

# TOWN OF DE BEQUE REQUEST FOR PROPOSALS

**MUNICIPAL PROSECUTION SERVICES**

Submit to:

Care' McInnis cmcinnis@debeque.org

Questions can be directed to Care' McInnis at cmcinnis@debeque.org Please submit all questions by Monday, May 13, at 4:30 p.m. MST.

**Deadline**: Friday, May 17, 2024, 4:30 MST

**Summary**: This is a Request for Proposals for a Municipal Court Prosecutor (“MCP”) to provide legal services for the Town of De Beque (“Town”). The Town is interested in contracting with an attorney or firm to provide high quality, responsive, timely and cost-efficient legal services for the Town’s municipal court. The purpose of the RFP is to gather pertinent information concerning the ability, qualifications, and costs of an individual attorney or firm to meet the municipal court needs of the Town.

The Municipal Court Prosecutor should be experienced in the types of legal issues associated with statutory municipalities and municipal court. The Municipal Court Prosecutor will need to work closely with the Town Manager, the Marshal, the Court Clerk, the Municipal Judge, and other Town staff. The relationship between the Town and the Municipal Court Prosecutor will be one of independent contractors, and the prosecutor will not be an employee of the Town or the Town Attorney’s firm.

**Background**: The Town of De Beque is a statutory municipality in eastern Mesa County, Colorado. Municipal court is currently held the first Thursday of every month at Town Hall at 2:00 p.m. The Municipal Prosecutor should be available to attend every court session. On occasion, a jury trial or other special hearing may need to be scheduled outside of the regular court calendar. The Town has its own Marshal Department and the Prosecutor will coordinate with the Court Clerk. The De Beque Municipal Court handles all municipal infractions, including traffic and parking violations, animal violations, nuisance and building code violations, and other Municipal Code violations. The Municipal Prosecutor must have or must obtain direct access to CCIC.

**Scope of Services**: The Municipal Court Prosecutor will represent the Town in the following matters: Prosecution of violations of the Town Municipal Code in the Town’s Municipal Court and related prosecutorial functions (e.g. plea negotiations, sentencing recommendations, probation revocations and contempt hearing). Legal services will include all necessary court appearances, legal research, investigation, correspondence, preparation of legal documents, trial preparation, appeals to municipal and District Court and all related work required to properly represent the Town in the following areas:

* Prosecute violations of the De Beque Municipal Code.
* Prepare for and attend trials, hearings, and other criminal and civil case activities.
* Review facts and law, conduct legal research, prepare pleadings, and conduct defense interviews.
* Conduct pretrial conferences, including negotiation of plea agreement offers and terms of deferred judgments and prosecution.
* Collaborate and confer with the Town Attorney, as needed, including consulting with the Town Attorney on interpretations of the Municipal Code and appeals.
* Work with the Town Attorney, Town staff, and personnel in preparing matters for Municipal Court prosecution.

# Proposals should include the following information:

* Background of your firm, including size, date established and office location; or individual qualifications if not associated with a firm.
* Information on your/the firm’s experience as it relates to the following areas:
	+ Prosecution in municipal court, including familiarity with court rules
	+ Statutory municipalities
	+ Code enforcement
	+ Colorado Model Traffic Code
	+ Animal control laws
* List the municipalities you currently represent or have previously represented, if any, with the dates of representation for each. Include a summary of your duties and responsibilities for each municipality. Please include a comprehensive list of municipal clients over the past five years and name the attorney assigned to those clients.
* Describe the primary focus of your/the firm’s representation not related to municipalities.
* Identify the attorney who would be primarily responsible for work on behalf of the Town and, if different from the responsible attorney, the attorney who would attend court dates.
* Specify your availability to attend court dockets.
* Provide information on your billing rates and practices, including:
	+ Billing rates for each attorney and any support personnel that would be involved in providing legal services to the Town.
	+ A summary of your/the firm’s billing practices.
	+ Rates charged for travel time, and any incidentals such as copying, telephone rates, courier services, faxes, supplies, etc., if any.
* If you are willing to enter a fixed fee agreement, flat rate retainer, or some combination thereof, please describe in your proposal.
* Discuss any known or potential conflicts of interest you or your firm may have in representing the Town.
* Describe any formal disciplinary complaints or malpractice complaints that have been made against you, and their final disposition.
* Provide three to five relevant references that the Town may contact.
* Please answer the following questions, limiting your combined answer to no more than one-page total:
	+ Give an example or description of the working relationship you envision with the Court Clerk, other Town staff, and the Town Attorney.
	+ Give an example or description of the working relationship you envision with the Municipal Court Judge.
	+ What steps would you take to prepare for a hearing?

Other Terms and Conditions:

* The Town reserves the right to undertake its own investigation to evaluate a candidate. The Town shall have the sole discretion to accept or reject any submittal.
* The Town reserves the right to solicit or recruit any attorney(s) or legal firms directly to request qualifications.
* All submittals become the property of the Town upon receipt and will not be returned to the applicant.
* The Town operates under applicable public disclosure laws. Proprietary information must be identified and will be protected to the extent that is legally possible.
* Cost of submitting the response to the RFP, attendance at an interview, or any other such costs are entirely the responsibility of the candidate or candidate firm and shall not be reimbursed in any manner by the Town.
* Failure to conform to directions under this RFP may lead to the rejection of a submittal. The submittals should contain all information necessary to evaluate the qualifications of a candidate or firm.
* The Town reserves the right to accept or reject any and/or all proposals and to waive any informalities or irregularities in said proposals. The RFP does not bind the Town to hire a new Prosecutor when, in the Town’s sole discretion, the Town determines not to do so.

**Submittals**: Please send via email to Care’ McInnis, cmcinnis@debeque.org with the proposal attached.

**Schedule:** Proposals must be submitted to the Town no later than **Friday, May 17 at 4:30 p.m. MST.** The review committee will evaluate proposals according to the criteria above and schedule interviews with candidates.