

**CITY OF BAINBRIDGE ISLAND  
REQUEST FOR PROPOSALS FOR PROSECUTION  
AND LITIGATION SERVICES**

The City of Bainbridge Island, Washington (the “City”) is requesting proposals from attorneys interested in providing some or all of the prosecution and litigation services described below.

**SCOPE OF SERVICES**

The City has an in-house City Attorney, who is responsible for and manages the City’s legal affairs. The services that are the subject of this RFP fall into two categories, criminal prosecution in municipal court and litigation of short duration hearings. Proposers may be individuals, law firms, or public law offices. The City may choose to aggregate both categories of services into a single contract with an attorney, firm, or public office or may divide the work into separate contracts. These contracted services are intended to begin in January 2011.

**1. Criminal Prosecution**

The attorney selected as prosecutor will be responsible for all aspects of prosecution in the Bainbridge Island Municipal Court, including:

- making filing decisions on criminal cases, with input from City police;
- advising City police on the conduct of investigations, trial preparation, seizures, and related matters;
- interviewing witnesses and victims of crimes;
- advising victims regarding their rights and responsibilities;
- representing the City at arraignments, pretrial hearings, bench and jury trials, and review hearings and appeals in connection with criminal misdemeanor and gross misdemeanor cases and certain contested infraction matters;
- making appropriate sentencing recommendations and decisions to the court;
- preparing and presenting legal memoranda, subpoenas, jury instructions, and other related materials;
- providing 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 Court is in session on Monday, Tuesday and Wednesday from 9 am to 4 pm, with night sessions on the first Tuesday of each month, from 5:30 to 7 pm.

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

## **2. Litigation of Short Duration Hearings**

The City is a party to a variety of legal proceedings that involve administrative and judicial hearings of relatively short duration, typically less than one day. Such hearings include Municipal Court hearings on civil infractions, appeals to the City Hearing Examiner of land use and code enforcement, and appeals to superior court of final administrative decisions made by City officials. Particularly when opposing parties are represented by legal counsel at such hearings, the City generally chooses to also have legal representation.

The volume of these short duration matters is relatively low, amounting to one or two in a typical month.

### **SUPPORT SERVICES**

The City will consider alternative approaches to the office, technology, and staff needed to support the legal services to be provided. Proposals must clearly state the extent to which they are based on any office space, computer services, or support staff being provided by the City.

### **MINIMUM QUALIFICATIONS**

The attorney shall be licensed in the State of Washington. Five or more years of experience is preferred, including significant trial experience. Experience in providing the type of 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 City Attorney. Proposals will be evaluated by considering the attorney'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 City Attorney intends to make a recommendation to the City Council for its approval.

### **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 proposer's professional qualifications;
- the proposer's understanding of the type and level of services needed;

- the proposer's intended approach to providing the services (including the level of City support anticipated); and
- outlining the proposed compensation structure for those services.

The proposal must also include contact information for three professional references.

All materials shall be submitted in one packet and submitted to:

City Attorney  
City of Bainbridge Island  
280 Madison Avenue North  
Bainbridge Island, WA 98110

**ALL APPLICATION MATERIALS MUST BE SUBMITTED BY 5:00 P.M. ON  
SEPTEMBER 30, 2010.**

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.