

CITY OF BLACK DIAMOND

REQUEST FOR PROPOSALS FOR PROSECUTION SERVICES

The City of Black Diamond (“City”), Washington, is requesting proposals from well qualified law firms and/or attorneys interested in providing full prosecutorial services for misdemeanor criminal violations and contested infraction hearings in the Black Diamond Municipal Court.

DUTIES

The Prosecutor shall be responsible for all aspects of criminal prosecution of misdemeanors, gross misdemeanors, and infractions, including: making filing decisions on criminal cases and filing complaints (with input from the City’s police department as necessary); making recommendations with respect to the conduct of investigations, seizures, and related matters; corresponding with defendants’ counsel; timely processing discovery requests; interviewing witnesses and victims of crimes; advising victims regarding their rights and responsibilities; representing the City at arraignments, pretrial hearings, bench and jury trials, certain contested infraction matters, and review hearings and appeals; negotiating plea agreements, making appropriate sentencing recommendations and decisions to the Court; preparing and presenting legal memoranda and other documents for court cases; preparing subpoenas, jury instructions, and other related materials; providing legal research, training, and assistance to the police department in all criminal matters, including statutory interpretation, enforcement issues, and case decisions; and performing other duties as required. Currently, the Court is in session on the 2nd and 4th Wednesday of each month.

QUALIFICATIONS

The Prosecutor shall be an attorney licensed in the State of Washington. Five (5) or more years of experience is preferred, including trial experience. Experience in the prosecution of criminal and infraction matters is highly desirable, including matters involving violations of municipal ordinances. Preference will be given to proponents who provide one attorney to cover all City requirements.

COMPENSATION/HOURS OF WORK

The City and Prosecutor will enter into a professional services agreement which will address compensation. Proposals shall clearly set forth fees or fee structure to be charged for prosecution services. A flat fee proposal is preferred.

SELECTION PROCESS

All proposals will be reviewed and screened by the selection panel. Finalists will be invited for interviews. After the interview process the Mayor will make a recommendation to the City Council for consideration at a regular council meeting.

REQUIREMENTS

The selected attorney and/or firm will be required to undergo a reference check prior to appointment, and to provide to the City proof of insurance as required (including professional liability insurance).

INSTRUCTIONS TO REPLY TO THIS REQUEST FOR PROPOSALS

To reply to the RFP, please submit three copies of the following; (1) resume; (2) cover letter and statement of qualifications, which must include Washington State Bar Numbers for all attorneys responding to this RFP; (3) three professional references with addresses and phone numbers; and (4) answers to the questions below. All materials shall be submitted in one packet and provided to the City Clerk/HR Manager, Brenda L. Martinez at City of Black Diamond, PO Box 599/24301 Roberts Drive, Black Diamond, WA 98010.

ALL APPLICATION MATERIALS SHALL BE SUBMITTED BY 4:00 P.M. ON OCTOBER 26, 2018.

Upon the City's discretion, proposals submitted after the due date and time may be considered. Proponents accept all risks of late delivery of mailed proposals regardless of fault. **The Proponent bears all responsibility for ensuring the mailing address is correct.**

RFP QUESTIONS

Please provide clear and concise responses to the following questions. Please place your name and/or the name of your firm on each sheet of paper used.

1. Describe the steps you will take as Prosecutor to ensure that violators are prosecuted to the full extent of this community's standards.
2. Discuss your philosophy regarding plea bargaining and how you would apply it in this position.
3. Describe the role of the Prosecutor and his/her relationship to the court, police department, victims, witnesses, and the community.
4. Describe how you would handle subpoenas, discovery, and related public disclosure requests.
5. Describe the level of availability you would have to police staff and City staff during both working hours and off hours.
6. Describe the steps you would take to ensure timely resolution of cases, staff requests, and related matters.
7. Submit a proposed schedule of fees and costs you would be seeking as compensation. A flat fee proposal is preferable. (Final agreement will be negotiated under a professional services agreement.)
8. Disclose any pending litigation and/or judgments rendered against you and/or your firm in any matter relating to the professional activities of you and/or your firm, including any pending complaints to the Washington State Bar Association.