



CITY OF COTTAGE GROVE
REQUEST FOR PROPOSALS

CITY PROSECUTOR SERVICES

Proposal Submission Deadline: 3:00 pm, Friday, June 14, 2019

The City of Cottage Grove invites interested individual attorneys and law firms to submit written proposals to provide City Prosecutor services to the City.

THE WORK OF THE CITY PROSECUTOR

The City Prosecutor attends all sessions of Municipal Court, currently held the first and third Thursday of every month, with trials on the second and fourth all beginning at about 9:00 am, and is responsible for prosecution of all Municipal Court traffic offenses and violations (including minor misdemeanors converted to violations) in which defendants have legal counsel; misdemeanor offenses and cases, including jury and non-jury trials, plea negotiations and diversion agreements. The City Prosecutor evaluates all new criminal cases coming before the court, prior to initial arraignment, for the purpose of preparing and negotiating plea offers for presentation to defendants or their attorney either prior to or at arraignment. The City Prosecutor assists the Police Department in preparation of search warrant requests and arrests. The City Prosecutor within 20 days of starting service must pass Criminal Justice Information System (CJIS) Security Awareness Training Level 2 and be fingerprinted to pass a CJIS Security Clearance background check.

PROPOSAL TYPES

The City of Cottage Grove will accept proposals to provide the services described above either on a monthly retainer or by set hourly rates. (Historically, the City has preferred services provided by monthly retainer.)

Retainer - The City is prepared to review proposals from individuals and/or firms to provide City Prosecutor services on a set retainer (Services on retainer is the preferred method). Please provide the hourly rates or fees for any services provided as City Prosecutor that would not be included in the monthly retainer, if any.

Hourly Rate for Services - The City is prepared to review proposals from individuals and/or firms to provide City Prosecutor services at an established hourly rate based on the areas of service provided above. If there are any areas of law, listed above that you are unable to provide, and would require special counsel, please identify those areas.

PROPOSAL FORM AND CONTENT

Proposals shall be prepared simply and economically, providing a straightforward, concise description of the proposer's capabilities to satisfy the requirements of this Request for Proposal, and should be easily reproducible. Emphasis should be on completeness and clarity of content and cost effectiveness of the proposal.

All pages of the proposal must be numbered consecutively. The proposal shall not exceed fifteen (15) pages in length. Resumes, work examples and licenses shall not count against this page limit. The proposal must be organized in accordance with the list of proposal contents.

Proposals should include the following items in their proposals addressing the provision of City Prosecutor services as described above. All items must fall within the maximum page count. Proposal and cost schedule shall be valid and binding for sixty (60) days following the proposal due date and will become part of the contract that is negotiated with the City.

A. Letter of Transmittal

All proposals must include a cover letter addressed to Richard Meyers, City Manager, and signed by a duly constituted official legally authorized to bind the applicant to both its proposal and cost schedule. The cover letter must include name, address, and telephone number of the proposer submitting the Proposal and name, title, address, telephone number, FAX number and email address of the person, or persons to contact who are authorized to represent the proposer and to whom correspondence should be directed.

B. Table of Contents

Include a clear identification of the material by section and by page number.

C. Executive Summary

The proposer shall use this section to summarize the key provisions of the Proposal. Provide a statement describing why you or the firm is qualified to perform this work.

D. Proposal

How you or your firm propose to provide City Prosecutor services to the City? This should address whether you propose a contract based solely on billable hours, or whether you are proposing a retainer for basic services with an hourly rate for additional services. This should also address issues such as office location; accessibility to the Municipal Judge, City staff including Court Clerk and Police Department staff, Court attendance and occasional other meetings; services, if any, that you would expect to receive from the city; and if a firm, how you propose to manage the firm's provision of services to the City — for example, would there be a lead attorney and, if so, who would that attorney be and how would other attorneys be involved. Describe any work, whether by subject area or nature of work, which would not be covered by your compensation proposal.

E. Fee Schedule

1. Will you or your firm charge a monthly retainer fee? If yes, what is that fee and what services will that fee include? The City prefers to have a retainer fee.
 - a. Would there be hourly fees for services outside the monthly retainer fee and what would they be?
2. If proposal is for an hourly rate please provide a proposed hourly rate and fee schedule for all services and travel time.
3. What out-of-pocket costs, if any, would be billed separately? What is the rate for those out-of-pocket costs?
4. What fees and how will you or your firm charge for out of town court appointments and meetings? What will the billing look like? (Detail provided, frequency, etc.)

F. Proposed Attorney(s), Paralegals and Qualifications

1. Summarize your or the firm's background and history; include number of years in business and scope of services you or your firm have provided.
2. Describe your prosecution services, training, experience, and current government clients; include number of years number of jury trials litigated to verdict.
3. Provide a statement describing the capability to respond to time-sensitive or short notice requests and/or complicated issues.
4. Provide the date you would be able to begin providing City Prosecutor services to the City of Cottage Grove; include how you propose to familiarize yourself with the laws, rules, regulations, and operating procedures relative to the conduct of business for the City of Cottage Grove in order to efficiently and effectively assume responsibilities.
5. Provide the name and summary of experience of those who will provide legal services or support. Also include:
 - a. Address of your office where most services will be rendered.
 - b. What days of the week and hours of the day will you or your firm be available for conversations.

G. Work Examples

1. Provide examples of two or more memos and letters explaining, interpreting, or applying the law to a client (preferably municipal or public entity).
2. Provide examples of any Police Department trainings created or given.
3. Provide any examples or describe experience incorporating technology including cloud services into interactions with the Court, other Counsel and the Police Department.

H. References

Provide contact information for three municipal clients, current and/or prior, so reference checks can be conducted.

I. Additional Information

Any other information that the proposer feels applicable to the evaluation of the Proposal or of their qualifications for accomplishing the legal services should be included in this section. You may use this section to address those aspects of your services that distinguish you or your firm from others.

HOW TO APPLY

Proposals may be mailed to:

Richard Meyers, City Manager
Attention: City Prosecutor Proposal
City of Cottage Grove
400 E. Main Street
Cottage Grove, OR 97424

Alternatively, proposals may be delivered to the Office of the City Manager, 400 E. Main Street, Cottage Grove, Oregon, in an envelope addressed to Richard Meyers, City Manager, Attention: City Prosecutor Proposal. As a further alternative, proposals may be e-mailed as an attachment, with the e-mail subject "City Prosecutor Proposal" and with the e-mail addressed to citymanager@cottagegrove.org. E-mail attachments should be in Word format. **The deadline for submission of proposals is 3:00 pm, Friday, June 14, 2019.**

INFORMATIONAL

Cottage Grove Municipal Court is held the first and third Thursday with trials scheduled for the second and fourth Thursdays. The court had 571 criminal cases and 888 violations filed in 2017 and 708 criminal cases and 1,156 violations filed in 2018. The Court averages 1 jury trial per year.

Additional information, City Charter, Municipal Code, Development Code, Budgets and organizational information is available on the City's website at: www.cottagegrove.org.

EVALUATION/SELECTION OF PROPOSALS

Evaluation Criteria

The following information will be taken into consideration during the evaluation process.

- A. Qualifications identified in the Proposals.
- B. Complete and clear responses to items in the Proposal Form and Content section.
- C. Familiarity with laws and regulations governing Oregon local governments and operating procedures relative to conduct of Municipal Court and prosecution.
- D. Demonstrated expertise and experience in the following areas as it relates to municipalities;
 1. Municipal Court prosecution and operations
 2. Enforcement of Municipal, traffic
- E. Range of services offered and available support staff.
- F. Demonstration of workload capacity commensurate with the level of service required by the City.
- G. Professional reputation for providing high-quality services, ability to work cooperatively with Municipal Judge, Defense Attorneys, Court Staff, Police Department staff, City Manager, Department Heads and media.
- H. Demonstration of sound judgment, integrity, and reliability as determined by the references provided.
- I. Cost of providing services as per the submitted retainer or hourly rate schedule. Please note that while proposed fees are a significant factor in determining the successful proposer; they are balanced against criteria specified in this section.

Clarifications

The City reserves the right to seek clarification of each proposal submitted. The City also reserves the right to require other evidence of technical, managerial, financial, or other abilities prior to selection.

PROCESS

The City Manager will create an Evaluation Committee which shall review all RFPs and may select one or more finalists for interviews. Additionally, the Evaluation Committee may require submission of supplemental materials. The successful attorney(s) or firm(s) will be the one that in the judgment of the Evaluation Committee best demonstrates the ability to cover the broadest range of legal services in the most cost-effective manner. Upon completion of the evaluation process by the Evaluation Committee, the City Manager will advise the proposers of the selection and negotiate the appropriate agreement(s). The agreement(s) will define the extent of services to be rendered, method and amount of compensation. The successful proposer agrees to enter into a contract with the City. The City reserves the right to negotiate a final contract that is in the best interest of the City. The proposal will become a part of the agreement. The City Prosecutor serve at the pleasure of the City Manager. The contract may be terminated at any time by the City Manager. Once a tentative agreement is prepared, it will be presented to the City Council to award the personal services contract.

The process timetable is:

Deadline for Receipt of Proposals	Friday, June 14, 2019 @ 3:00 pm
Evaluation Committee review and interviews if any	June 18 th – 28 th
City Manager agreement negotiation	June 28 th – July 12 th
City Council award of personal services contract	July 22 nd
Begin City Prosecutor Services	On or near August 15 th

In addition to all other rights granted to it under Oregon Law, the City of Cottage Grove reserves the right to waive formalities in the proposal process; to accept or reject any or all proposals received as a result of this request; to request additional information concerning any proposal; to accept or negotiate modifications to any proposal; to negotiate with qualified attorneys; to interview any proposer; to cancel, in part or in its entirety, the request for proposals; or to waive any irregularities in any proposal following the proposal submission deadline date; in order to serve the best interests of the City. City also reserves the right to negotiate separately with any proposer whatsoever, in any manner necessary to serve the best interests of the City. This request for proposals does not commit the City to pay any costs incurred in the preparation of a proposal.

All inquiries regarding this Request for Proposals should be directed by e-mail to Richard Meyers, City Manager, at: citymanager@cottagegrove.org.