



**REQUEST FOR PROPOSALS
RFP-24-103-Municipal Judge Services**

**PROPOSAL DUE DATE:
Thursday, March 14, 2024 BY 2 PM Mountain Time**

Municipal Judge Services

City of Wheat Ridge Procurement
Proposals may be sent to the contact listed below.
Email subject line must include: RFP-24-103
Attn: Whitney Mugford-Smith
wmsmith@ci.wheatridge.co.us

DOCUMENTS PREPARED BY:
PURCHASING & CONTRACTING DIVISION on behalf of the
Municipal Court

ANTICIPATED KEY DATES	
RFP Issued:	February 16, 2024
Question Acceptance Deadline:	February 26, 2024 at 2pm
Proposals Due by:	March 14, 2024 at 2pm
Interviews:	April 15, 2024
Council Date:	May 20, 2024
Anticipated Contract Execution:	May 2024
Anticipated Start Date:	June 2024

IMPORTANT: PLEASE READ ENTIRE DOCUMENT – DO NOT REMOVE ANY PAGES
Per the attached specifications, terms, and conditions.

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INTRODUCTION, BACKGROUND & SCOPE

INTRODUCTION

The City of Wheat Ridge (the “City”) Municipal Building is located in the northwest Denver metropolitan area, with municipal offices at 7500 W 29th Avenue, Wheat Ridge, CO 80033. The City’s area consists of about nine square miles of rolling land adjacent to Interstate 70 transportation corridor between Denver and the Rocky Mountains. The topography is somewhat unique, with a natural ridge traversing the City. The City is a suburban community of approximately 33,000 residents. Wheat Ridge is a home-rule municipality with an elected mayor and eight council members, and a Council- Manager form of government. Wheat Ridge recognizes the Best Value procurement model which allows the City to award suppliers that best meet the needs of the City, taking into consideration proposer qualifications, price, products, and service capabilities and other factors relevant to the City’s policies, programs, administrative resources, and budget.

BACKGROUND

There shall be a Municipal Court which shall have jurisdiction to hear and determine all cases arising under this Charter or the ordinances of the City of Wheat Ridge. The Council shall appoint a Presiding Judge. The Council may also appoint one (1) or more associate judges, who shall sit at such times and upon such cases as shall be determined by the Presiding Municipal Judge. Such associate judge shall have all the powers of a Municipal Judge and their orders and judgments shall be those of the Municipal Court.

All judges shall be members in good standing of the Bar of the State of Colorado and shall have a minimum of five (5) years’ experience on the bench or in the active practice of law in the State of Colorado immediately prior to appointment. The Presiding Municipal Judge is appointed by City Council to serve a two (2) year term and is an independent contractor. The Presiding Municipal Court operates under an Administrative Management Model and administrative functions are overseen by the Court Administrator who reports to the City Manager’s Office. The Presiding Municipal Judge retains all judicial responsibilities. The City’s previous Presiding Municipal Judge retired at the end of 2023.

SCOPE OF WORK

The actual services to be performed will be determined by the City, to include—but not limited to—the following areas:

The Presiding Municipal Judge must be a member of the Bar of the State of Colorado and have a minimum of five years’ experience on the bench or in the active practice of law in Colorado immediately prior to appointment. Legal experience in the field of criminal law, procedure, and rules of evidence is beneficial. The Presiding Municipal Judge works with the Court Administrator and Court Staff in a professional and courteous manner to establish and maintain processes and procedures to ensure efficient and legally defensible courtroom practices. The Presiding Judge will participate in implementation of various City programs as they relate to Municipal Court. The selected appointee will demonstrate impeccable character, integrity, reputation, judgment, experience, and efficiency.

Judicial Functions include, but may not be limited to:

- Preside over court sessions. Interpret and apply the law, make legal rulings, and ensure that the proceedings are conducted fairly and according to established legal procedures.
- Responsible for making legal decisions based on the facts presented and applicable laws. Adjudicate cases by listening to evidence, determining the guilt or innocence of the accused, and, in the case of guilt, imposing appropriate penalties.
- Interpret and apply the law to specific cases. Ensure that legal principles are correctly understood and followed.
- Uphold the principles of due process, ensuring that all parties involved in a case are treated fairly and have the opportunity to present their case.
- Adopt rules and regulations to conduct the business of the Court.
- Appoint referees or administrative hearing officers.

Preferred Qualifications

- Knowledge of Municipal Court Rules; Rules of Criminal Procedure, Criminal Rules of Evidence, Model Traffic Code; Wheat Ridge Municipal Code and Home Rule Charter
- Physical ability to perform essential job functions. Regularly required to sit, stand, walk, talk, hear, see, and

- demonstrate manual dexterity. Occasionally required to kneel, stoop, and perform light lifting up to 10 lbs.
- Possession of valid driver's license with safe driving record
- Bilingual English/Spanish is beneficial but not required

General Court Information

Court is in session Tuesdays, Wednesdays, and Thursdays for an average of ten days per month, excluding holidays. Virtual prisoner hearings are scheduled with Jefferson County Detention Facility at 3:00 p.m. Monday through Friday. Jury trials are scheduled as needed on the third or fourth Thursdays of the month. The Presiding Municipal Judge will have on call responsibilities. Projected case load consists of 1400 annual case filings; 2700 matters scheduled before the Court including Arraignments, Pre-Trials, Trials to Court, Jury Trials, and Hearings; and 400 virtual prisoner hearings. Case types consist of administrative citations, abatements, animal, code, general ordinance violations for both adults and juveniles, parking, and traffic. Relief judges are called to substitute for the presiding judge due to illness, vacation, or recusal. It is anticipated that the Presiding Municipal Judge will work a schedule that fluctuates 20-25 hours per week depending on caseload.

Submission Requirements

- Current resume that describes at a minimum how you meet the desired qualifications.
- Detail your background and experience emphasizing your municipal law experience and level of responsibility in this area.
- Describe your ability, capacity, and skill as a judge and ability to provide the services as outlined in the Scope of Work
- Describe how you and others with whom you have worked view your reliability, character, integrity, reputation, judgment, experience, and efficiency.
- Describe any municipal court judgments that you have issued that were subject to an appeal and the outcome of such appeal(s).
- Describe how you will keep abreast of current legislation and obtain ongoing education and training in order to remain current on all matters relating to municipal courts and municipal judges and provide training and guidance to the City on compliance. Describe any involvement in local and statewide municipal court committees. Also describe how, and under what circumstances, you will charge the City for these efforts.
- Describe your ability to, and professional record of, interacting with City staff, defendants, witnesses and attorneys in a professional, congenial manner.
- Describe how you envision the working relationship of the judge and the court staff and what your expectations are of the court staff as the Presiding Municipal Judge if selected.
- Describe your ability to meet the time requirements of being in attendance on the bench by describing your existing workload and any time conflicts in meeting the current docket schedule of the City. Describe whether your current workload fluctuates in any manner that would make your attendance during scheduled court sessions difficult.
- Describe your availability and adaptability of services to meet the needs of the City, including interpreting City Code / Charter, Changes in Municipal Law, interaction with Jefferson County Sheriff's Office, etc.
- Disclose any conflicts of interest you may have with the City.
- Provide a list of references with whom you have worked in the past five (5) years. If you have provided municipal court judge services to municipal or government clients in the recent past, please submit municipal or government client references as well. References from court staff and city or town attorneys for municipalities for which you have provided services are favored.
- Describe your engagement with the community.
- Describe how you will remain available and be reachable for those (rare) circumstances when review of an arrest or search warrant affidavit and issuance of any warrant are needed.
- Cost Proposal. Provide detail on billing structure and rates. If you are open to alternative compensation arrangements, please provide detail of acceptable alternatives. Compensation will be negotiated based on scope and range of experience.

- Confirm Proposer has and will continue to maintain Professional Liability insurance as an attorney. To the extent you intend to maintain a private law practice in addition to service as the presiding judge, please confirm that you will maintain appropriate malpractice insurance.

EVALUATION CRITERIA & PROCESS

Evaluation criteria:

- Information Presented in the Proposal
- Qualifications and Experience of the Proposer
- References
- Cost Proposal
- Acceptable Background Check
- Personal Interview – not included with submission

To simplify the review process and to obtain the maximum degree of comparability, the proposal must follow the outline described below and—at a minimum—contain the requested information.

Omissions or incomplete responses in terms of content or aberrations in form may, at the City's discretion, render the proposal non-responsive.

Submit the following information in your proposal, in this order:

1. Response to Submission Requirements list
2. City-Required Forms (Supplied by City)
 - a. Proposer Information Sheet
 - b. Non-Discrimination Form
 - c. Non-Collusion Affidavit
 - d. Proposer's Qualification Form
 - e. Acceptance of Conditions Statement
 - f. Current W-9 (blank provided upon request)

SELECTION PROCESS

The selection committee may either recommend an appointment based on the proposals alone or elect to short-list top-rated candidates and conduct interviews.

The short-list process includes written notification to the short-listed proposers, interviews, reference checks, and the negotiation of fees.

1. **Short List**: Submittals will be evaluated in accordance with the evaluation criteria above. The panel will review and score all proposals received. Proposers with the highest scores may be invited to participate in oral interviews with the City Council.
2. **Oral Interviews**: It is anticipated that oral interviews will be conducted in accordance with the schedule on the cover page. Short-listed Proposers will be notified in writing and invited to interview. The selection committee will, in particular, be interested in knowing more about the Proposers' previous experiences as they relate to the request for proposal.
3. **Fee Proposals and Final Selection**: The City will attempt to negotiate a contract with the highest ranked Proposer following the interview process.

ADMINISTRATIVE AND OFFEROR INFORMATION

1. NO COMMITMENT BY THE CITY OF WHEAT RIDGE

This Request for Proposals does not commit the City of Wheat Ridge to make an appointment or to pay any costs associated with or incurred in the preparation of a proposal to this request. In acceptance of

proposals, the City of Wheat Ridge reserves the right to negotiate further with one or more of the proposers as to any features of their proposals.

2. LAWS AND REGULATIONS

All applicable State of Colorado and Federal laws, City and County ordinances, licenses and regulations shall apply to the appointment throughout, and herein incorporated here by reference.

3. SUBCONTRACTING

No portion of this proposal may be subcontracted without the prior written approval of the City.

4. SALES PROHIBITED / CONFLICT OF INTEREST

Proposers are advised that no officer, employee, or member of City Council shall have a financial interest in the sale to the City of any real or personal property, equipment, material, supplies, or services—where such officer or employee exercises (directly or indirectly) any decision-making authority concerning such sale or has any supervisory authority over the services to be rendered. Soliciting or accepting any gift, gratuity favor, entertainment, kickback, or any items of monetary value from any person who has or is seeking to do business with the City of Wheat Ridge is prohibited.

5. TERMINATION

The appointed Municipal Judge may be removed by the Council only for the reasons set forth in Section 8.3 of the Home Rule Charter:

- a) Found guilty of a felony or any other crime involving moral turpitude,
- b) A disability which interferes with the performance of duties and which is, or likely to become, permanent,
- c) Willfully or persistently fail to perform duties,
- d) Habitually intemperate

6. EQUAL OPPORTUNITY

The successful proposer will agree not to refuse to hire, discharge, promote, demote, or to otherwise discriminate in matters of compensation against any person otherwise qualified solely because of race, creed, sex, national origin, ancestry, or physical handicap.

7. DISADVANTAGED BUSINESS ENTERPRISES

Proposers are advised that disadvantaged business enterprises are afforded full opportunity to submit bids and will not be discriminated against on the grounds of race, color or national origin in consideration for an appointment. As a recipient of Federal funds, subject to United States Department of Transportation Title VI Regulations at 49 CFR Part 21 the Civil Rights Act of 1964, the City of Wheat Ridge and its responsible agents, proposers and consultants assure that no person shall on the grounds of race, color or national origin be excluded from participation in the opportunity to bid or be discriminated against in consideration of appointment of this project.

8. COMMON LANGUAGE

Unless otherwise specified in this document, all words shall have a common language unless the context in which they are used clearly requires a different meaning. Words in the singular number include the plural, and in the plural include the singular. Additionally, words in the masculine gender include the feminine and the neuter, and when the sense so indicates, words of the neuter gender may refer to any gender.

9. PROPRIETARY INFORMATION

The evaluation committee will hold information provided by proposers during the solicitation process in confidence until the date of an appointment. After that date, proposals will become public record. Proposers may request parts of their proposals to remain confidential and shall indicate as such in the proposal and on the appropriate proprietary or financial pages. All information included in any proposal that is of a

proprietary nature must be **clearly** marked. The City shall be held harmless from any claims arising from the release of proprietary information not clearly designated as such by the proposing firm. An entire proposal shall not be considered proprietary.

10. GOVERNING LAW

The laws of the State of Colorado shall govern any contract executed between the successful proposer and the City. Further, the place of performance and transaction of business shall be deemed to be in the County of Jefferson, State of Colorado. In the event of litigation, the exclusive venue and place of jurisdiction shall be the State of Colorado—more specifically, Jefferson County, Colorado.

11. TAXES AND LICENSES BY THE APPOINTED PROPOSER

The selected proposer must continuously maintain in force their license to practice law in the State of Colorado.

12. COMPENSATION

Charter Section 8.5 requires the Council to set the Judge's compensation by Ordinance. Compensation is not dependent on the outcome of cases and may not be reduced during the 2-year appointment period.

13. FUNDING

There is in effect within the City of Wheat Ridge, Colorado, Section 2-4 of the City's Code of Laws which limits the amount for which the City shall be liable to the amount expressly appropriated by the City Council, either through budgeted appropriation, or contract or bid appointment. The proposer is specifically advised of this Section 2-4 of the Code of Laws. All contracts with the City are specifically subject to the provisions of said Code Section. Funding of this contract for any time period after January 1st of the year succeeding the date of entry of this contract is expressly contingent upon appropriations being made by the City Council of the City of Wheat Ridge, Colorado. No promise—expressed or implied—is made that such funding will be approved by the City Council, acting in its legislative discretion.

14. INDEPENDENT CONTRACTOR

Notwithstanding any provision appearing in this RFP, the person selected as the Presiding Judge shall be—and remain at all times an independent contractor. Although the selected person will certainly be an official of the City, that person shall make no representation that it is the employee of the City for any reason.

15. DUE DILIGENCE

Due care and diligence have been used in the preparation of this information and it is believed to be substantially correct. The responsibility, however, for determining the full extent to the exposure and the verification of all information shall rest solely with the proposer. The City is not responsible for any errors or omissions in the specification, or for the failure on the part of the proposer in determining the full extent of exposure.

16. DEBRIEFING

After the appointment has been made, interested parties may contact the City Procurement Manager to request a debriefing on the selection process, as well as a discussion of the strengths and weaknesses of their proposal.

THANK YOU FOR YOUR INTEREST IN DOING BUSINESS WITH THE CITY OF WHEAT RIDGE



RFP-24-0103-Municipal Judge Services

PROPOSER INFORMATION

FEIN / SSN (Required) _____ DUNS _____
Federal ID number

COMPANY NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIPCODE _____

PHONE _____ CELL _____

AUTHORIZED SIGNATURE _____
REQUIRED—MUST BE IN INK or Digital

PRINTED NAME _____

TITLE _____ EMAIL _____

PROPOSER IS RESPONSIBLE FOR FOLLOWING UP ON ALL ADDENDA

DO NOT CONTACT THE REQUESTING DEPARTMENT OR MEMBERS OF THE EVALUATION COMMITTEE

Signature acknowledges that proposer:

- 1) Has read the RFP documents thoroughly prior to submitting a proposal,
- 2) Will fulfill the obligations in accordance to the scope of work or specifications, terms, and conditions,
- 3) Is capable of performing quality work to achieve the City objectives, and
- 4) Is submitting without collusion with any other individual or firm.

CITY OF WHEAT RIDGE, CO
NON-DISCRIMINATION ASSURANCE FORM
TITLE VI REGULATIONS AT 49 CFR PART 21

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin by any entity receiving Federal financial assistance.

The City of Wheat Ridge is a recipient of Federal financial assistance and as such, it—as well as all of its responsible agents, proposers and consultants—is required by the United States Department of Transportation Title VI Regulations at 49 CFR Part 21 (the Regulations) to assure nondiscrimination. The City of Wheat Ridge assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination on the grounds of race, color, or national origin under any program or activity conducted by the City.

All proposers are hereby notified that the City of Wheat Ridge will affirmatively ensure that disadvantaged business enterprises will be afforded full opportunity to submit bids in response to all invitations and will not be discriminated against on the grounds of race, color or national origin in consideration for an appointment. This applies to all solicitations for bids for work or material subject to the Regulations, and for all proposals for negotiated agreements.

The proposer, whose name and signature appear below, certifies and agrees as follows:

1. The proposer shall comply with the provisions of Title VI of the Civil Rights Act of 1964.
2. The proposer assures the City of Wheat Ridge that disadvantaged business enterprises are afforded full opportunity to submit bids as sub-contractors or sub-consultants and will not be discriminated against on the grounds of race, color or national origin in consideration for appointment.
3. The proposer shall comply with all reasonable requests made in the course of an investigation of Title VI, the Regulations and this assurance by the Colorado Department of Transportation, the US Department of Transportation or the City of Wheat Ridge, as a sub-recipient of Federal financial assistance.
4. The proposer agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under Title VI, the Regulations and this assurance.

FIRM: _____
(Print full legal name of company)

AUTHORIZED SIGNATURE: _____

Printed Name and Title: _____

Date Certified and Agreed: _____

Attestation: (A corporate attestation is required)

Place corporate seal below:

BY: _____
Corporate Secretary or Equivalent

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PROPOSED PRICE SCHEDULE

SUBMIT ON THIS PAGE, OR ATTACH YOUR DETAILED COMPENSATION PROPOSAL

NAME OF FIRM: _____

ADDRESS: _____

Compensation Proposal_____

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ACCEPTANCE OF CONDITIONS STATEMENT

A. Proposing firm indicates acceptance of the following conditions:

1. City of Wheat Ridge prohibits contracting with firms that employ certain relatives of City employees, unless the City Council determines that the making of such a contract is in the City's best interest.

No City Council member, member of a City Board or Commission, Municipal judge, City Manager, City attorney(s), or employee of the City of Wheat Ridge—or any such person's spouse, child, parent, brother, sister, dependent or person assuming a relationship being the substantial equivalent of the above—has an existing or pending (direct or indirect) financial, pecuniary, or personal interest in the proposing firm or this Request for Proposal (RFP), except as follows:

2. I / we hereby agree to all instructions, terms and conditions, and specifications contained herein.

Submitted by:

SIGNATURE

DATE