**REQUEST FOR PROPOSAL**

The City of Rocky Ford is seeking a qualified Colorado licensed attorney / judge to serve as the Presiding Judge of the Minturn Municipal Court. The City is requesting proposals from qualified proposers for an initial two-year term of appointment and contract to start January 29, 2024, subject to future optional renewal terms upon mutual agreement of the City and the to-be-appointed Municipal Judge.

Proposals are to be addressed and delivered to the City Manager for the City of Rocky Ford, in accordance with the Instructions to Proposers and all other requirements as reference in this RFP. Proposals will be received until the Proposal Closing Date and Time set forth on the cover page of this RFP, at which time a representative of the City will publicly announce the names of those firms or individuals submitting proposals. No other public disclosure will be made if and until award of contract.

City Council will conduct interviews on a date and time to be decided.

* CITY OF ROCKY FORD
* Shannon Wallace
* City Manager

* **INSTRUCTIONS TO PROPOSERS**
1. Proposers responding to this RFP must submit their proposals in the format specified in this solicitation.
2. A copy of the proposal is to be received by the City Manager, on or prior to January 12, 2024
* Electronic copies will be accepted and may be submitted to:

swallace@rockyford-co.gov

* Paper copies may be mailed or delivered to:

City of Rocky Ford

Attn: Shannon Wallace

203 S Main St.

Rocky Ford, CO 81067

1. Any proposer may withdraw his/her proposal at any time prior to the RFP closing date and time.
2. The content of all proposals must conform to the following:
3. Proposers must respond to the questions in the order presented in this RFP.
4. Proposers may provide additional supporting documentation pertinent to clarification of the proposal.
5. The following information must be included with your proposal in this order and be indexed/tabbed.
6. Proposer’s Certification and Signature Page
7. Required Responses as set forth in the Scope of Work to this RFP
8. All changes in the RFP documents shall be through written addendum and furnished to all proposers.
9. Proposers who have questions concerning the submission of proposals, the RFP process, specifications or scope of work must contact:
10. Shannon Wallace
11. City Manager
12. City of Rocky Ford
13. Telephone: (719) 254-7414
14. Email: swallace@rockyford-co.gov
15. The proposals will be reviewed by City Council. Council may request additional information from proposers or request personal interviews with one or more proposer. The weight to be given to each evaluation criterion will be as determined by the City Council. Final evaluation and selection may be based on, but not limited to, any or all of the following, and in no particular order of importance:
16. Information presented in the proposal
17. Service reliability and consistency of quality
18. Qualifications and experience of the proposer
19. References
20. Personal interview
21. Pricing / total cost
22. All proposals timely submitted shall become the property of the City and shall be retained in accordance with the City’s records retention schedule.
23. Public Inspections of Proposals. The City is a Colorado governmental entity. Therefore, all information included in proposals and other written information submitted by the proposer to the City is subject to the provisions of the Colorado Open Records Act, Colorado Revised Statutes Sections 24-72-201 *et seq.* (“CORA”). Proposers should expect that the proposal may be viewed by the general public and competitors once submitted to the City. Under CORA, trade secrets, privileged information, and/or confidential commercial, financial, geological or geophysical data may not be subject to disclosure under CORA (“Confidential Information”)
24. No Waiver of Governmental Immunity. Nothing in this RFP or any resulting agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the City, its officials, employees, contractors, or agents, or any other person acting on behalf of the City and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10 of the Colorado Revised Statutes.

**TERMS & CONDITIONS**

* All participating proposers, by signature, agree to comply with all the terms, conditions, requirements, and instructions of this RFP as stated in this RFP. Should the Town omit anything from this document which is necessary to a clear understanding of the work, or should it appear that various instructions are in conflict, the proposer shall contact the City Manager and secure written instructions at least 48 hours prior to the time and date of the closing of acceptance of the proposals.
* The City reserves the right to:
* Reject any and all proposals received as a result of this RFP.
* Waive or decline to waive any irregularities in any proposal or responses received.
* Adopt all or any part of the proposer’s proposal.
* Negotiate changes in the scope of work or services to be provided.
* Withhold the appointment/award of contract.
* Select the proposer it deems to be most qualified to fulfill the needs of the City. The proposer with the lowest priced proposal will not necessarily be the one most qualified, since several factors other than price are important in the determination of the most acceptable proposal.
* Any individual submitting a signed proposal shall be deemed to have read and understood all the terms, conditions and requirements of this RFP.
* The City shall not be liable for any costs incurred by the proposer in the preparation and production of the proposal, contract negotiations or for any work performed prior to the execution of a contract.
* All proposals and other materials submitted shall become property of the City.
* The successful proposer shall be required to enter into a written contract with the City in a form approved by the City Attorney’s Office. In the even of any conflict between this RFP and production of the contract, the terms and conditions of the contract shall control.
* The City reserves the right to conduct discissions with proposers, to accept revisions of proposals, and to negotiate price changes. During this discussion period, the City will not disclose any information regarding proposal submittals. Upon the execution of the contract(s), the proposals will become public record and contents may be disclosed upon request.
* The successful proposer shall have the insurance company send the City Manager a currently in-force Certificate of Insurance which indicates that insurance coverage has been obtained, including professional liability, which meets the minimum requirements as may be set forth in the written contract with the City.
* The successful proposer shall comply will all applicable federal, state, and local laws, regulations, administrative ruling, and codes, and shall secure all necessary licenses and permits in connection with this RFP and any goods or services to be provided hereunder.
* By submission of the proposal, the proposer certifies that the proposal has been arrived at independently and submitted without collusion with another proposer, and that the contents of the proposal have not been communicated by the proposer, or to the proposer’s best knowledge and belief, by any one of its employees or agents, to any person not an employee or agent of the propose, and will not be communicated to any person prior to the official opening of the proposals.
* The City reserves the right to solicit or recruit any municipalities, attorney(s) or legal firms directly to request qualifications.

**SCOPE OF WORK**

In accordance with the City's procurement policies, this RFP seeks proposals to fill the role of Presiding Municipal Judge for an initial two-year term commencing December 2025, such appointment to be memorialized by an agreement between the appointed Presiding Municipal Judge and the City. Re-appointment for additional two-year term(s) will be subject to evaluation by the City Council.

The City of Rocky Ford is a statutory municipality that operates a municipal court. The Presiding Municipal Judge must be a currently licensed Colorado attorney, preferably with experience on the bench in a Colorado municipal court.

The City Council appoints the Presiding Municipal Judge by resolution for an initial term of not less than two years in accordance with state law and the City's ordinances. The Presiding Municipal Judge is an independent contractor to the City.

Law enforcement services for the City are provided by the Rocky Ford Police Department. Prosecution services are provided by contractor under agreement with the City. The Municipal Court handles all municipal violations, including traffic and parking violations, animal control violations and nuisance and building code violations. The Municipal Court does not handle any domestic violence or felony cases.

The Municipal Court is staffed by a Court Clerk and other City staff during all regular City Hall Business hours. The Municipal Court currently convenes once a quarter. The estimated time required for this position is 6 hours per quarter.

Qualifications and Work: The ideal candidate understands that the Court is the face of the City for many City residents, and will undertake the role with a desire to facilitate the City's goals of fostering compliance with applicable laws balanced with the need to ensure that court attendees are comfortable that justice was fairly served. A candidate that demonstrates impeccable character, integrity, reputation, judgement, experience and efficiency is preferred. Involvement in local and statewide municipal court committees is preferred.

The appointed Presiding Municipal Judge is expected to attend all regular court sessions, or to indicate in the proposal the number of sessions annually that he/she will not be in attendance. Presiding Municipal Judge services include, but are not limited to:

* Reliably attending all court dates for the arraignment and trials
* Coordinating with the administrator of the municipal court appointed by the City Manager, whose responsibilities include oversight of court staff and of all operational aspects of the municipal court, including establishing the necessary standards and procedures for the operation of the court and appointment of a staff member to serve as the daily court clerk when court is in session.
* Remaining abreast of changes in the law that affect the operations of the municipal court and training staff as appropriate.
* Adhering to the City's Strategic Plan and Team Values:
* Strategic Plan Goals Include
* Practice Fair, Transparent, and Communicative Local Government
* Long Term Stewardship of the Natural Beauty and Health of Rocky Ford's Environment
* Advance Decisions / Projects / Initiatives that Expand Future Opportunity and Viability for Rocky Ford
* Conducting arraignments, trails, hearing, sentencings and case dispositions.
* Issuing Written and/or oral findings and judgements when necessary.
* Managing the courtroom when in session to ensure efficiency, orderliness and justice.
* Enforcing the ordinances of the city as adopted by the City Council.
* Explaining the laws and legal system to defendants and ensuring that all defendants understand their rights and, if applicable, knowingly waive their rights.
* Evaluating evidence, testimony, and legal pleadings.
* Interpreting and applying appropriate ordinances, municipal code or ordinances.
* Assessing and overseeing collection of penalties with court staff.
* Ordering and enforcing contempt, failure to appear, abatement of nuisance, and other requirements of the municipal code or ordinances.
* Issuing decisions related to abatement hearing on nuisance, zoning and building code violations.
* Being on-call to review arrest and or search warrant affidavits.
* Issuing inspection orders and search warrants and enforcing municipal subpoenas in accordance with applicable laws.
* Administering oaths of office.

**REQUIRED RESPONSES**

Proposals should address the following issues/questions in the order presented:

1. Proposer's Certification and Signature Page.
2. City of Rocky Ford Consent to Background Check.
3. A copy of proposer's current resume that describes at a minimum how you meet the following required or desired qualifications:
* Attorney at law admitted (active) to practice in Colorado.
* Experience on the bench in a Colorado municipal court of record.
1. Describe your ability, capacity, and skill as a judge and ability to provide the services as outlined in the Scope of Work.
2. Describe how you and others with whom you have worked view your reliability, character, integrity, reputation, judgment, experience, and efficiency.
3. Describe any municipal court judgments that you have issued that were subject to an appeal and the outcome of such appeal(s).
4. 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. Also describe how, if any, you will charge the city for these efforts.
5. describe your ability to, and professional record of, interacting with City staff, defendants, witnesses and attorneys in a professional, congenial manner.
6. Describe how you envision the working relationship of the judge and the City staff, defendant, witnesses and attorneys in a professional, congenial manner.
7. 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.
8. 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 the Rocky Ford Police Department, etc.
9. Describe any conflicts of interest you may have with the City.
10. Provide a list of references with whom you have worked in the past five (5) years. If you have provided municipal court judge services
11. Describe any involvement in local and statewide municipal court committees.
12. 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.
13. Cost Proposal. Provide detail on billing structure and rates. If you are open to alternative compensation arrangements, please provide detail of acceptable alternatives.