

REQUEST FOR PROPOSALS

For: Administrative Hearing Officer



City of Highland Park, Illinois

ISSUE DATE:

September 12, 2022

DUE DATE:

September 30, 2022

NOTE: QUESTIONS PERTAINING TO THIS RFP ARE DUE September 23, 2022 BY 5:00 PM CST

City of Highland Park, Illinois
Request for Proposal
Administrative Hearing Officer

The City of Highland Park, Illinois is soliciting proposals from experienced attorneys to provide Administrative Hearing Officer services.

- GENERAL REQUIREMENTS:** Proposers are to submit electronic proposals that will be reviewed and evaluated in private. Submit one (1) marked Original.
- SUBMISSION LOCATION:** Emailed submissions will be accepted at apalbitska@cityhpil.com by 5:00PM on Friday, September 30, 2022. All emails will be acknowledged to confirm receipt.
- Any submissions made after the submittal deadline will be rejected.
- SUBMISSION DATE & TIME:** **September 30, 2022 at 5:00 PM CST**
- CONTACT / QUESTIONS:** Should the Proposer require additional information about this RFP, please submit questions via email to Deputy City Clerk, Ashley Palbitska at apalbitska@cityhpil.com. All questions shall be submitted no less than seven (7) days prior to the RFP opening date.
- CONTENTS:** The following sections, including this cover sheet, shall be considered integral of this solicitation.
- *General Terms and Conditions
 - *Invitation
 - *Scope of Services
 - *Timeline
 - *Submittal Requirements
 - *Evaluation Criteria
 - *General Information Sheet
 - *References

I. GENERAL TERMS AND CONDITIONS

1. NEGOTIATIONS

The City of Highland Park reserves the right to negotiate specifications, terms and conditions, which may be appropriate to the accomplishment of the purpose of this Request for Proposal (RFP). This implies that all responses, supplemental information, and other submissions provided by the Proposer during discussions or negotiations will be held by the City as contractually binding.

2. CONFIDENTIALITY

The City shall examine the proposals to determine the validity of any written requests for nondisclosure of trade secrets and other proprietary data identified. After award of the contract, all responses, documents, and materials by the offer or pertaining to this RFP will be considered public information and will be made available for inspection, unless otherwise determined by the City. All data, documentation and innovations developed as a result of these contractual services shall become the property of the City. Based upon the public nature of these RFP's, a Proposer must inform the City, in writing, of the exact materials in the offer, which cannot be made a part of the public record in accordance with the Illinois Freedom of information Act (5ILCS 140/1 *et seq*; hereinafter, the "Act").

Once a contract is awarded, the Contractor shall maintain full compliance with all provisions of the Act, including, but not limited to, providing any requested records subject to the Act within the deadlines provided by the Act. Failure by the Contractor to maintain compliance with any provisions shall result in the assessment of any and all penalties, damages, and/or costs incurred by the City to the Contractor that shall be paid immediately by the Contractor upon demand of the same by the City.

3. RESERVED RIGHTS

The City of Highland Park reserves the right at any time and for any reason, to cancel this RFP or any portion thereof, and to reject any or all proposals. The City may seek clarification from a Proposer at any time, after the submission date, and failure to respond promptly is cause for rejection.

4. INCURRED COSTS

The City of Highland Park will not be liable for any costs incurred by the Proposer in replying to this RFP.

5. AWARD

The City of Highland Park reserves the right to award this contract based on the evaluation criteria set forth herein.

6. ADDITIONAL INFORMATION

Should the Proposer require additional information about this RFP, please submit questions via email to Ashley Palbitska, apalbitska@cityhpil.com.

All questions shall be submitted no less than seven (7) days prior to the RFP opening date. ANY and ALL changes to these specifications are valid only if they are included by written Addendum to all Proposers. No interpretation of the meaning of the plans, specifications or other contract documents will be made orally. Failure of any Proposer to receive any such addendum or interpretation shall not relieve the Proposer from obligation under this RFP as submitted. All addenda so issued shall become part of the RFP documents. Failure to request an interpretation constitutes a waiver to later claim that ambiguities or misunderstandings caused a Proposer to improperly submit a proposal.

7. ADDENDUM ACKNOWLEDGEMENT

Any and all changes to the specifications and terms and conditions of this RFP are valid only if they are included by addendum issued by the City of Highland Park. It is the Proposer's responsibility to check for addendums, posted on the website at https://www.cityhpil.com/government/bid_rfp/index.php prior to the submittal due date. Parties interested in submitting a response to this RFP are encouraged to refer regularly to the website previously listed for addendum, updates, or other information related to this solicitation. There will be no notification(s) sent when addendums are posted.

8. DISCUSSION OF PROPOSALS AND NEGOTIATION

The City of Highland Park may conduct discussions with any Proposer who submits a proposal. During the course of such discussions, the City shall not disclose any information derived from one proposal to any other Proposer. The City of Highland Park anticipates conducting negotiations with the successful Proposer. Your proposal should indicate any exceptions taken to this.

9. EXCEPTIONS

Any and all exceptions taken by Proposer to the terms of this RFP are to be identified in writing and included in the list of submittals.

10. RESPONSIBILITY & DEFAULT

The Proposer shall be required to assume responsibility for all items listed in this RFP. The successful Proposer shall be considered the sole point of contact for purposes of this contract.

11. PAYMENT

The City shall submit an invoice detailing the services provided, based on the project phase. Payment shall be made in accordance with the Local Government Prompt Payment Act.

12. INTERPRETATION OR CORRECTION OF REQUEST FOR PROPOSALS

Proposers shall promptly notify Ashley Palbitska, Deputy City Clerk of any ambiguity, inconsistency or error that they may discover upon examination of the RFP. Interpretation, correction and changes to the RFP will be made by addendum. Interpretation, corrections or changes made in any other manner will not be binding. Deputy Clerk Palbitska can be contacted via email at apalbitska@cityhpil.com.

13. TAXES

The City of Highland Park is exempt from paying certain Illinois State taxes.

14. NON-DISCRIMINATION

Proposers shall comply with the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., as amended and any rules and regulations promulgated in accordance therewith, including, but not limited to the Equal Employment Opportunity Clause, Illinois Administrative Code, Title 44, Part 750 (Appendix A), which is incorporated herein by reference. Furthermore, the Proposer awarded the contract shall comply with the Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq., as amended and the Illinois Drug Free Workplace Act, Title 44, Chapter 10.

15. PERSONAL EXAMINATION

Proposers are required to satisfy themselves, by personal examination of the site as to work involved and the difficulties likely to be encountered in the performance of work under this Agreement. No plea of ignorance of conditions that exist now or hereafter, or of any conditions of difficulties that may be encountered in the execution of the work under this Agreement will be accepted as an excuse for failure to or omission on the part of the Proposer to fulfill in every respect all the requirements and specifications, nor will same be accepted as a basis for any claim for extra compensation.

16. OUT OF POCKET EXPENSES

All out-of-pocket expenses paid by the Proposer during the project will be incurred solely at the Proposers expense.

II. INVITATION

The City of Highland Park is requesting proposals from experienced attorneys or qualified firms to provide Administrative Hearing Officer services.

Adult Hearings will be scheduled for the third Thursday of every month, starting at 9:00 AM. Youth Hearings will be scheduled for the 4th Tuesday of every month, starting at 2:00 PM. Hearings will be held via Zoom and/or City Hall Council Chambers 2nd floor, located at 1707 St Johns Avenue, Highland Park, Illinois, 60035. There may be some variation in regards to the schedule based on holidays and school schedules but hearings will always be held on either a Thursday or Tuesday. Hearing Officers will be scheduled for either even months or odd months throughout the year.

III. SCOPE OF SERVICES

1. The Selected Administrative Hearing Officer shall:

- a. Serve as a hearing officer as provided by law;
- b. Hear testimony and accept evidence;
- c. Administer oaths and affirmations;
- d. Ask questions of the parties and witnesses, if necessary, to ensure the clarity and completeness of the testimony and the record;
- e. Issue a written determination based upon a review of the notice of violation, citation, other charging document and on the evidence admitted, which determination shall be final for purposes of judicial review under the Illinois Administrative Review Law. The determination shall be in writing, shall be signed by the Administrative Hearing Officer, shall be designated as findings(s), decision, and order, and shall include the fine, penalty or action with which the respondent must comply;
- f. Impose penalties as provided by the governing penalty provision, except, however, that in no event shall an Administrative Hearing Officer have authority to impose a penalty of incarceration;
- g. Adhere to the policies, procedures, and legislation set forth in the Highland Park Municipal Code, except where discretion is specifically vested in the Administrative Hearing Officer;
- h. Order a term of community service or to complete a substance abuse counseling program;
- i. Order a forfeiture of all or part of a bond deposited;
- j. In addition to other applicable penalties and charges, may order the defendant to perform community service and/or to participate in remedial classes or counseling;
- k. Remain current on all appropriate training and qualifications necessary to serve as an Administrative Hearing Officer; and
- l. Enforce policies, codes, laws, and regulations in a fair and impartial manor.

2. City of Highland Park Provisions

The City will provide the selected Administrative Hearing Officer with the following:

- a. Copies of, or access to, all pertinent City Code provisions, policies, rules and regulation applicable to service as an Administrative Hearing Officer.
- b. Reasonable access to all pertinent documents and records used in rendering a decision.
- c. Hearing Schedules that will include the dates and times of when the Hearing Officer will be scheduled for both Adult and Juvenile Admin Hearings.
- d. Appropriate facilities to conduct in-person hearings, including safety and administrative support staff to facilitate the efficient conduct of such hearings when in-person.

3. Training

Training meetings with all departments involved with the Administrative Hearing Process to understand the expectations of the Hearing Officer and the function of each department's process within the system.

IV. PROJECT TIMELINE

Action Item	Proposed Schedule*
Issue RFP	September 12, 2022
Deadline for submission of questions	September 23, 2022
RFP Responses Due	September 30, 2022
Interviews (Tentative)	October 24 – 28, 2022
City Council Approval	November 28, 2022
City of Highland Park Hearing Officer Contract Start Date	January 1, 2023

***This timeline is subject to change.**

V. SUBMITTAL REQUIREMENTS

Proposals should be prepared as simple as possible and provide a straightforward, concise description of the proposed services to satisfy the requirements of the RFP. Attention should be given to accuracy, completeness, relevance and clarity of content. The proposal should be organized into the following major sections:

- A. Cover Letter
- B. Resume
- C. Proof to Practice Law in the State of Illinois
- D. Conflict of Interest
- E. Client References
- F. Professional Services Agreement
- G. Attachments

A. Cover Letter

Include a clear and detailed statement identifying why the Proposer is interested in being the Administrative Hearing Officer and a description of performance style which will be exhibited by the Proposer, if chosen. Include availability based on aforementioned schedule within Section II. Invitation.

B. Resume

Include a description of related experiences, summary of relevant experience and expertise, including areas of specialization in matters such as municipal law, planning and zoning, code enforcement, etc. Include the date of hearing officer training and name of provider of training, verification of law degree.

C. Proof to Practice Law in the State of Illinois

Applicant must submit evidence of the date and licensure to practice as an attorney in the State of Illinois an evidence of current status with the Illinois Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois.

D. Conflict of Interest

A statement describing any existing or potential conflicts of interest that matters which might affect the Proposer's ability to serve as an Administrative Hearing Officer for City of Highland Park cases.

E. Client References

The City of Highland Park considers references to be an important factor in its decision to award a contract. Proposers should supply references that will be available to speak with the City of Highland Park. Provide three (3) client references applicable to the scope of services for work completed in the past five years. Include contact names, telephone numbers and e-mail addresses on Attachment 2 – References.

F. Professional Services Agreement

Proposers should include a sample agreement that the City of Highland Park would be required to sign upon contract award.

G. Attachments

The following is a checklist of required submittal attachments:

Submittal Checklist	
Item	Submitted
Attachment 1 – General Information Sheet	
Attachment 2 – References	

VI. EVALUATION CRITERIA

The City of Highland Park will conduct a comprehensive, fair, and impartial evaluation of proposals received in response to this procurement effort. All proposals submitted will be reviewed and evaluated by an Evaluation Committee composed of City Staff for further consideration on the basis of the following criteria:

- Consultant’s qualifications and experience
- Consultant’s fee proposal
- Overall quality of response to RFP

A. Interview

During the evaluation period, the City may interview some or all of the Proposer’s. Proposers will be notified by the City if they have been selected for an interview. Please note, the City reserves the right to not interview any and all Proposers if it is not in the best interest of the City.

GENERAL INFORMATION SHEET – ATTACHMENT 1

AUTHORIZED NEGOTIATORS:

Name: _____ Phone # _____ Email Address: _____

Name: _____ Phone # _____ Email Address: _____

BUSINESS ORGANIZATION: (check one only)

Sole Proprietor: An individual whose signature is affixed to this proposal.

Partnership: State full names, titles, and addresses of all responsible principals and/or partners on attached sheet.

Corporation: State of incorporation: _____

Non-profit Corporation

501c3-- U.S. Internal Revenue Code

By signing this proposal document, the proposer hereby certifies that it is not barred from responding on this contract as a result of a violation of either Section 33E-3 or 33E-4 of the Illinois Criminal Code of 1961, as amended.

Business Name

Signature

Print or Type Name

Title

Date

REFERENCES – ATTACHMENT 2

List below other similar size clients for who you have provided similar services.

Agency Name _____
Address _____
City, State, Zip Code _____
Telephone Number _____
E-Mail _____
Contact Person _____
Dates of Service _____
Services Provided _____

Agency Name _____
Address _____
City, State, Zip Code _____
Telephone Number _____
E-Mail _____
Contact Person _____
Dates of Service _____
Services Provided _____

Agency Name _____
Address _____
City, State, Zip Code _____
Telephone Number _____
E-Mail _____
Contact Person _____
Dates of Service _____
Services Provided _____