

CITY OF RIVERDALE- PUBLIC DEFENDER REQUEST FOR PROPOSAL

Riverdale City is soliciting bids from licensed attorneys to provide Public Defender services in the Riverdale Justice Court. The attorney(s) or firm awarded the contract shall be designated the Riverdale City Public Defender and shall be duly appointed to represent all defendants who are appointed legal counsel by the Riverdale Justice Court and RSAC drug court program. The minimum qualifications and scope of services for this request is available online at www.riverdalecity.com or a hard copy may be obtained from the city offices.

Bids shall be delivered to Human Resources, Attn. Stacey Comeau, Riverdale City, 4600 South Weber River Drive, Riverdale, UT 84405, on or before 4PM (MST) November 30, 2023.

Riverdale City is an equal opportunity employer.

(s) Michelle Marigoni
City Recorder

RIVERDALE CITY CORPORATION
REQUEST FOR PROPOSALS AND INSTRUCTIONS FOR RESPONDERS

PUBLIC DEFENDER SERVICES

Request for Proposals

Riverdale City is seeking proposals from qualified attorneys and/or firms to provide Public Defender services on a contractual basis. At a minimum applicants must be admitted into the Utah State Bar and have a current license to practice law in the State of Utah. In order to be considered written proposals must be turned in to the Riverdale City Human Resources Director, Attn. Stacey Comeau, 4600 So. Weber River Drive, Riverdale, UT 84405, **no later than 4:00 p.m. on Thursday November 30, 2023.** Electronic proposals must be delivered to scomeau@riverdalecity.com **no later than 4:00 p.m. on Thursday November 30, 2023.** Late proposals shall be rejected. Riverdale City reserves the right to reject any and all proposals and to waive any informalities or minor irregularities in any proposal.

The City reserves the right, but is not required, to request clarification of information submitted, and to request additional information from any proposer.

Instructions for Responders

1. Scope of work.

The successful proponent will be an independent contractor and will be required to provide all services necessary to provide the services contemplated by UCA §77-32-101 et. seq. The proposal should detail the methods, equipment, tools, and materials the attorney will use to fulfill the purposes of Title 77, Chapter 32. The attorney or firm awarded the contract shall be designated Public Defender for the Riverdale City Justice Court and Riverdale Substance Abuse Court (RSAC), and shall be duly appointed to represent all defendants who are appointed legal counsel by the Riverdale Justice Court and RSAC program.

Presently, Riverdale City Justice Court session for the Public Defender is twice a month on the first and third Thursdays from approximately 10:00 am to 2:00 pm., however the Public Defender will have to make appearances at other times whenever noticed by the Court. This schedule is subject to change based upon the needs of the court.

Pursuant to Utah Rules of Criminal Procedure, Public Defender services may include providing legal representation to persons in other Courts at other times. The Public Defender must provide an emergency contact phone number to the City for that is available 24 hours a day to provide legal representation, in an emergency, including evenings, holidays, and weekends contact purposes.

Services do not extend to forfeiture hearings or hearings with any Department of Licensing.

The following table shows the total number of cases filed in Riverdale Justice Court:

Year	# Crim filed	#Traffic filed	Total	
2022	456	3528	3984	
2021	329	3214	3543	
2020	425	2595	3020	
2019	420	2900	3320	

In 2021 & 2022, the public defender was appointed on 100 criminal cases and 90 traffic cases for an approximate yearly average of 50 criminal cases and 45 traffic cases.

2. Insurance.

The successful proponent will be required to carry for the duration of the contract professional liability insurance, workers compensation insurance, liability insurance, and unemployment insurance, with Riverdale City named on all insurance as an additional insured.

3. License.

The successful proponent must be in good standing with the State Bar and must remain in good standing for the duration of the contract.

4. Experience/qualifications.

Proponents need to demonstrate their experience as a Criminal Law Practitioner or equivalent. Please indicate years of experience practicing criminal law; estimated number of trials before a judge; estimated number to trials before a jury; and estimated number of clients served.

Proponents may retain the assistance of other qualified attorneys for occasional coverage. At all times however, the designated Public Defender will supervise attorneys working under this proposal to ensure that defendants charged in the Riverdale City Municipal Court and RSAC program receive competent legal representation. The Public Defender and any other attorneys performing services under this agreement shall be familiar with the statutes, court rules, constitutional provisions, consequences of a conviction and case law relevant to criminal law;

In the event of vacation, illness, conflict or other absence, the Public Defender is responsible for arranging coverage by and payment to another qualified attorney.

5. Cost/Compensation.

Proponent needs to clearly disclose the costs they will be requesting as compensation for their services. The costs shall be expressed in terms of a total amount of payment for one (1) year's service. The proponent should realize that actual payment terms are subject to negotiation

of a contract with Riverdale City. The costs included in the proposal shall include all costs the proponent will be requesting to complete the services contemplated in the Utah Indigent Defense Act.

Payment by the City for the services will only be made on a monthly basis and only after the services have been performed, an itemized billing statement is submitted in the form specified by the City and approved by the appropriate City representative.

6. Ability to deal with conflicts.

Consistent with all ethical obligations and applicable rules the proponent shall include a description of how the law firm/individual attorney handles conflict checks; description of how the law firm/individual attorney proposes to handle conflicts that may arise in performance of this Agreement.

The proponent shall also disclose its proposed method of providing representation for defends having interests that conflict with one another so that one attorney is not able to adequately represent all defendants.

7. Office resources and support staff.

Proponent needs to detail office resources such as access to legal research and reference material, word processing, and other office services. Also, proponent needs to detail the experience of his/her office staff that will be assisting with the representation of indigent defendants.

8. Obligations to other courts.

Proponent needs to list other public defender or long-term agreements that may require the proponent to be absent from the duties under this proposal, including which hours and days, if any, the proponent will frequently or always be unavailable due to expected and repeated court conflicts.

9. References

Provide a list of at a minimum of three (3) references. Include contact information, phone number and/or email, so that the references may be contacted by City staff. The references need to be persons familiar with the professional skill and ability of the attorney as applied to public defender work.

10. General matters.

Applicant shall provide an email contact with the proposal. Questions and answers related to the RFP shall be emailed to all persons for whom the City has a proposal at the time the answer to the question is given. Proposals shall be limited to ten (10) pages. A page is one

side of a standard 8 ½ x 11 inch sheet of paper. Proposals shall be submitted in word, word perfect, or pdf format. All proposals shall be scored based on the criteria contained herein. The City reserves the right to waive any informalities and reject any or all proposals. All proposals are subject to successfully negotiating a contract with Riverdale City Corporation.

If the City elects to contract with another law firm/individual attorney, state whether your law firm/individual attorney is willing to handle cases for the City on a conflict-basis.

11. Time Schedule

Riverdale City intends to complete this process according to the minimum amount of time allowable under state or local ordinance, which should result in a selection of a person/firm by no later than November 30, 2023, if possible with the intention of having the successful candidate appearing in court on the first Public Defender day in January, 2024.

Proposals will be accepted from Monday November 13, 2023 to Thursday November 30, 2023.

12. Selection Criteria

Selection criteria will be based on the ability of the law firm/individual attorney to perform the duties as described above.