

**Statement of Qualifications
Criminal Prosecution Services**

Due August 15, 2014, at 3:00 p.m. (MDT)

1. **Introduction.** Herriman City (the "*City*") is requesting statements of qualifications ("*Proposals*" or "*Responses*") from qualified proposers ("*Proposers*") to provide criminal prosecution services (collectively, the "*Services*").

1.1. **Intent.** It is the intent of this Statement of Qualifications (this "*Statement*") to set forth the minimum acceptable requirements for Responses to this Statement.

2. **Detailed Description of Services.** A more detailed description of the Services is set forth in exhibit "A" attached hereto.

3. **Proposal Requirements.** Five (5) copies of Responses are required to be submitted to City Recorder, as listed below, no later than 3:00p.m. (MDT) on August 15, 2014. Guidelines for responses are described in exhibit "B" attached hereto. Any response, modification, or amendment received after the due date and time is late. No late Responses will be accepted. No electronic Responses (facsimile, e-mail, or telegraphic) will be accepted. Proposals must include the following elements and be signed by an authorized representative of the Proposer:

3.1. **Introductory Letter.** An introductory letter expressing an interest in providing the Services should be included, together with a signed Certification in the form of exhibit "C" attached hereto. Include an e-mail address for the primary contact of the Proposer. The introductory letter should be addressed to:

HERRIMAN CITY
Attn: City Recorder
13011 South Pioneer Street
Herriman, UT 84096

3.2. **Capacity, Experience, and Qualifications.** Describe, in sufficient detail, the Proposer's capacity, experience, and qualifications that are relevant with respect to the Services.

3.3. **References.** Include the name, address, and contact person of at least three government agencies with which the Proposer has provided similar type Services. The City may contact such references.

4. **Identification of Anticipated Potential Problems.** Proposals should identify and describe any potential problems with respect to providing the Services.

5. **Evaluation Criteria and Scoring Process.** All Proposals received will be reviewed by a Review Panel (defined below). Each evaluation criterion has been given a percentage based on its relative value as a whole. The criteria and each associated percentage are as follows:

Evaluation Criteria

75%	Capacity, Experience, and Qualifications
25%	References

6. **Selection.** Discussions may be conducted with Proposers determined by the City to be reasonably susceptible of being selected for the award. In addition, one or more Proposers may be invited to interview. However, Proposals may be accepted without discussion or interview. The above criteria will be used unless modified in the interview evaluation. A selection committee or individual(s) will be appointed by the City (referred to hereinafter as "*Review Panel*"). The Review Panel reserves the right to modify the interview criteria during the course of this process. If such modification occurs, each Proposer being interviewed will be notified at least twenty-four (24) hours prior to the interview of the revised criteria. Based on the results of discussions, if any, interviews, if any, and proposal scoring, the Proposers will be rated by the Review Panel, and such recommendations will be forwarded to the City Manager. The City Manager with advise and consent from council will make the final selection. The City may select one or more Proposers to provide the Services.
7. **General Information.** The City reserves the right to reject any and all Responses. The City reserves the right to amend, modify or waive any requirement set forth in this Statement. Response to this Statement is at the Proposer's sole risk and expense. All Proposers must comply with applicable federal, state, and local laws and regulations. Except for written responses provided by the contact person described below, the City has not authorized anyone to make any representations regarding the subject matter of this Request. All requests for clarification or additional information regarding this request must be submitted in writing to the contact person described below no later than August 15, 2014, at 3:00 p.m. The contact person will endeavor to respond to such request for clarification or additional information and if the contact person deems, in his sole and absolute discretion, that such response is of general applicability, his response, if any, will be posted on the City's website at <http://www.herriman.org> (which constitutes a written response). Entities responding to this Statement are encouraged to review such website frequently. The City anticipates selecting one or more of the responding Proposers, but there is no guaranty that any responding Proposer will be selected. Responses will be placed in the public domain and become public records subject to examination and review by any interested parties in accordance with the Government Record Access Management Act (UTAH CODE ANN.§63G-2-1 01, *et seq.*). All materials submitted in response to this Statement will become the property of the City and will be managed in accordance with the Government Record Access Management Act.
8. **Terms of Contract.** The successful Proposer will be required to enter into a written agreement with the City to provide the Services. If the selected Proposer and the City attorneys' office are unable to negotiate an acceptable agreement, then another Proposer(s) will be selected by the City Manager and negotiation will continue with such other Proposer(s) until an acceptable agreement is completed.

9. **Contact Person.** For further information or for Americans with Disabilities Act (ADA) Accommodation, contact Tami Moody, HR, at (801)446-5323, 13011 South Pioneer Street Herriman, UT 84096.

Exhibit "A"
[Services]

**REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR
CRIMINAL PROSECUTION SERVICES**

Services means in its most expansive definition criminal prosecutorial legal services requested or needed by the City. Services include, without limitation, prosecuting violations (pursuant to citations and/or filing informations as necessary) of City ordinances, applicable Salt Lake County ordinances and Utah state statutes including prosecuting Class A misdemeanors in District Court, prosecuting appeals from justice court brought or pursued by defendant and trial or hearing de novo in district court, as contemplated in Utah Code Ann. § 78A-7-118, pursuing appeals to other courts brought or pursued by the City upon prior written consent of the City's designee, representing the City in plea negotiations, providing training to the police, as needed, attending administrative and accountability meetings, attend arraignments and pretrials as needed and/or as directed by the City's designee, pursuing case investigation and presentation, participating in state and local prosecution associations, screening cases for enhanceable criminal matters, pursuing forfeiture of bonds (excluding responding to extraordinary writs regarding forfeiture of bonds).

Exhibit "B"

[Guidelines]

Submit Responses in a sealed envelope or package. Sealed envelope or package must clearly state: "Prosecution Services."

Color is allowed.

8-112" x 11" page sizes.

Paginate pages.

One (1) inch margins (exceptions: Proposers' Name/Logo and Page Headers/Footers may be within the margin).

Size 12 Font.

Except for unbound copy, bind Responses on left side.

Provide tabs for each section of the Response.

Front and back cover pages.

Not to exceed 50 sheets of paper, double sided (copy of degree or certificate to practice law, signed acknowledgments, introduction letter, and representation not counted towards 50-page limit).



Exhibit "C"

CERTIFICATION

The undersigned Proposer certifies that it has not:

1. Provided an illegal gift or payoff to a City officer or employee or former City officer or employee or his or her relative or business entity;
2. Retained any person to solicit or secure this contract upon an agreement or understanding for commission, percentage, brokerage, or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; or
3. Knowingly influenced and hereby promised that it will not knowingly influence any City officer or an employee or former City officer or employee to break any applicable ethical standard or rules.

The undersigned Proposer certifies that:

1. The Proposal is made in good faith.
2. The Proposal is made in conformity with the specifications and qualifications contained in the Statement.

Name of Proposer: -----

Name of Authorized Representative: -----

Signature of Authorized Representative: -----

Address: -----

City/State/Zip: _____

Telephone Number: _____

Fax Number: _____

Web Site Address: -----

Email Address: -----

Date Signed: _____