

**REQUEST FOR PROPOSALS**  
Village of Roscoe, Illinois



Municipal Prosecutor Legal Services  
(Traffic & Misdemeanor DUI)

April 15, 2024

Village of Roscoe, Illinois  
10631 Main Street  
Roscoe, IL 61073

**Release of Specifications:**  
April 15, 2024

**Deadline for Submission of Proposals:**  
Friday, May 03, 2024– 4:00 PM

**Request for Proposals  
Municipal Prosecutor Legal Services**

**I. PROJECT OVERVIEW**

The Village of Roscoe is seeking to retain a qualified law firm/attorney to serve as Village Prosecutor for the prosecution of municipal code violations, misdemeanors DUIs, and traffic offense violations on behalf of the Village of Roscoe in the 17th Judicial Circuit of Winnebago County.

The Village seeks to establish a professional services contract for legal services contingent on available funding and mutual agreement between the two parties. The professional service agreement shall not be an exclusive contract to provide prosecutorial services as the Village retains the right to engage additional legal counsel at its own discretion.

**II. SUBMISSION DEADLINE**

Proposals must be submitted no later than **4:00 p.m., local time, May 03, 2024** to the Attention of the Village Administrator, 10631 Main Street, Roscoe, IL 61073. No consideration will be given to proposals received after the stated date and time. Proposals submitted must include all information and documents as requested in this Request for Proposals. No oral or electronic proposals, including those sent by facsimile or via email, will be accepted or considered. All proposals received after the submittal deadline will be rejected and returned unopened. Failure to follow these instructions may result in rejection of the proposal.

**THE VILLAGE RESERVES THE RIGHT TO REJECT ANY AND ALL PROPOSALS AND TO WAIVE ANY IRREGULARITIES.**

Proposals will be opened and evaluated in private and proposal information will be kept confidential until an award is made.

### **III. PROJECT OVERVIEW**

#### **A. Conditions of Proposal**

This Request for Proposal does not constitute a commitment by the Village of Roscoe to award a contract. The Village reserves the right to waive any informalities and to reject any or all proposals and/or to cancel the Request for Proposal. The award shall be made on the proposal that, in the sole determination of the Roscoe Village Board of Trustees, serves the best interest of the Village.

No contract will be awarded to any person, firm, or corporation that is in arrears or is in default with the Village upon any debts or obligations. The selected firm or attorney shall agree not to represent any client, or continue to represent any existing client, that may have a legal position, purpose, or interest that is adverse to the legal position, purpose, or interests of the Village of Roscoe.

#### **B. Scope of Services**

Respondents to this RFP shall be readily available and capable to perform in a timely fashion the following legal services:

The attorney selected as prosecutor shall be responsible for all aspects of prosecution in the Winnebago County 17<sup>th</sup> Judicial Circuit Court for traffic (TR and MT), misdemeanor DUI (DT), and local ordinance (OV) related violations. Additional responsibilities include but are not limited to:

1. Manage all applicable cases to completion and ensure cases are complete and ready for trial, including evidence and witness presentation.
2. Representing the Village at arraignments, pretrial hearings, trials, statutory summary suspension hearings and any at other judicial hearings stemming from the prosecution of Village ordinances and traffic offenses.
3. Making appropriate fine recommendations and decisions to the court.
4. Meet with arresting officer(s) to review cases and testimony prior to court presentation and assist and advise officer(s) in the proper method of case preparation.
5. Preparing and presenting legal memoranda, subpoenas, and other related materials.
6. Providing legal research, training, and assistance to Village employee matters including statutory interpretation, enforcement issues and case decisions.
7. Attend periodic meetings to advise the Police Department of problem areas, new law and recommend possible procedural or policy changes. Updates of changes in laws or procedures should be provided on a regular basis.
8. Creating and maintaining appropriate files.

9. Consulting with the Village Attorney, Village Administrator, and Chief of Police as needed.
  10. Submit detailed billing statements for all services rendered at the applicable agreed upon hourly rate, broken down into time increments of no more than a quarter of an hour.
  11. Provide detailed summaries of work performed and time spent on services rendered on a monthly basis.
19. The Village Prosecutor must be available by office phone, cell phone, and e-mail during regular work hours.

### **C. Prosecution Accountability/Philosophy**

The selected Village Prosecutor will strive to guarantee all persons accused of violations or crimes their constitutional rights to a fair and speedy judicial process while preserving their dignity, as well as protecting the rights of the citizens of the Village of Roscoe.

All proposers must designate an attorney who will be accountable for contract performance. Proposers must identify one attorney as the Village Prosecutor. The contractor must provide continuity of representation while at the same time ensuring effective back-up coverage.

Any lawyer who may be called on as a back-up attorney must have current awareness of the processes and procedures of the Village Prosecutor so that they are fully prepared to provide prosecution services in the event of an unanticipated absence. The contractor must ensure that availability of attorneys and support staff is consistent with efficient and skilled delivery of prosecution services, including coverage for regular vacations. The contractor needs to be able to involve a sufficient number of attorneys in the delivery of prosecution services as required for efficient case management.

The Prosecutor must be responsive to the Police Department, Village Staff, Village Attorney, defense attorneys, and witnesses. Good relations are expected of the prosecutor with the criminal justice community, including, but not limited to, police officers, other attorneys, and court personnel.

#### **D. Professional Requirements**

- Juris Doctorate degree from an ABA-accredited law school
- Active member of the Illinois State Bar, in good standing with no pending or unresolved disciplinary matters
- Valid driver's license.
- Legal Malpractice Insurance.
- Minimum of five (5) years' experience in criminal and/or administrative prosecution required. Preferably with a background in DUI & Traffic prosecution or defense. Experience in other areas of municipal law is desirable.
- Complete CJIS Security Awareness training within 6 months of entering into an agreement with the Village.
- Successfully complete a state and national fingerprint-based record check

#### **E. Skills Required:**

Must have the ability to communicate effectively and diplomatically with Village personnel and officials, including judges, court administrators, clerks, law enforcement personnel, code enforcement, defendants and their attorneys, and the public.

Must be able to develop a good working knowledge of the Illinois Vehicle Code, the Village of Roscoe Code of Ordinances, Court Rules, and the Illinois Rules of Evidence.

Skilled in legal writing and research. Must be able to draft reasoned memoranda in support of motions. Analyze and apply legal precedent, develop reasoned persuasive arguments and orally present same in court.

Ability to perform with integrity; demonstrate honesty and sensitivity to ethical issues; and avoid actual or apparent impropriety and/or conflicts of interest.

Exercise appropriate judgment, often under pressure, consistent with the highest levels of volume, complexity, consequence, autonomy, and responsibility attending the position.

Negotiate cases on terms in the public interest.

Maintain strict confidentiality of oral and written communications, including confidentiality of law enforcement reports, CJIS Criminal History Record Information, and LEADs data.

Be generally available to communicate with and answer questions of defense attorneys,, Police

Department personnel, and the public, during regular business hours.

#### **IV. EMPLOYMENT RELATIONSHIP**

The successful proposer will not be an employee of the Village of Roscoe. The successful proposer will serve as Prosecutor on a contractual basis and will not be eligible to receive any benefits, vacation, or sick-leave. The applicant will be subject to a criminal background check as well as other background checks and screens applicable to this position.

#### **V. EVALUATION PROCEDURES**

Staff will evaluate the submitted proposals and will consider how well the proposer's methodology and deliverables meet the needs of the Village as described in the proposer's response to each requirement of the proposal. It is important that the responses be clear and complete so that the evaluators can adequately understand all aspects of the proposal. The evaluation process is not designed to simply award the contract to the lowest cost proposer. Rather, it is intended to help the Village select the proposer with the best combination of attributes, including price, based on the evaluation factors.

The Village will evaluate all proposals received under this solicitation using the following points system:

Completeness of proposal submitted	0-10
References	0-10
Demonstrated ability to provide requested services	0-20
Individual attorney's or law firm's experience and of its assigned personnel	0-30
Proposed compensation and contract terms	0-30

The Village may choose to select a short list of respondents for interview by a committee. Selection of a service provider to serve as Village Prosecutor will be based on the review committee's judgment as to the best match between the Village's needs and the background and proposal of the proposer.

## VI. PROPOSAL SUBMISSION

Please note: All proposals must provide specific and succinct answers to all questions and requests for information.

1. Provide a chronology of the employment history, beginning in 2019 (earlier if you prefer), up to and including present employment, of all attorneys that would be associated with this contract including:
  - a. Name of firm / village / agency
  - b. Length of employment
  - c. Specialization (if any)
2. The Proposer must describe their organization, size, structure, areas of practice, contact information, form of company, and office locations in order to ensure seamless, uninterrupted prosecutorial services for the Village. It is anticipated that a primary prosecuting attorney will be assigned per this contract. Identify all competent substitute backups, or pro tem services for the Village in the event the primary attorney is not available.
3. Provide list of municipalities represented currently or previously, if any, with the dates of representation for each. Include a brief summary of duties and responsibilities for each municipality. Include a comprehensive list of municipal clients over the past five years and name of the attorney assigned to those clients.
4. Describe qualifications for providing prosecutorial legal services; this should include specific criminal law experience.
5. Describe the proposed method of service provision, prosecutorial philosophy and approach, and what makes the respondent unique with respect to providing the prosecutorial services.
6. Discuss any conflicts of interest your firm may have in representing the Village of Roscoe including whether the respondent's current or past representation of any client would conflict with the respondent's ability to serve as the Prosecutor, and what procedures the respondent would utilize to identify and resolve conflicts of interest.
7. Describe how the range of specialized services for the Village will be provided. Specify a flat rate per hour, minimum billing increments and reimbursable expenses for purposes of extraordinary services as referred to below or potential pro tem services on an as needed basis. It is expected that the services provided under the flat rate would include:
  - a. Review all police reports, related documents and evidence in all cases submitted for municipal prosecution.

- b. Screen all cases and prepare all legal document, including criminal complaints in preparation for prosecution.
  - c. Negotiate or try cases filed, either to the court or to a jury.
  - d. Prepare and present all necessary pre-trial motions.
  - e. Prepare and file all necessary post-trial motions and documents, including orders to show cause and other documents to ensure enforcement of court orders.
8. Identify the services or categories of services that would be considered to be “extraordinary services” to be provided outside of the flat rate, and the method by which you would alert the Village to the need for such services prior to commencement of work thereon.
9. Please answer the following questions, limiting your answers to one (1) page per question:
- a. Give an example/description of the working relationship you envision with the Roscoe Police Department, the Village Administrator, and other staff.
  - b. What steps would you take to learn the Village of Roscoe municipal prosecution systems and processes?
10. Affirm that you will provide minimum insurance as required in Section II of this solicitation, indemnification of the Village, and all renewals and amendments necessary during the pendency of the contract and any extensions.
11. All proposals should include at a minimum three professional references.
12. Proposer shall disclose any disciplinary actions and/or malpractice claims made against any attorney of the firm within the last seven (7) years, and whether any settlement or verdict or decision was rendered.

## **VII. QUESTIONS**

Please submit all questions regarding this RFP in writing to Josef Kurlinkus, at [josef@villageofroscoe.com](mailto:josef@villageofroscoe.com) by April 29, 2024.



## VIII.SUBMISSION INFORMATION

Proposals will be received by Josef Kurlinkus, Village Administrator, **until 4:00 p.m.** (local time) on: **Friday, May 03, 2024.**

Proposals may be submitted electronically or in printed form.

If submitted electronically, proposals should be in .pdf format, and emailed to:  
**josef@villageofroscoe.com**

If printed, submissions may be mailed or submitted in person at the following address:

**Village of Roscoe  
ATTN: Municipal Prosecutor Legal Services  
10631 Main Street,  
Roscoe, IL 61073**