



CENTRALBIDDING
FROM CENTRAL AUCTION HOUSE

SOQ 21-006 Soliciting for firm or individuals interested in providing various professional legal services to the Parish.
Jefferson Parish Government

Project documents obtained from www.CentralBidding.com
26-Apr-2021 10:19:03 AM

Professional Legal Services Questionnaire Instructions

- The Professional Legal Services Questionnaire shall be used for outside legal services.
- **The Professional Legal Services Questionnaire must be completely filled out. Complete ALL sections. Insert “N/A” or “None” if a section does not apply or if there is no information to provide.**
- Questionnaire must be dated and signed by an authorized representative of the Firm.
- All subcontractors must be listed in the appropriate section of the Questionnaire. All subcontractors must provide a fully completed copy of this questionnaire, applicable licenses, and any other information required by the advertisement.
- If additional pages are needed, attach them to the questionnaire and include all applicable information that is required by the questionnaire.
- Failure to properly complete this Professional Legal Services Questionnaire will result in the proposal being deemed not qualified pursuant with Section 2-928(a) of the Jefferson Parish Code of Ordinances, and the proposal will not be evaluated or scored.

Professional Legal Services Questionnaire

A. Person or Firm Name & Principal Address:

The Law Firm of Bernard L. Charbonnet, Jr., APLC
 365 Canal Street, Suite 1100
 New Orleans, LA 70130

B. Name, Title, & contact information of Firm Representative, as defined in Section 2-926 of the Jefferson Parish Code of Ordinances, who is licensed to practice law in the State of Louisiana with a minimum of five (5) years' experience:

Bernard L. Charbonnet, Jr.
 Principal
 365 Canal Street, Suite 1100
 New Orleans, LA 70130
 504-561-0996
 bcharbonnet@charbonnetassociates.com

C. Location of the principal office where work will be performed:

365 Canal Street, Suite 1100
 New Orleans, LA 70130

D. Please check the legal field or fields in which Firm is qualified to perform services for Jefferson Parish and include the number of years of experience in that particular field.

- | | |
|--|---|
| <p><input type="checkbox"/> Bond Services (Years: _____)</p> <p><input type="checkbox"/> Elections (Years: _____)</p> <p><input checked="" type="checkbox"/> Administrative & Regulatory (Years: <u>30</u>)</p> <p><input type="checkbox"/> Antitrust Law (Years: _____)</p> <p><input type="checkbox"/> Business Law (Years: _____)</p> <p><input type="checkbox"/> Criminal Justice (Years: _____)</p> <p><input type="checkbox"/> Dispute Resolution (Years: _____)</p> <p><input checked="" type="checkbox"/> Environmental, Energy & Resources (Years: <u>25</u>)</p> <p><input checked="" type="checkbox"/> Health Law (Years: <u>10</u>)</p> <p><input type="checkbox"/> Intellectual Property (Years: _____)</p> <p><input type="checkbox"/> International Law (Years: _____)</p> <p><input checked="" type="checkbox"/> Labor & Employment Law (Years: <u>30</u>)</p> <p><input checked="" type="checkbox"/> Public Contract Law (Years: <u>30</u>)</p> | <p><input type="checkbox"/> Science & Technology Law (Years: _____)</p> <p><input checked="" type="checkbox"/> State & Local Government Law (Years: <u>30</u>)</p> <p><input type="checkbox"/> Taxation (Years: _____)</p> <p><input type="checkbox"/> Tort Trial & Insurance Practices (Years: _____)</p> <p><input type="checkbox"/> Complex Litigation (including asbestos litigation) (Years: _____)</p> <p><input type="checkbox"/> Securities (Years: _____)</p> <p><input type="checkbox"/> Ethics Law (Years: _____)</p> <p><input checked="" type="checkbox"/> Civil Service Matters (Years: <u>30</u>)</p> <p><input checked="" type="checkbox"/> Civil Rights & the Constitution (Years: <u>25</u>)</p> <p><input checked="" type="checkbox"/> Municipal Representation (including liability & intergovernmental conflicts) (Years: <u>35</u>)</p> <p><input type="checkbox"/> Code Enforcement Matters (Years: _____)</p> |
|--|---|

Professional Legal Services Questionnaire

<input type="checkbox"/> Public Utilities Law (Years: _____) <input type="checkbox"/> Communications Law (Years: _____) <input checked="" type="checkbox"/> Transportation Law (Years: <u>30</u>) <input type="checkbox"/> Property (Years: _____) <input type="checkbox"/> Trust & Estate Law (Years: _____) <input type="checkbox"/> Other/specific project as required by the advertisement (Years: _____)	<input type="checkbox"/> Oil Spill Litigation (Years: _____) <input type="checkbox"/> Public Finance (Years: _____) <input type="checkbox"/> Land Use, Planning & Zoning Law (Years: _____) <input type="checkbox"/> Economic Development (Years: _____) <input checked="" type="checkbox"/> Construction Law (Years: <u>30</u>)
---	---

E. List all subcontractors anticipated for this Project. Please note that all subcontractors must submit a fully completed copy of this questionnaire, applicable licenses, and any other information required by the advertisement. See Jefferson Parish Code of Ordinances, Sec. 2-928(a)(3). Please attach additional pages if necessary.

Name & Address:	Specialty:	Worked with Firm Before (Yes or No):
1. We do not expect to use any legal subcontractors		
2.		
3.		
4.		

Professional Legal Services Questionnaire

F. Professional Training and experience in relation to the type of work required for the outside legal services.

Bernard Charbonnet - Juris Doctor, Southern University School of Law
National Bar Association
Louis A. Martinet Legal Society (Former President)
Member of the Bar of: Louisiana State Supreme Court and all inferior courts within its jurisdiction
United States District Court, Eastern District of Louisiana
United States Bankruptcy
United States Fifth Circuit Court of Appeals

As a African American lawyer in private practice since 1978, Mr. Charbonnet has represented a wide variety of clients such as the New Orleans Aviation Board, Hospital Service District A, Ernest N. Morial Convention Center, Orleans Parish School Board, and International Brotherhood of Teamsters Local 270, among others. In addition, he oversees the work of the other associate lawyers.

Mr. Charbonnet is the adjunct professor of Construction Law at the Southern University Law Center in Baton Rouge. He is widely considered an expert in Construction Law.

David Fink -Juris Doctor, Loyola University New Orleans, College of Law
Louisiana State Supreme Court and all inferior courts within its jurisdiction
US District Court Eastern District

Mr. Fink has been with The Law Firm of Bernard L. Charbonnet, Jr. since 2010 where he handles personal injury, civil and criminal cases working with the District Attorney offices for Orleans and St. John parishes. He also handles as corporate and intergovernmental matters in relation to work for the Hospital Service District A. In addition, Mr. Fink worked on the Cargill, Inc., et al. v. Syngenta AG, et al. Multi District Litigation.

Both Bernard L. Charbonnet, Jr. and David M. Fink have represented multiple governmental entities. A representative sampling of the government entities represented by the firm includes Orleans Parish District Attorney's Office, Orleans Parish Hospital Service District – District "A" d/b/a New Orleans East Hospital, Constable's Office for First City Court for New Orleans, and the St. John the Baptist District Attorney's Office.

G. Size of Firm and capacity for timely completion of newly assigned work considering the number of professional and support personnel required to perform the type of outside legal services tasks and the Firm's current unfinished workload.

As a niche firm, we maintain four full-time employees, two of whom are lawyers with combined 50+ years of experience and does not anticipate using any subcontractors.

The firm's approach to providing legal services to Jefferson parish is straight forward. For matters for which the firm would be retained, Mr. Charbonnet would either represent Jefferson Parish or assign the matter to Mr. David Fink, who would handle the matter under Mr. Charbonnet's supervision.

Professional Legal Services Questionnaire

<p>i. Please specify the total number of support staff that may assist in the completion of a matter for each area of the law selected above: <u> 2 </u></p>		
<p>ii. List any attorneys that may assist in the completion of a matter for each area of the law selected above. If necessary, please attach additional documentation that demonstrates the employment history and experience of the Firm's attorneys that may assist in the completion of this Project (i.e. resume). Please attach additional pages if necessary.</p>		
Name:	Legal Field:	Years of Experience in Legal Field:
1. Bernard Charbonnet	Construction, complex litigation, contract, intergovernmental relations, government contracts, municipal finance, personal injury, regulatory matters, employment and civil service, labor relations, and litigation	43 years
2. David Fink	Construction, personal injury, litigation, civil matters, employment and civil service, governmental and regulatory, and complex litigation.	10 Years
3.		
4.		
5.		

Professional Legal Services Questionnaire

H. Past performance by person or Firm on Parish contracts. Please attach additional pages if necessary.

Bernard Charbonnet, Jr. -- The Law Office of Bernard L. Charbonnet, Jr. has an unparalleled gravity of experience in the areas of most interest to Jefferson Parish. Chief among our qualifications is Mr. Charbonnet's experience as General Counsel to the New Orleans Aviation Board and to the New Orleans East Hospital Service District A.

As General Counsel for the New Orleans Aviation Board, Mr. Charbonnet reviewed every contract for each capital improvement project at the New Orleans International Airport. During his six (6) year tenure as General Counsel, Mr. Charbonnet advised the airport on the appropriateness of the contracts, but also on the financing of those improvement projects and compliance with local, state, and federal regulatory laws.

In addition, he reviewed every contract for each capital improvement project at the New Orleans Airport and has established himself as an expert in construction law.

Mr. Charbonnet presently services as General Counsel to the New Orleans East Hospital Service District A located in New Orleans East. In this role, he was intimately involved in the programming, design and construction of the \$135 million New Orleans East Hospital. In addition, he put was instrumental in putting in place a DBE program for the construction of the new facility. In fact, 35% of each construction dollar was spent with DBE businesses.

In the field of academia, Mr. Charbonnet is the adjunct professor of Construction Law at the Southern University Law Center in Baton Rouge.

I. Adversarial legal proceedings between the Parish and the person or Firm performing professional services, in which the Parish prevailed, and excluding those instances or cases where the person or Firm was added as an indispensable party, or where the person or Firm participated in or assisted the public entity in prosecution of its claim. In the event that the person or Firm fails to provide accurate and detailed information regarding legal proceedings with the Parish, including the absence of legal proceedings, the person or firm shall be deemed unresponsive with regard to this category, and zero (0) points shall be awarded. Please attach additional pages if necessary.

N/A

Professional Legal Services Questionnaire

J. Prior successful completion of projects of the type and nature of legal services, as defined, for which Firm has provided verifiable references. (List no more than 10 projects.)

1. New Orleans East Hospital Service District A - General Counsel and Construction Counsel

Bernard L. Charbonnet, Jr. is considered an expert in the field of construction litigation and related matters. As General Counsel and Construction Counsel, he oversaw the \$130 million construction of the New Orleans East Hospital. He also negotiated and drafted all construction management contracts, including but not limited to contracts with design professionals, construction contractors, and change orders.

Reference: Ronald V. Burns; Chairman; 504-592-6600

2. New Orleans Aviation Board - General Counsel

As former General Counsel the NOAB the firm oversaw a \$650 million expansion program to the former terminal and air-side construction. The firm also served as Counsel to the Board's Construction Committee. In the instant case, an architectural firm brought a breach of contract action against the project owner, NOAB. The board filed an exception of improper venue. The Court of Appeal held that: (1) the venue selection clause was enforceable, & (2) such clause applied to the entire contract, not to only the contract amendment in which it was written. The NOAB resolved a 10+-year dispute between a contractor and a design firm thereby maintaining strict standards of professionalism toward both contractors and design professionals.

Reference: New Orleans Aviation Board; Kevin Dolliole - Director of Aviation; 504-303-7500

3. Cargill, Inc., et al. v. Syngenta AG, et al. Multi District Litigation - Special Master

Mr. Charbonnet has a vast amount of experience in overseeing complex litigation through his multiple appointments as Special Master. Mr. Charbonnet has also overseen and disbursed multiple class action settlements as well as presided over complex matters involving an alleged \$550 million dispute for the negligent and premature commercialization of a genetically modified trait and a contractor dispute involving more than twenty parties. Mr. Fink was tasked with assisting Mr. Charbonnet through each appointment as Special Master. He organized, conducted legal research and writing, and oversaw the day-to-day activity in each matter.

Reference: 40th Judicial District Court (Complex Litigation/Special Master Appointment) Honorable Madeline Jasmine Retired 985-652-8041

4. Hard Rock Hotel Collapse - Special Master

The firm was tasked with allocation of costs for the preservation of evidence in connection to the Hard Rock Hotel matter.

As Special Master, Mr. Charbonnet was able to allocate the cost of approximately \$800,000.00 amongst two hundred parties to preserve evidence from the Hard Rock collapse.

5. Michelle Marshall, et al. v. Air Liquide – Big Three, Inc. et al.

The defendant improperly loaded and transported carbide lime in its New Orleans East facility. When the carbide lime dried, it turned from a semi-solid to a dust form. As transportation of the carbide lime occurred, the substance in a dust form covered the surrounding area of the defendant's facility. When inhaled by the community, the dust produced damaging reactions ranging from symptoms similar to seasonal allergies to scarring rashes on the skin.

The litigation has not reached its conclusion; however, the cost allocation of the evidence preservation protocol is completed.

Professional Legal Services Questionnaire

6. Geraldine Oubre, et al. v. Louisiana Citizens Fair Plan, 07-66, (La.App. 5 Cir. 5/29/07), 961 So.2d 504.

Insureds brought class action against property insurer, alleging insurer failed to initiate loss adjustment within 30 days after notice of hurricane damage. The 24th Judicial District Court, Parish of Jefferson, No. 625-567, Henry G. Sullivan, Jr., J., granted insured's motion to certify the class. Insurer appealed. Appellate court upheld the trial court's certification of the plaintiff/appellees' class action.

7. Elias Membreno, et al. v. 1031 Canal Investments, LLC, et al

In the instant case, the partially constructed Hard Rock Hotel in New Orleans collapsed. Construction equipment, such as multiple cranes were still present at the project site which created an imminent safety hazard. Over 30 lawsuits with over two hundred (200) parties spawned as a result of the collapse.

The Hard Rock Hotel's site clean-up began; however, certain evidence from the site needed to be removed and properly preserved in accordance with Louisiana law. The Honorable Kern A. Reese appointed Bernard L. Charbonnet, Jr. as Special Master to make a determination of the allocation of the cost associated with the Evidence Preservation Protocol.

8. Orleans Parish Constable's Office

Mr. Fink currently represents the Constable of First City Court in matters of labor and employment law, public records requests and related litigation issues.

Reference: Lambert Boissiere, Jr. , Constable, 504-523-3258

9.10. Orleans Parish District Attorney

The firm represented the District Attorney's office for over 10 years in matters of labor and employment law, public records requests and related litigation issues.

Reference: Leon Cannizzaro, former District Attorney, 504-914-7747

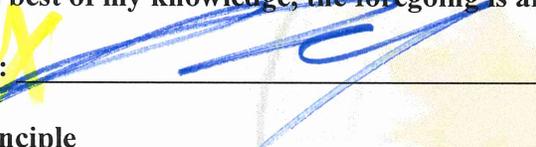
Professional Legal Services Questionnaire

K. Use this space to provide any additional information or description of resources supporting Firm's qualifications for the proposed project.

The Law Office of Bernard L. Charbonnet, Jr., established in 1980, is a full-service, 100% minority owned law firm located on historic Canal Street in downtown New Orleans. It has a wide range of expertise and provides services running the gamut of the legal spectrum, including civil litigation, construction law, employment relations, successions and donations, regulatory matters, automobile liability, insurance defense, personal injury and aviation law.

Mr. Charbonnet and his legal staff consistently brings a high level of professional service to each client and project. In addition to its legal staff, our sister firm of Charbonnet & Associates can provide specific infrastructure related consulting thereby affording our clients a unique combination of legal services and planning services.

L. To the best of my knowledge, the foregoing is an accurate statement of facts.

Signature: 

Print Name: Bernard L. Charbonnet, Jr.

Title: Principle

Date: 5/10/2021

