



State of West Virginia
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION APPOINTING
OUTSIDE COUNSEL ON BEHALF OF
THE BERKELEY COUNTY SOLID WASTE AUTHORITY**

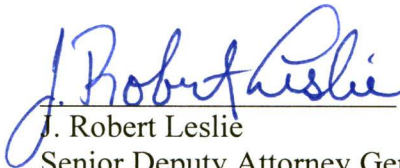
The Berkeley County Solid Waste Authority has requested legal representation in conjunction with its ongoing operations, including, but not limited to, the negotiation of various waste hauling agreements.

Pursuant to the written determination issued on October 7, 2015, the Office of the Attorney General determined that it was both cost-effective and in the interest of the public to appoint outside counsel to assist the Berkeley County Solid Waste Authority with the needed legal services. A request for proposals, RFP # 44, was issued in accordance with subsection (D) of the Attorney General's Policy on Outside Counsel (Policy #WVAG0-004).

As of the October 9, 2015, deadline for proposals, the Office of the Attorney General received one timely proposal for legal services. After a review of the proposal received, the Office has determined that David M. Hammer, Esq. has submitted a competitive proposal for legal services pursuant to Section E of Policy # WVAG0-004, based on the following factors:

- Mr. Hammer possesses the particular and specialized expertise in waste management contracting and regulation required to provide the legal services requested.
- Mr. Hammer's office is located in Martinsburg, West Virginia, the geographic area where the legal services will be performed.
- Mr. Hammer has satisfactorily provided legal services for the Berkeley County Solid Waste Authority in the past.
- Mr. Hammer is providing the needed legal services at a competitive rate.

Based on the factors set forth above, and in consultation with the Berkeley County Solid Waste Authority, the Office of the Attorney General authorizes the appointment of David M. Hammer to serve as outside counsel for the legal matters cited herein for a period of one-year pursuant to Section (E) of Policy # WVAGO-004.


J. Robert Leslie
Senior Deputy Attorney General

Date Signed: October 28, 2015