

**CITY OF SHORELINE
REQUEST FOR PROPOSALS
RFP 1255487**

Primary Public Defense Services

Submit no later than September 12, 2024, 2:00 p.m. Pacific Local Time

The City of Shoreline, Washington is soliciting proposals (RFP) from individuals or firms interested in providing effective counsel to indigent defendants charged in the City of Shoreline with misdemeanor and gross misdemeanor crimes, and violations of the Shoreline Municipal Code, except the Development Code.

Primary Objectives

The primary objectives are to provide indigent defense services for 1) eligible individuals at in-custody release hearings following arrest and booking (probable cause and bail hearings) at the South Correctional Entity Regional Jail (SCORE) and at King County Correctional Facility (KCCF) and 2) eligible individuals charged with misdemeanors or gross misdemeanors, and violations of the Shoreline Municipal Code, except the Development Code, before the King County District Court – City of Shoreline Calendar. This includes representing indigent individuals during their arraignment through trial, sentencing, post-sentence review, and any appeals to the King County Superior Court or Washington Court of Appeals, if necessary. This work is to begin January 1, 2025.

The term of this contract shall be for five (5) years. If the City intends to terminate the Agreement, written notice shall be sent thirty (30) calendar days prior to the end of the current term.

Background

The City of Shoreline, incorporated in 1995, is located 15 miles north of downtown Seattle and has a population of roughly 61,000. The City contracts with King County District Court to provide court services two days a week, using the King County District Court, West Division, Shoreline Courthouse (“Shoreline Courthouse”) located at 18050 Meridian Avenue North in Shoreline. Prosecution services are provided under contract by Sarah Roberts. Stewart, MacNichols, Harmell, Inc, PS currently provides Public Defense Services. The King County Office of Public Defense provides indigence screening services for the City of Shoreline through an interlocal agreement with the City. In cases where the Rules of Professional Conduct prevent legal representation by the Public Defender, Christian W. Smith, PLLC, currently provides Conflict Public Defense Services.

For Jail Services, the City of Shoreline contracts with the South Correctional Entity Regional Jail (SCORE) located at 20817 17th Avenue South in Des Moines and the King County Corrections Facility (KCCF) located in downtown Seattle. SCORE and KCCF jail facilities serve as booking facilities for Shoreline defendants with SCORE serving as the primary booking facility. The City of Shoreline provides in-custody public defense services at the SCORE jail courtroom. In-custody first appearance hearings (probable cause and bail hearings) are held in the jail courtroom in the KCCF. These in-custody hearings will be held using two-way video communication.

The City has assigned an average of 40 cases per month using an unweighted standard. The number of assigned indigent defendants and the resulting trials are dependent on the unique facts and circumstances of any particular case and time period.

Preliminary Timeline

RFP Released	8/9/2024
Deadline for Receipt of Questions/Inquires	9/4/2024
Responses to Questions Published	9/9/2024
Proposal Due Date	9/12/2024 at 2:00 p.m.
Interviews of short listed candidates, if conducted	Week of 9/23/2024
Recommended finalist selected	By 10/7/2024
Negotiate and finalize service contract	By 11/1/2024
City Council review/approval of contract	By 11/25/2024

Program Budget

The City budgeted \$342,400 for 2025 in-custody and primary public defense services. If the Washington State Bar Association lowers the public defense case load standards, the City will incrementally increase the budgeted contract amount to account for these adjustments over the two-year implementation period.

Scope of Work

The scope of work includes indigent defense services and other related services and tasks.

1. Primary Scope of Work

The attorney/firm will provide effective legal representation for indigent or nearly indigent individuals during in-custody release hearings and those charged with misdemeanor or gross misdemeanor offenses by the City of Shoreline’s prosecuting attorney. The court assigns cases after the King County Office of Public Defense completes screening for indigence.

Legal representation must be available on a regular basis at the SCORE, KCCF, and King County District Court, West Division, Shoreline Courthouse (“Shoreline Courthouse”) located at 18050 Meridian Avenue North in Shoreline. The Attorney will provide an adequate number of defense counsel to efficiently manage the court calendar in a manner which avoids unnecessary delays in completing the calendar or unnecessary periods in custody. The in-custody calendar for the City of Shoreline at SCORE is held five days a week, Monday through Friday, and begins at 2:00 p.m. The in-custody calendar for the City of Shoreline at KCCF is held six days a week, Monday through Saturday, and begins at 8:45 a.m. on weekdays and 12:30 p.m. on Saturdays and holidays. The Shoreline arraignment calendar day is on Mondays and runs for approximately two hours beginning at 8:45 a.m. The Shoreline regular court calendar days are Tuesdays and Thursdays beginning at 8:45 a.m. at the Shoreline Courthouse. Jury trials are typically held on the fourth week of the month. Legal representation must also be available on the third Wednesday of each month at 1:30 p.m. at the Shoreline Courthouse for the Shoreline Jury Call calendar.

Shoreline also offers Community Court, an alternative problem-solving court, as part of its court service. Community Court occurs every Tuesday from 12:30 – 4:30 p.m. at Shoreline City Hall, 17500 Midvale Ave N., Shoreline, WA 98133. The Attorney will be expected to attend District Court-initiated meetings and trainings to review, revise, or enhance the operating performance of Community Court.

Shoreline Public Defender Schedule					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday/Holidays
KCCF – In Custody					
8:45 a.m.	8:45 a.m.	8:45 a.m.	8:45 a.m.	8:45 a.m.	12:30 p.m.
SCORE – In Custody					
2:00 p.m.	2:00 p.m.	2:00 p.m.	2:00 p.m.	2:00 p.m.	
Shoreline Courthouse					
8:45 a.m. – 10:45 a.m. (arraignment)	8:45 a.m. – 4:00 p.m. (regular)	1:30 – 4:00 p.m. (jury call, 3 rd Wed. only)	8:45 a.m. – 4:00 p.m. (regular)		
Shoreline City Hall – Community Court					
	12:30 – 4:30 p.m.				
Shoreline Courthouse – Jury Trials (4th week of the month)					
8:45 a.m. – 4:00 p.m.	8:45 a.m. – 4:00 p.m.	8:45 a.m. – 4:00 p.m.	8:45 a.m. – 4:00 p.m.	8:45 a.m. – 4:00 p.m.	

The Scope of Work is expected to include, but not be limited to, the following tasks:

- In-custody probable cause and bail hearings
- Arranging pre-hearing conferences
- Attending hearings
- Preparation and negotiation of pre-trial hearings
- Motion hearings
- Readiness hearings
- Preparing pleas and pleadings
- Counseling clients
- Conducting research
- Reviewing discovery materials
- Scheduling and preparing for trials
- Attending bench and jury trials
- Other work essential to providing ordinary legal representation for the accused from receipt of Order Appointing Counsel

2. Other Requirements

A. Conference and Reporting Requirements

- Progress reports in electronic format (Microsoft Excel) showing client name, client offense(s), case number, hearing dates, and case outcomes submitted with monthly billings to the City.
- Quarterly Progress Conferences with the City’s representative to review performance, develop and monitor performance benchmarks, review issues of

common concern and review of quarterly caseload documents/records including:

- the number of cases assigned during the period and the time spent on each case;
 - the disposition of cases assigned indicating the number of cases dismissed, the number of cases in which charges were reduced, the number of cases tried, and the number of cases disposed of by plea;
 - the number of cases in which a motion was brought with the Court as well as cases in which a motion was filed with the prosecutor and a reduced sentence or dismissal was negotiated;
 - the number of cases in which an investigator was utilized;
 - the number of cases which were set for trial including cases in which the defendant failed to appear;
 - the number and type of criminal cases handled outside of this contract (including cases assigned by another public entity); and
 - the percentage of the Attorney's practice spent on civil or other non-criminal matters.
- District Court- or City-initiated meetings to review, revise or enhance the operating performance of judicial functions.
 - End of annual term conference with the City's representative.

B. Sufficient Counsel

Sufficient counsel shall be provided to represent indigent defendants during periods when counsel takes leave for vacation, illness, or is otherwise unavailable.

C. Twenty-Four Hour Telephone Access

The individual or firm selected shall provide to the City of Shoreline Police Department the telephone number(s) at which an attorney may be reached for "critical stage" advice to indigent defendants during the course of police investigations and/or arrest twenty-four (24) hours each day.

D. Associated Counsel

- i. Any counsel associated with, contracted or employed by the Attorney shall have the authority to perform the services set forth in this Scope of Services. The Attorney and all associates or attorneys who perform the services set forth in this Agreement shall be admitted to the practice pursuant to the rules of the Supreme Court of the State of Washington and will at all times remain members in good standing of the Washington State Bar.
- ii. The Attorney shall be responsible for this Agreement, notwithstanding that other counsel may be employed or associated by the Attorney to perform services hereunder. The Attorney shall actively supervise associated and employed counsel throughout the term of this Agreement and during any renewals or extensions, to ensure that all cases are promptly and effectively handled from the time of appointment until the conclusion of the Attorney's representation of assigned clients.

E. Attorney Conflict

In the event that the Attorney is prevented from representing any defendant by presence of a conflict of interest, as under Washington's Rules of Professional

Conduct, the defendant shall be referred back to the City for further assignment without cost to the Attorney.

F. Introduction to Clients

The Attorney will also provide at its expense an introduction letter to each client at the beginning of legal representation. This letter will advise the client of his/her responsibilities, how to contact the attorney assigned to the case, and when to do so. It will also include the name and telephone number of the City of Shoreline representative they can contact with complaints about their legal representation.

G. Discovery Provided

The City shall provide to the Attorney, at no cost to the Attorney or defendant, one copy of all discoverable material concerning each assigned case. This material shall include, where relevant, a copy of the abstract of the defendant's driving record.

H. Code Provided

The City shall provide to the Attorney, at no cost to the Attorney, a copy of the Shoreline Municipal Code and any amendments to the Code Adopted during the term of this Agreement.

I. Case Load Limits

The Shoreline City Council has elected to not weight misdemeanor cases and therefore not adopted and published written policies and procedures to implement a numerical case-weighting system to count cases. Cases will be counted according to the Washington State Bar's Standards for Indigent Defense which states that the caseload of a full-time public defense attorney should not exceed 400 misdemeanor cases per attorney per year if the jurisdiction has not adopted a case weighting policy.

J. Transfer of Caseload

Legal representation will extend through initial disposition of the client's matter. Upon conclusion of the Attorney's contractual relationship with the City, all cases assigned prior to the Agreement term expiration, including those which have not reached resolution, initial or otherwise, shall be transferred to the new service provider as efficiently and practicably as possible and within the guidelines and restrictions of the Rules of Professional Conduct. Cases in progress at the Agreement expiration or termination will be compensated at an hourly rate until completed or transferred to the new service provider, whichever is most efficient and simultaneously allows for the protection of the rights of the accused.

RFP Evaluation Components/Criteria

Submittal Requirements

The deadline for proposals by interested parties is September 12, 2024, by 2:00 p.m. Pacific Local Time. Submittals shall list RFP **1255487** in the subject line of the email. Proposals shall be submitted in PDF format to purchasing@shorelinewa.gov before the submittal deadline. The City's email system is limited to a maximum envelope (message plus attachment) size of 25 megabytes. The RFP is deemed submitted as evidenced by the receipt date and time shown in the source code of the email received by the City's

computer system. All respondents will receive an email confirmation that their submittal has been successfully received.

Questions related to this solicitation may be directed to Christina Arcidy, CMO Program Manager, carcidy@shorelinewa.gov. Questions via phone will not be accepted. Questions received after September 4, 2024, by 5:00 p.m. Pacific Local Time will not be accepted. The City's responses to questions will be published on the City website <https://www.shorelinewa.gov/government/departments/administrative-services/bids-rfps>.

Supplemental information, such as brochures, may be submitted if desired. Proposals shall be limited to single spaced, 8 1/2" by 11" typewritten pages (min. 11-point font). The submittal shall be no more than 19 pages. The following format and content shall be adhered to by each firm and presented in the following order:

A. Executive Summary (Page Limit - 2)

An executive summary letter should include the key elements of the respondent's RFP and an overview of the consultant team. Indicate the address and telephone number of the respondent's office located nearest to Shoreline, Washington, and the office from which the project will be managed.

B. Approach (Page Limit - 10, excluding resumes)

1. **Methodology(ies):** This section should clearly describe the methodology or methodologies planned to be used to carry out the specific tasks described in the Scope of Services. Please specifically include how attorneys will communicate with non-English speaking clients.
2. **Scope of Services:** Describe the sequential tasks to be used to accomplish this project. Indicate all key deliverables and their contents.
3. **Project Organization and Staffing:** Describe the approach and methods for managing the project. Provide an organization chart showing all proposed team members. Describe the responsibilities of each person on the project team. Identify the Project Director and/or Manager and the key contact person for the City.
4. **Include resumes of each member of the project team.** List the portion of the work to be subcontracted and information describing the qualification and relative experience of any proposed subcontractors. Include a list of information required or tasks to be completed by City staff.
5. **Cost:** Provide hourly billing rates with any markups delineated separately, estimated annual costs, and billing rationale.

C. Related Experience (Page Limit - 2)

Describe recent (within the last three years), directly related experience. Include the name of the client, description of the work done, address and telephone number, dates of the project and the name of the project director. At least five references should be included. For each reference indicate the reference's name, organization, title, complete mailing address and telephone number. The City reserves the right to contact any organizations or individuals listed.

D. Statement of Experience (Page Limit - 5)

The attorney/firm is required to provide evidence of experience in indigent defense services for individuals charged with misdemeanors or gross misdemeanors. Please

include experience working with sex-offenders, the mentally ill, or other clients who are in need of social service referrals. If the attorney/firm has experience with alternative sentencing courts or video court, please include that in this statement. The experience listed must be that which was performed by the attorney's or firm's staff that will be assigned to this project. The City will be focusing on the experience of the Lead Attorney who will be assigned to this project. Specify the percentage of time that the Lead Attorney would be allocated to this project. The RFP shall also identify other projects the proposed Lead Attorney will be committed to during the same timeline.

The City's Evaluation Panel will use the following criteria to evaluate each RFP:

Criteria	Points
Approach	Maximum 25 Points
Related Experience	Maximum 25 Points
Expertise of Project Team	Maximum 20 Points
Cost	Maximum 30 Points
Maximum Points	Maximum Points 100

The proposals will be the basis from which interested individuals or firms will be selected for interviews. Following the City staff evaluation of the proposals received, selected individuals or firms may be invited to make oral presentations before the City's Evaluation Panel. The City's Project Manager will provide additional details outlining the preferred content of the presentation to each firm or team of firms that are invited to participate. Upon completion of the evaluations, the City's Evaluation Panel will determine the most qualified individual or firm based on all materials and information presented. The City intends to award the agreement to the finalist using the cost proposal submitted with the RFP.

Any individual or firm failing to submit information in accordance with the procedures set forth in the RFP may be subject to disqualification. The City reserves the right to change the solicitation schedule, issue amendments to the solicitation, or cancel the solicitation at any time prior to the submittal deadline. The City reserves the right, at its sole discretion, to waive immaterial irregularities contained in the solicitation. The City reserves the right to reject any and all proposals at any time, without penalty. The City reserves the right to refrain from contracting with any respondent. Individuals or firms eliminated from further consideration will be notified by mail by the City as soon as practical.

Proposals remain confidential until closing deadline after which proposals are considered a public record subject to public disclosure under RCW 42.56, the Public Records Act. Proposers shall mark as "proprietary" any information that the Proposer believes meets the exemption under RCW 42.56.270(1). This designation will be considered by the City in response to public records requests.

Any Proposal may be withdrawn, either personally or by written request, at any time prior to the time set for the Proposal submittal deadline.

The City of Shoreline, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids

in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, in consideration for an award.