



**CITY OF PACIFIC**  
**REQUEST FOR PROPOSALS**  
**FOR**  
**PROSECUTION SERVICES**

The City of Pacific invites interested and well-qualified individual attorneys and law firms to submit written proposals to provide prosecution services in the City.

**SCOPE OF SERVICES:**

The City has a contracted legal firm that provides the City with an Attorney, who is responsible for and manages the City's legal affairs. The services that are the subject of this Request for Proposals (RFP) fall into the category of prosecution in municipal court of civil and traffic infractions, criminal misdemeanors and gross misdemeanors. Proposers may be individuals, law firms, or public law offices. The contracted services are intended to begin in January 2018.

The city prosecutor is responsible for all aspects of prosecution in the Pacific Municipal Court, including but not limited to the prosecution of trials, both jury and bench, pre-trial motions, and certain contested hearings such as forfeitures, as described below:

1. Makes filing decisions on criminal cases, with input from City police;
2. Advises City police on the conduct of investigations, search warrants, trial preparation, seizures, and related matters;
3. Interviews witnesses and victims of crimes and conducts discovery;
4. Advises victims regarding their rights and responsibilities;
5. Represents the City at arraignments, pretrial hearings, motions, bench and jury trials, sentencing, and review hearings and appeals in connection with criminal misdemeanor and gross misdemeanor cases and certain contested infraction matters;
6. Makes appropriate sentencing recommendations and decisions to the court;
7. Prepares and presents legal memoranda, subpoenas, jury instructions, and other related materials;
8. Provides legal research, training, and assistance to City police in criminal matters, including statutory interpretation, enforcement issues, and case decisions; and creating and maintaining appropriate files.

Currently, the Pacific Municipal Court is a part-time court that is in session on Wednesdays and/or Thursdays from 9 am to 5pm. Additional appearances may be necessary to handle

arraignments or other matters.

Detailed information indicating the volume and nature of the City's prosecutions can be found at <http://www.courts.wa.gov/caseload/>. (Pacific Municipal Court data is listed under Courts of Limited Jurisdiction, King County.)

### **MINIMUM QUALIFICATIONS:**

Any attorney proposed to provide prosecution services shall be licensed in the State of Washington. Five or more years of experience, including significant trial experience, is preferred for any attorney proposed as the lead prosecutor. Experience in providing the type of prosecution services described above is highly desirable.

### **COMPENSATION:**

The City and any attorney selected for these services will enter into a professional services agreement which will address compensation. Proposals must clearly set forth the fees or fee structure (e.g., hourly rate, monthly retainer, per-case fee) to be charged for the proposed services.

### **SELECTION PROCESS:**

All proposals will be reviewed and screened by the Mayor and City Attorney. Proposals will be evaluated by considering the proposed prosecutor's quality of experience, the strength of the approach described in the proposal, and the cost to the City. Finalists will be invited for interviews, after which the Mayor intends to make a recommendation to the City Council for its approval, together with approval of a professional services agreement.

### **INSTRUCTIONS TO REPLY TO THIS REQUEST FOR PROPOSALS:**

To reply to this RFP, please submit a proposal of no more than five pages stating the information described in the "Requested Information" section below.

All materials shall be submitted in one packet and shall be mailed or hand-delivered to:

Amy Stevenson-Ness, City Clerk  
Attention: Prosecution Services Proposal  
City of Pacific  
100 3<sup>rd</sup> Avenue S.E.  
Pacific, WA. 98047

Alternatively, proposals may be e-mailed as an attachment, with the e-mail subject "Prosecution Services Proposal" to [astevenson-ness@ci.pacific.wa.us](mailto:astevenson-ness@ci.pacific.wa.us). E-mail attachments should be in Word format. Consideration will only be given to proposals received by 5:00 P.M., Thursday, November 30, 2017.

**ALL APPLICATION MATERIALS MUST BE SUBMITTED BY 5:00 P.M. ON NOVEMBER 30, 2017.**

At the City's discretion, proposals submitted after the due date and time may be considered. Proposers accept all risks of late delivery of mailed proposals.

## **REQUESTED INFORMATION:**

Proposals should include the following information. Proposers may submit additional information as deemed appropriate.

1. For individual proposers, employment history since 2000. For firm proposers, legal status of firm or predecessor firms since 2000, including specialization of individual, firm, or predecessor organization.
2. The proposer's professional qualifications for providing prosecution services, including for each attorney likely to provide services:
  - A. Law School attended (including year of graduation), year of admission to Washington State Bar, and years of practice. Must be a member in good standing of the Washington State Bar Association. Provide the attorney's Washington State Bar number.
  - B. Years of municipal or other public sector law practice as a full-time government attorney or attorney specializing in municipal or other public sector law practice in a law firm or as a sole practitioner, with emphasis on experience providing prosecution services.
    - i. Describe relevant areas of knowledge and experience in Washington government law, including but not limited to law related to municipal court prosecutions.
    - ii. Describe experience with motions practice relevant to prosecution services;
    - iii. Describe jury and bench trial experience.
3. The proposer's understanding of the type and level of services needed;
4. The proposer's intended approach to providing the services (including the level of City support anticipated);
5. A statement of the proposer's understanding of the role of the Prosecutor, and his/her relationship to the court, police department, victims, witnesses and community;
6. The proposer's philosophy in prosecuting cases where the defendant is pro se;
7. Other types of clients represented by the proposer;
8. Affiliations or clients that could cause conflicts of interest regarding City matters, if any;
9. Any pending litigation or judgments rendered against the attorneys proposed to provide services that relate in any manner to the professional activities of the attorney and/or the firm, including any pending complaints filed with the Washington State Bar Association;
10. The proposed compensation structure for the services; and
11. Contact information for three professional references.

The City reserves the right to reject all proposals, to request additional information concerning any proposal, to accept or negotiate modifications to any proposal, to interview any proposer, and to waive any irregularities in any proposal following the proposal submission deadline date, in order to serve the best interests of the city.

All inquiries about this Request for Proposal and current legal services received by the City, should be directed by e-mail to Amy Stevenson-Ness, City Clerk, at [astevenson-ness@ci.pacific.wa.us](mailto:astevenson-ness@ci.pacific.wa.us).