamber of Commerce Leadership Programs, Board of Directors
- Leadership Orlando Program, Greater Orlando Chamber of Commerce
- Leadership Central Florida Program
- Leadership Florida Program
- Lake Apopka Restoration Council
- Music Mission Kiev, Board of Directors
- Orange County Historical Commission
- Historic Lakeland, Inc.
- Historical Society of Central Florida, Inc., Board of Directors
- Florida Chautauqua Assembly, Board of Directors

Credentials

- J.D., Florida State University, 1979, *with honors*
- B.A., Wake Forest University, 1976, *magna cum laude*

Admissions

- Florida



Nikki Day
Shareholder

nikki.day@gray-robinson.com
813.273.5000

Focus

- Real Estate
- Land Use Law
- Government

Board-certified by The Florida Bar in City, County, and Local Government Law. A vital resource for clients navigating high-stakes legal matters in local government law and experienced counsel in public private partnerships, capital projects, and governance.

Nikki Day brings over a decade of dedicated experience representing local government entities in a wide array of legal matters. Board-certified by The Florida Bar in City, County, and Local Government Law, she provides invaluable counsel on sunshine laws, procurement, contracts, land use, zoning, and government litigation. Nikki has served as both general and special counsel to local governments across Florida, guiding them through high-stakes legal challenges with precision and skill.

Nikki's breadth of experience spans private and public sector transactions and provides her clients with the confidence that comes from receiving skilled guidance in the face of complex legal matters. Nikki's deep knowledge and commitment make her an indispensable member of the GrayRobinson local government law team.

Recognition

- The Florida Bar, Chair Service Award, City, County and Local Government Law Section, 2022
- *Florida Trend*, Legal Elite "Up and Comers," 2021

Insights

- "Let's Talk Crypto!" Co-presenter, 45th Annual Local Government Law in Florida, City, County and Local Government Law Section, The Florida Bar, May 6-7, 2022
- "Contracting with Transportation Network Companies (TNCs)," Transportation Research Board Annual Transportation Law Seminar, September 13-15, 2021
- "You Can't Do That in City Hall: Legal Issues with Limited Forum," Florida Municipal Attorneys Association (FMAA) Seminar, July 8-10, 2021
- "What the Zoom!? Lessons Learned on Governing 'In the Sunshine' During the COVID-19 Pandemic," 44th Annual Local Government Law in Florida, City, County and Local Government Law Section, The Florida Bar, April 30-May 1, 2021

- "Masks: Uncovering the Future of Local Government's Role in a Public Health Crisis," Florida Association of County Attorneys (FACA) Seminar, December 2020
- "Statewide Best Practices for Local Government Land Use Hearings (Parts I and II)," The Florida Bar, July 2020
- "Emerging Legal Technologies," 43rd Annual Local Government Law in Florida, The Florida Bar, July 17, 2020
- "'Bridgegate' and Beyond: The State of Public Corruption," Florida Association of County Attorneys (FACA) Seminar, Summer 2020
- "Public Records, Public Meetings, and Ethics, Florida League of Cities," Annual Certification Course, locations throughout Florida, 2015-2020

Media

- "Personnel File --- People on the Move, November 13, 2024," *News Service of Florida*, November 13, 2024
- "GrayRobinson Adds Trio of Attys To Tampa Office," *Law360*, November 4, 2024
- "City, County, and Local Government Law Section recognizes Nikki Day," *Florida Bar News*, June 2, 2022

Credentials

- J.D., Stetson University, 2009, *cum laude*
- B.A., University of Central Florida, 2006, *cum laude*
- Board Certified by The Florida Bar in City, County & Local Government Law
- Certificate, Economics of Blockchain and Digital Assets, University of Pennsylvania Wharton School of Business, 2022
- Certificate, American Sign Language, University of Central Florida, 2006

Admissions

- Florida
- U.S. Court of Appeals for the 11th Circuit
- U.S. District Court for the Middle District of Florida

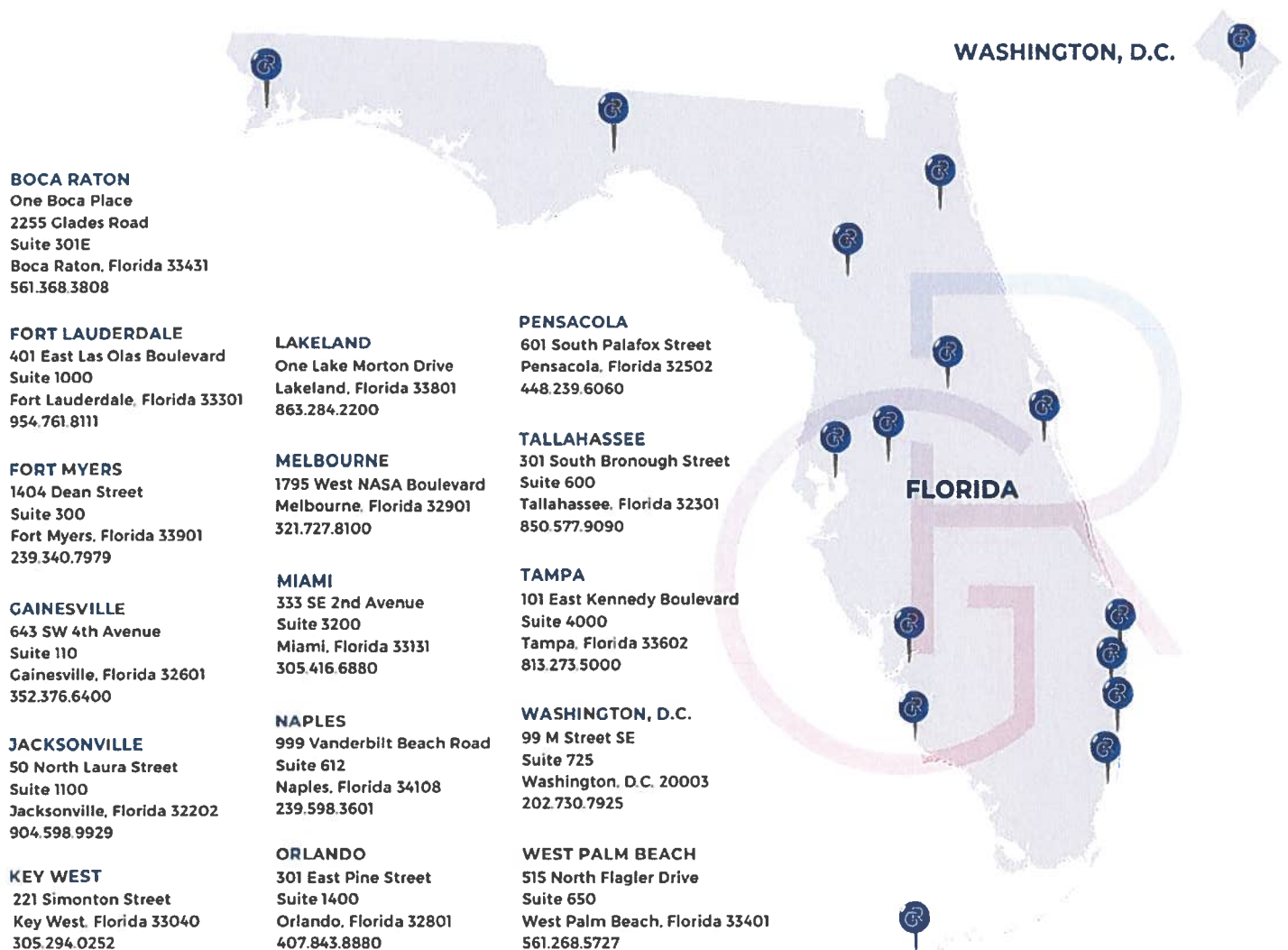
Languages

- American Sign Language

3. Location of primary office from which the lead attorney and other assigned attorneys operate.

GrayRobinson services clients throughout the state of Florida, our nation's capital, across the country, and all over the world from our offices in Boca Raton, Fort Lauderdale, Fort Myers, Gainesville, Jacksonville, Key West, Lakeland, Melbourne, Miami, Naples, Orlando, Pensacola, Tallahassee, Tampa, Washington, D.C., and West Palm Beach.

Lead attorneys, Derek Rooney and Kaylee Tuck, operate primarily out of our Fort Myers office at 1404 Dean Street, Suite 300, Fort Myers, Florida 33901. Additional assigned attorneys, Tom Cloud and Nikki Day, are based in our Orlando and Tampa offices, respectively.



4. Local government experience with emphasis given as to how your experience and expertise in the area(s) addressed by this RLI will be brought to bear on the proposed scope of work indicated below.

GrayRobinson serves as city, county, or town attorney to over a dozen municipalities and general counsel to many special districts and quasi-governmental entities. We have also represented hundreds of clients before governmental entities relating to everything from bidder's protests to complex entitlement and zoning matters and successfully advocated for our client's objectives at all levels of government. We are prepared to attend the City Commission meetings and any other meeting as necessary.

GENERAL MUNICIPAL LAW

For over 50 years, GrayRobinson professionals have engaged in the development and implementation of comprehensive legal services on behalf of Florida's cities, counties, and special districts. Our dynamic and well-rounded team has extensive experience, invaluable relationships, and the vision to meet and exceed our clients' goals before key stakeholders.

The proposed team is exceptionally knowledgeable in government and agency procurement, competitive bidding, bid protests, and contracting policies and requirements. In that regard, we have assisted with negotiation, preparation, and litigation pertaining to a wide variety of client contracts, including various agreements between cities, counties, and state and federal governmental agencies and development agreements. Our litigation team has extensive experience in representing public entities in a variety of matters, including claims involving negligence, employment, contracts, public records, real estate, and many others. Our government affairs experience advocating for (and against) substantive legislation, pursuing worthy consortium arrangements, advocating within and successfully working the amendatory and appropriations processes, and our general understanding of federal, state, and local legislative and executive advocacy makes GrayRobinson ideally suited to serve the City.

GrayRobinson professionals have served as counsel to the State of Florida, the House of Representatives, legislators, cities, and counties throughout the last several decades. Due to our excellent relationships with elected and appointed officials at the local and state levels, we have successfully represented public sector clients before Florida governmental entities on everything from legislative appropriations to procurement, land use matters, and everything in between. In short, the GrayRobinson team is highly involved in Florida's government and political processes, and we understand how state and local government truly work.

Many of GrayRobinson's attorneys and consultants began their careers, or invested portions of them, inside the Florida Legislature, the Governor's Office, and state agencies. In fact, the professionals at GrayRobinson include two former speakers of the Florida House of Representatives; a former secretary of the Florida Department of Environmental Protection; a former chief of staff for the Florida Department of Professional and Business Regulation; a former state Senator; a former Florida House and Senate general counsel; a former Florida governor chief of staff; former counsel to the speaker of the Florida House; multiple local government finance and policy experts; and former political consultants. This inside experience enables GrayRobinson to provide clients with a unique perspective on the most efficient and effective means of meeting their objectives.

ETHICS AND PUBLIC RECORDS

Through the firm's representation of more than 40 counties and municipalities, GrayRobinson has extensive experience and depth in home rule law, public records law, sunshine law, governmental ethics, and all other aspects of governmental operation, including the State Code of Ethics for public officers and employees, as well as the legal requirements related to the fiduciary responsibilities of board members and the proper conduct of board meetings. Our attorneys have facilitated, led, or advised on the proper conduct of board meetings for public and semi-public entities and have executed the drafting, editing, and negotiating of all manner of contracts, agreements, and ordinances.

COMPREHENSIVE PLANNING, LAND USE, AND ZONING

Our government lawyers are recognized throughout the state for their experience and ability to represent both local governments and private sector clients in land use, DRI, zoning, comprehensive planning, and environmental proceedings involving new development. The GrayRobinson land use practice encompasses:

- Large Scale Development
- Financing and Special Districts
- Comprehensive Planning and Zoning
- Administrative and Judicial Litigation
- Environmental Permitting
- Governmental Lobbying
- Utilities and Transportation
- Code Enforcement
- Development Agreements

The firm developed these skills through the representation of local governments. While being aware of political sensitivities, the focus is on the business realities of the project. Our land use attorneys have represented governments, businesses, and individuals in thousands of federal, state, and local land use permit proceedings and transactions. From the point a development is conceived, through financing concerns and due diligence and continuing throughout the project siting, agency permitting process, environmental permitting, subdivision permitting process, infrastructure financing, special district matters (if any), public utility concerns, and construction, GrayRobinson offers a team of accomplished and experienced attorneys that understands their clients desire to steer clear of delays and denials and chart a course toward making the project happen.

REAL ESTATE

The GrayRobinson team represents public entities in the development of commercial, residential, and mixed-use projects in all phases of development. We help landowners obtain all forms of local government approvals, ranging from zoning and comprehensive plan amendments, special exceptions, variances and conditional use permits to the negotiation of development agreements, development orders, and annexation agreements. Our experience involves planned unit developments, subdivision plats, annexation agreements, vested rights, impact fees, utility agreements, concurrency, transportation mitigation, road construction agreements, wetlands mitigation and permitting, and many other aspects of land use and real estate development.

In negotiating and documenting agreements for real property sales or acquisition, development, and infrastructure, our attorneys provide a clear course to "make the project happen." We handle all types of

commercial real estate transactions, representing developers and landowners in the acquisition, development, sale and leasing of major industrial and commercial projects, industrial parks, office complexes, condominiums, apartments, subdivisions, offices, and other developments. We have extensive experience in shepherding major development projects, bringing to the projects not only our experience as lawyers for the property owner but also the insights we've gained while serving as lawyers for local governments.

We have extensive experience in negotiating and preparing the precise documents required to complete complex real estate transactions effectively, and with direct computer links to data, we produce prompt and efficient title information and title insurance for clients.

LABOR AND EMPLOYMENT

The proposed team represents leading public sector employers across Florida in all aspects of labor and employment law. Our team provides strategic counsel to employers on equal opportunity, sexual harassment, labor relations, and wage and hour disputes, including advising on Title VII and Florida Civil Rights Act (discrimination and retaliation), Fair Labor Standards Act (wage and hour matters), Equal Pay Act, Age Discrimination in Employment Act, Family and Medical Leave Act, Americans with Disabilities Act, Worker Adjustment and Retraining and Notification Act, as well as public sector whistleblower statutory provisions. Our team focuses on providing day-to-day counsel and advice to avoid needing to respond to formal administrative agency charges or litigation in either state or federal courts. Once an employee or employee group elects to pursue an administrative charge or files suit, our team vigorously defends public sector employers against collective and class actions as well as single-plaintiff claims.

GENERAL PROCUREMENT / CONTRACTING

GrayRobinson attorneys are exceptionally knowledgeable in government and agency competitive bidding, contracting policies and requirements, and a variety of procurement matters on both the public and private sides. Serving as counsel for multiple local governments, our team has regular oversight over numerous formal solicitations and subsequent protests of those solicitations. In addition, the team has significant experience on the private side, representing vendors before governmental entities on both Requests for Proposals and Invitations for Bids. This representation includes pre- and post-bid work. Our attorneys have substantial experience reviewing and advising staff on these issues, including compliance with state procurement statutes and rules, compliance with the sunshine laws, and bid protests. We have also worked with Federal Acquisition Regulations in the course of reviewing and negotiating contracts and grants with federal agencies.

The GrayRobinson team also assists with negotiation, preparation, and litigation pertaining to a wide variety of client contracts, including various interlocal agreements between cities, counties, and governmental agencies, franchise agreements, and development agreements. We have attorneys who focus solely on the transfer of licenses pertaining to corporate mergers and acquisitions and act as regulatory counsel for manufacturers, distributors, and retailers of various regulated products. Our litigation team has extensive experience with contract development, research, litigation, purchase and sale transactions, and disputes.

CONSTRUCTION PROCUREMENT

Our construction attorneys and lobbyists have decades of legislative and legal experience in construction and design matters, including:

- Public Procurement
- Public Funding
- Florida's Building Code
- Construction Bidding
- Sales and Use Taxes
- Taxes on Design and Construction Services
- PECO Funding
- Seaport and Airport Funding
- State and Local Government Construction Budgets
- Trust Funds
- Public Private Partnerships

CONTRACTS, LEASES, AND INTERLOCAL AGREEMENTS

Our contract negotiation and preparation attorneys provide counsel on complicated ordinances, resolutions, agreements, and financing documents on major projects. We have extensive experience in advising our public sector clients on contract performance and guiding them to dispute resolution, and successfully provide legal work for municipalities in Florida, including best practices for government procurement procedures and regulations.

MUNICIPAL BONDS

The GrayRobinson public finance team has counseled a wide variety of clients through numerous financings and has served as counsel on more than \$23.9 billion in public financing in the past decade alone. The team provides public financing counsel to a variety of clients, including cities, counties, government financing pools, charter schools, housing authorities, port authorities, school boards, tax-exempt organizations, utilities, water support authorities, universities, aviation authorities, and various special districts. GrayRobinson attorneys have been involved in both traditional public finance methods, such as revenue and general obligation bonds and revenue and refunding notes, as well as innovative structures, such as public-private partnership gap financing.

LITIGATION

The GrayRobinson litigation team is committed to providing powerful representation throughout the state of Florida and we are experienced at every level of the court system, including all Florida state courts and all federal courts up through, and including, the U.S. Supreme Court and the Federal Court of Claims. At GrayRobinson, we seek innovative solutions for our clients. As part of our client-centered approach we evaluate all available options to resolve disputes, including negotiation, arbitration, mediation, and other creative yet less obvious solutions. GrayRobinson has built its reputation on efficient, cost-effective, persistent, and determined representation of its clients.

GrayRobinson administrative litigators are experienced in every phase and type of Chapter 120 proceedings on behalf of both governmental agencies and petitioners, and several have extensive experience representing agencies and vendors in administrative and civil litigation matters arising under Chapter 287. Our representation has included rule challenges, bid protests, administrative hearings, contested

disciplinary matters, and licensing issues. We have appeared before the Department of Administrative Hearings, the Florida Real Estate Commission, the Florida Commission on Human Relations, the Department of Business and Professional Regulation, and multiple local government transportation authorities, counties, and school boards.

Our attorneys understand the importance of aggressively managing litigation costs when representing governmental clients in litigation, especially where liability is capped by sovereign immunity. We regularly and successfully defend government clients from the full spectrum of liability exposure, including claim bills filed in the Florida Legislature. In common practice, a claim bill results when a plaintiff seeks compensation through the Florida Legislature for a verdict that is more than the applicable sovereign immunity limits. GrayRobinson attorneys have deep experience successfully defending government clients against claims bills.

CODE ENFORCEMENT

Many GrayRobinson attorneys serve as special magistrates, particularly for code enforcement. Our attorneys work closely with code enforcement staff, law enforcement, and city and county attorneys' offices to conduct hearings and adjudicate code enforcement matters and to render factual findings and conclusions for code enforcement appeals. As former special magistrate for code enforcement for Charlotte County, GrayRobinson worked closely with attorneys, public/private agency representatives, and others who were active participants in the code enforcement proceedings. Members of the GrayRobinson team have heard cases from code compliance officers and deputy sheriffs, issued orders to bring violators into compliance, and heard appeals from alleged violators and affirmed or modified orders of correction as appropriate. We understand the importance of providing services in accordance with city and county ordinances and are conversant with Florida Statutes Chapter 162.

Our land use attorneys have handled virtually every type of planning and zoning proceeding, including land development code drafting, code enforcement compliance, planned unit developments, annexations, rezoning, sector plans, plan amendments, special exceptions, variances, subdivisions, concurrency, transportation agreements, development agreements, vested rights, equitable estoppel, consistency proceedings, property rights/Bert Harris Act litigation, eminent domain, alcohol beverage and liquor licensing, communications permitting, and other related matters.

5. List and description of similar municipal engagements satisfactorily performed within the past three (3) years. For each engagement listed, include the name and telephone number of a representative for whom the engagement was undertaken who can verify satisfactory performance.

CITY OF LABELLE

Contact: Julie Wilkins, Mayor

Address: 481 West Hickpochee Avenue, LaBelle, Florida 33935

Email address: juliewilkins@citylabelle.com

Phone number: (863) 673-4529

Service Summary: GrayRobinson has provided comprehensive City Attorney services since 2017.

CITY OF BONITA SPRINGS

Contact: Arleen Hunter, City Manager

Address: 9101 Bonita Beach Rd SE, Bonita Springs, Florida 34135

Email address: Arleen Hunter arleen.hunter@cityofbonitasprings.org

Phone number: (850) 566-3613

Service Summary: GrayRobinson has provided comprehensive City Attorney services since 2018.

CITY OF WAUCHULA

Contact: Olivia Minshew, City Manager

Address: 125 South 7th Avenue, Wauchula, Florida 33873

Email address: ominshew@cityofwauchula.com

Phone number: (863) 773-3535

Service Summary: GrayRobinson has provided comprehensive City Attorney services since 2013.

6. Any known actual or potential conflicts, including how the Offeror intends to address and resolve.

GrayRobinson is not aware of any current or potential conflict of interest that would arise from our representation of the City of Clewiston and will take the necessary steps to avoid conflicts of interest in the future. If a potential conflict arises, we will seek a waiver from one or both parties. If a waiver or agreement cannot be reached, we will address the issue and withdraw if necessary. The honor of representing the City is one we take seriously, and we will do all that is necessary to ensure the City's interests are not maligned by our concurrent representation of other clients.

7. Whether the Offeror has been involved in litigation within the last five (5) years or any pending litigation arising out of your performance? If yes, please explain.

In any firm with hundreds of clients and nearly 300 attorneys and advisors throughout 16 offices, there may be an occasional dispute between the firm and a client. GrayRobinson and its attorneys have a few disputes involving matters that would be entirely irrelevant to the City's operational and legal or lobbying needs. GrayRobinson is contesting each dispute vigorously and expects to prevail on each or, in the worst case, settle on reasonable terms that will not jeopardize the firm's financial viability. The firm is also fully insured with respect to any pending claims. The GrayRobinson team is proud of its reputation for honest, ethical dealings with its clients. That is our culture, and we will be pleased to bring that culture to the table in the course of representing the City.

8. Firm retainer agreement that Offeror requests to be used if selected noting what other public clients are using such agreement.

GrayRobinson does not utilize a retainer agreement.

C. PRICING

See separate sealed envelope titled "Pricing."

PRICING

The Town is flexible regarding an offer of a fixed price, contract for work performed, or a retainer that provides for specific services and a per hour rate for items not expressed in the retainer.

The response to the RLI shall include a separately sealed envelope that contains the pricing information the Offeror would like the Council to consider during the contract negotiation that will occur with the successful Offeror. Any pricing information will be evaluated after the review of the qualifications, will be considered prior to the award considered negotiable, and will be negotiated in the final contract. The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research, copies, and faxes. Also include a monthly flat fee that would be charged to prepare and attend Council meetings as described above, advise on routine matters that could be handled over the telephone or otherwise without extensive research or other legal work.

In representations such as this, GrayRobinson takes a team-based approach to ensure maximum responsiveness and cost efficiency. Derek Rooney and Kaylee Tuck will personally oversee all work done on behalf of the City of Clewiston and attend all City Commission and other meetings as requested. With access to a team of nearly 300 talented attorneys and government affairs advisors, Derek and Kaylee are able to draw on additional expertise when necessary to address any challenges that may arise.

Our attorneys bill hourly for legal services and distribute monthly invoices. Based on the outlined scope of services, we propose an hourly rate of \$300.