

**City of Folly Beach, South Carolina**  
**Request for Proposal (RFP 06-24 ) Public**  
**Defender**

Qualified firms or persons are invited to submit proposals to the City of Folly Beach to provide the services of a Public Defender. To be deemed qualified, the Candidate must have a J.D. from an accredited law school and must be a member in good standing with the South Carolina Bar; and demonstrate requisite experience, skills and resources necessary to successfully perform the services requested in the solicitation. The ideal candidate shall have experience representing defendants in Summary Court. The Public Defender shall act as counsel for those defendants appearing in Court who are determined to be indigent in accordance with the rules and standards established by the Court. All Candidates shall have verifiable experience as described within this solicitation.

It is expected that the candidate will be assigned approximately 15-20 cases per year, and it is likely that public defender cases will be heard 2 days per month (Fridays beginning at 9am).

The successful Candidate shall furnish the necessary personnel, materials, equipment, services, or facilities to perform the Public Defender Services for the Town. The Public Defender will be required to be present at court.

The firm or person selected will be expected to enter into a contractual agreement with the City of Folly Beach at a rate of \$500 per case. This contract is scheduled to begin at a date as negotiated with the successful Candidate. The City anticipates awarding this firm fixed price contract for a period of one (1) year with an option to renew for four (4) additional years for a total possible Contract term not to exceed five (5) years. Proposals will be evaluated based on qualifications, experience and knowledge.

**Deadline for Submissions:** The deadline to submit proposals is **2:00 p.m. Friday, August 23rd, 2024.**

Proposals may be: sent directly to the City at Post Office Box 48, Folly Beach 29439; hand delivered at 21 Center Street, Folly Beach, SC 29439 in a sealed envelope clearly marked "RFP 06-24 Public Defender"; or submitted via email to Wes Graham, Clerk of Council, at [wgraham@follybeach.gov](mailto:wgraham@follybeach.gov). No bid shall be considered which is not actually received by the City at the place, date and time appointed by the City and the City shall not be responsible for any failure, misdirection, delay or error resulting from the selection by any bidder of any particular means of delivery.

For questions, you may contact Anita Praytor, Clerk of Court, at [apraytor@follybeach.gov](mailto:apraytor@follybeach.gov).

**Evaluation Criteria includes, but is not limited to the following:**

- a) Comprehension of the Scope of Services and general approach/methodology
- b) Candidate's previous experience and past performance for services as outlined in the solicitation,
- c) Experience, qualifications and availability of the Contractor's personnel and any Sub-CONTRACTOR's personnel,
- d) Ability to meet anticipated schedules, current and projected workloads; and,
- e) The Candidate's ability to prepare concise, meaningful responses addressing the various aspects of this solicitation.

The Proposal must be signed by an official authorized to bind the Candidate.

Proprietary and/or Confidential Information: Your bid is a public document under the South Carolina Freedom of Information Act (FOIA), except as to information that may be treated as confidential as an exception to disclosure under the FOIA. If you cannot agree to this standard, please do not submit your bid. All information that is to be treated as confidential and/or proprietary must be CLEARLY identified, and each page containing confidential and/or proprietary information, in whole or in part, must be stamped and/or denoted as CONFIDENTIAL, in bold, in a font of at least 12-point type, in the upper right-hand corner of the page. All information not so denoted and identified will be subject to disclosure by the City.

Bidders acknowledge and agree that the City will not be liable for any costs, expenses, losses, damages (including damages for loss of anticipated profit) or liabilities incurred by the respondent or any member of the respondent's organization as a result of, or arising out of, submitting a bid, negotiating changes, or due to the City's acceptance or non-acceptance of the bid or the rejection of any and all proposals. Bidders are responsible for submission of accurate, adequate and clear descriptions of the information requests. Neither issuance of the RFP, preparation and submission of a response, nor the subsequent receipt and evaluation of any response by the City of Folly Beach will commit the City to award a contract to any respondent even if all the requirements in the RFB have been met.

Bidders must have or be able to procure a Folly Beach Business License.

The City reserves the right to waive any informalities or irregularities, to accept or reject any or all responses, to negotiate with any or all qualified Candidates, to award or refrain from awarding and to amend, revise or cancel in part or in its entirety this solicitation, if it is in the best interest of the City to do so.

By signing its bid, Bidder certifies that it will comply with the applicable requirements of Title 8, Chapter 14 of the South Carolina Code of Laws and agrees to provide the City upon request any documentation required to establish either: (a) that Title 8, Chapter 14 is inapplicable both to

Bidder and its subcontractors or sub-subcontractors; or (b) that Bidder and its subcontractors or sub-subcontractors are in compliance with Title 8, Chapter 14. Pursuant to Section 8-14-60, "A person who knowingly makes or files any false, fictitious, or fraudulent document, statement, or report pursuant to this chapter is guilty of a felony and, upon conviction, must be fined within the discretion of the court or imprisoned for not more than five years, or both." Bidder agrees to include in any contracts with its sub-contractors language requiring its subcontractors to (a) comply with the applicable requirements of Title 8, Chapter 14 and (b) include in their contracts with sub-subcontractors, language requiring the sub-subcontractors to comply with the applicable requirements of Title 8, Chapter 14