



MIAMI-DADE EXPRESSWAY AUTHORITY

3790 NW 21 St. // Miami, FL 33142

www.mdxway.com

MDX PROCUREMENT/CONTRACT NO.:
RFQ-17-04 (A)

MDX PROJECT/SERVICE TITLE:
LEGAL SERVICES SUPPORT
EMINENT DOMAIN

EXHIBIT A
SCOPE OF SERVICES

SCOPE OF SERVICES
EMINENT DOMAIN LEGAL SUPPORT

The Counsel shall provide **Eminent Domain Legal Support** as well as other **General Legal Services** as described herein (the "Services"). The Services will be assigned via a fully executed Task Authorization(s) and the Assignment of Services is not guaranteed. MDX, at its sole discretion, will assign Services on an as needed basis. At its option, MDX may also elect to have any of the Services performed by MDX staff or other consultant(s).

The Counsel shall coordinate all assigned tasks with the MDX General Counsel and the Director of Engineering and/or his designee. The Services include, but are not limited to the following:

EMINENT DOMAIN:

- Attendance at MDX Board and Committee meetings upon request and/or as required to present on-going matters;
- Attendance at monthly Right-of-Way (ROW) Production Meetings, and provide research, review of documents, guidance and advice as to property acquisition and condemnation activities.
- Consultation with the MDX regarding appropriate strategies to be pursued in the property acquisition process with a view to preserving all rights of MDX should acquisition ultimately be pursued through condemnation.
- Compliance with all pre-suit requirements before filing an eminent domain action pursuant to Florida law.
- Preparation of all potential witnesses and experts to ensure MDX establishes all prima facie elements of its case for Order of Takings, Mediations, Trials and depositions.
- Represent MDX in the filing of eminent domain actions in Miami-Dade County Circuit Court and post judgment motions.
- Coordination and scheduling of Order of Taking Hearing dates in compliance with ROW scheduling requirements and make subsequent Order of Taking deposits in a timely manner.
- Representation of MDX in mediation and negotiation of any settlement subsequent to the filing of eminent domain proceedings in conjunction with the MDX.

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- Prepare a Closed Case Memorandum which includes detailing the date the case was opened and closed, reason for closing the case, the actions taken, the resolution, fund expenditures, and any additional information which MDX requests.
- Retain all eminent domain files and working papers for a period of at least three years after the acquisition of each parcel and forward a copy of file to MDX. Counsel shall consult with MDX prior to disposing of any files and working papers.

GENERAL LEGAL SERVICES:

- Provide guidance, opinions (written and oral) and overall support as necessary and requested by MDX in matters relating to the following:
 - Ethics
 - Sunshine Law and Public Records Act
 - Special District and Board Governance
 - Employee Labor Laws (EEOC, FMLA, HIPPA, etc.)
- Provide alternate litigation services for matters not dealing with the Eminent Domain Area of Expertise.
- Provide general legal counsel services related to other land use matters including, but not limited to, Commercial Real Estate, Commercial Development, and Zoning.
- Keep MDX up-to-date with legal developments which may be applicable to MDX.
- Provide general legal counsel services as may be required by MDX, on other areas of practice including, but not limited to Intellectual Property & Technology.