

## **Request for Qualifications**

### **Prosecuting Attorney**

**Issued: January 5, 2022**

**Due Date: 2:00 P.M., January 26, 2022**

The City of Pevely is soliciting proposals from qualified legal firms and is seeking a Prosecuting Attorney to provide legal services. Attorneys are invited to submit qualifications and proposals for the provision of these services. To be considered, proposals must address each of the concerns requested in this document.

Proposals should be submitted to the Office of the City Clerk, 401 Main Street, Pevely, MO, 63070; and should be received no later than 2:00 p.m. on January 26, 2022.

### **GENERAL RULES AND CONDITIONS**

1. Proposals submitted in response to this request must carry the signature of the vendor. By signing, the respondent acknowledges his full knowledge of, and agreement with the general specifications, conditions and requirements of this request for proposal.
2. Any act or acts of misrepresentation, collusion or offers of kickback by a vendor will be a basis for disqualification of any proposal submitted. In the event the City enters into an agreement or contract with a vendor who is found to have misrepresented material facts, participated in collusion or offerings of kickbacks, and such conduct is discovered after the execution of an agreement or contract, the City may cancel the agreement or contract without incurring liability, penalty or damages.
3. All inquiries, whether written or oral, shall be submitted within the time limitations specified in the request for proposal. All information provided by the City shall be by Request for Proposal and written addenda thereto, which shall be subscribed by the Department Head or his designee, who shall issue the request for proposal. No other information, provided by others, shall be anything more than informal information and shall not be binding upon the City, nor shall it furnish a basis for legal action by any vendor or prospective vendor against the City.
4. Proposals received later than the time and date specified in the request, as the bid opening will not be considered. Amendments to, or withdrawals of proposals received later than the time and date specified as the bid opening will not be operative.
5. The City of Pevely reserves the right to accept or reject any and all proposals, as deemed, in its sole discretion, to be in the best interest of the City. The City reserves the right to reject any proposal if the vendor is delinquent in the payment of any taxes, fees or licenses owed to the City. In the event a vendor is delinquent in any payment to the City, the City may offset the delinquent amount due against sums owed the vendor.

6. The City of Pevely may make such investigation as deemed necessary to determine the ability of the vendor to discharge the agreement or contract. The vendor shall furnish the City with all such information and data as may be required for that purpose. The City reserves the right to reject any bid if the vendor fails to satisfactorily convince the City that he is properly qualified to carry out the obligations of the agreement or contract, and to satisfactorily complete the work called for herein.
7. The City of Pevely is exempt from all federal and state excise, sales and use taxes.
8. The services provided must comply with all applicable laws of the Federal Government and the State of Missouri.
9. The successful vendor must be fully licensed and bonded, as may be required, by the City of Pevely and State of Missouri.
10. The City may withhold acceptance of, or reject any services, which, upon examination, is found not to meet the specifications' requirements.
11. Proposals must be submitted in writing and include executed non-kickback and non-collusion agreements on the forms provided with this request for proposal.

#### **Purpose and Objectives:**

The City of Pevely's Prosecuting Attorney will be expected to perform services as required by the City in a professional and timely manner. Services will vary by project and may include, but are not limited to, the following tasks:

1. Attend all municipal dockets and trials. Currently court dates are scheduled every 1st and 3<sup>rd</sup> Thursday of each month, at 6:30pm.
2. Prosecutes cases in Municipal Court, which includes communicating with defendants and their attorneys; communicating with police officers, code enforcement/animal control officials, witnesses and victims; working closely with the Court Administrator regarding administrative matters, responding to motions of defendants; processing and preparing cases for trial; representing the City in arraignments, jury trials and trials before the Municipal Court; researching the law; and representing the City in appeals from Municipal Court.
3. Performs professional legal work carrying the highest levels of volume, complexity, consequence, autonomy, and responsibility. Regularly responds to discovery requests, and drafts subpoenas, motions, notices, and proposed orders.
4. Conducts training as necessary for police officers and non-sworn staff regarding Municipal Court processes.

5. Identifies and recommends ordinances regarding municipal traffic and criminal offenses.
6. Performs such other duties as are required by the City Administrator and/or City Attorney.

**Submissions of Qualifications:**

1. Name and contact information, including e-mail and website address(es).
2. Summary of qualifications, specializations, experience, professional affiliations, special training, availability, and Missouri Bar license number(s).
3. Information on previous and current related experience and services provided, including municipal experience and application of racial and ethnic fairness standards.
4. List of clients currently represented that could cause a conflict of interest with responsibilities listed in the scope of services above. Describe how you would resolve these or any future conflicts of interest.
5. If you have filed any litigation in the past five years in which the City or one of its employees was named as a party, please describe the case(s).
6. Other factors or special considerations which may influence the City's selection.
7. List of references, contact information and services provided, including all current municipal clients.

**Proposal Instructions:**

Proposals must be received by the City Clerk by 2:00 p.m., January 26, 2022. Proposals shall be submitted in sealed envelopes and addressed to:

Office of the City Clerk  
401 Main Street  
Pevely, MO 63070

Each proposal shall have marked on the outside of the envelope "Prosecuting Attorney RFQ." Proposals must be submitted in writing and include executed non-kickback and non-collusion agreements on the forms provided with this request for proposals. Three original copies of the proposal must be provided along with an electronic version in Microsoft Word or PDF format.

Questions regarding this proposal should be addressed to:  
Andy Hixson, City Administrator  
[ahixson@cityofpevely.org](mailto:ahixson@cityofpevely.org)  
636-224-9125

**Bidder's signature MUST appear on this form. Signature of bidder indicated he/she understands and will comply with the terms and conditions set forth within the Invitation for Bid.**

CITY OF PEVELY  
Non-Kickback and Non-Collusion Affidavit

I, being of lawful age and a duly authorized agent for \_\_\_\_\_, regarding the attached bid, proposal, or contract with the City of Pevely, Missouri for \_\_\_\_\_, do hereby swear/affirm that this affidavit is true and correct.

Furthermore, I swear/affirm that neither I, nor the firm, company or corporation, or any other employer for whom I am an authorized agent in this matter, has been a party to any collusion, among bidders or other competitors in restraint of freedom of competition by causing or contributing to cause anyone to refrain from bidding, or by being a party to any agreement or understanding among or between any persons, firms, or corporations to bid at a fixed or determinable price.

Furthermore, I swear/affirm that neither I, nor the firm, company or corporation, or any other employer for whom I am an authorized agent have been a party to any collusion with any city official or employee of the City of Pevely as to quantity, quality, or price in this prospective bid, contract or proposal; or any other terms of said undertaking; nor have I or we been a party to any discussion between other competitors and any official of the City of Pevely concerning the exchange of money or other things of value for special consideration in the letting of this bid, proposal or contract.

I do hereby swear/affirm that the work, contractual undertaking, services or materials as described by this invoice or other billing claim has been delivered, completed, or supplied in accordance with the specifications, orders, bids, requests, or contract furnished and executed by the City of Pevely, Missouri for the above-mentioned bid. Furthermore, no consideration, either directly or indirectly, has or will be made to any elected official, officer or employee of the City of Pevely or any other person, firm, or corporation to obtain payment of the claim or to procure the contract or purchase order pursuant to which this claim is made.

\_\_\_\_\_  
**Bidder's Signature**

Please type or print name and address of bidder.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number \_\_\_\_\_

