



**CITY OF BLACK DIAMOND  
REQUEST FOR PROPOSALS  
HEARING EXAMINER SERVICES**

The City of Black Diamond is soliciting requests for proposals for the purpose of contracting with a qualified Hearing Examiner. As set forth in Chapter 2.30 of the Black Diamond Municipal Code, the appointed Hearing Examiner conducts quasi-judicial hearings on land use matters and makes decisions or recommendations supported by findings and conclusions of law. The Hearing Examiner also conducts other administrative hearings as provided by statute, City ordinance, or at the direction of the Mayor or his/her designee. Hearing dates and times are coordinated with City staff.

Minimum qualifications for serving as the Hearing Examiner are set forth in BDMC 2.30.030.

**TIME SCHEDULE**

Below is the anticipated timetable:

|                                     |                   |
|-------------------------------------|-------------------|
| Issue RFP                           | December 13, 2019 |
| Deadline for Submittal of Proposals | January 13, 2020  |
| Interview of Top Submittals Week of | January 20, 2020  |
| Council Approval of Contract        | February 6, 2020  |

**INSTRUCTIONS TO PROPOSERS**

A. All proposals should be sent to:

City of Black Diamond  
Attn: Brenda L. Martinez, City Clerk/HR Manager  
PO Box 599  
Black Diamond, WA 98010

B. All proposals must be in a sealed envelope and clearly marked in the lower left-hand corner: **“RFP Hearing Examiner”**.

C. Any proposals must be received by January 13, 2020, by 4:00 p.m. Three copies of the proposal must be presented. No emailed, faxed or telephone proposals will be accepted.

D. Proposals should be prepared simply and economically, providing a straightforward, concise description of provider capabilities to satisfy the requirements of the request.

E. The Community Development Department will notify the selected individual/firm when the Mayor has made the selection. The Hearing Examiner's appointment and contract will then need to be submitted to the City Council for confirmation and approval.

### **SUBMITTAL REQUIREMENTS**

To facilitate the evaluation process, proposals should be no longer than five single-sided pages, excluding resumes and writing samples, and should focus on experience and understanding on the subjects listed below. Responses to the RFP must provide the following specific information requested below.

1. The name of the individual applicant or firm and contact information.
2. Hearing Examiner experience listed chronologically. If the proposer is an attorney at law, state name of law school and year of graduation from law school, and if the proposer is a firm, provide this information for all attorneys anticipated to provide services to the City.
3. Describe experience in the following:
  - Administering and interpreting land use laws in the state of Washington.
  - Environmental Law, including SEPA, NEPA, or similar environmental laws.
  - Washington State Shoreline Management Act, or similar federal and state laws.
  - Civil violation proceedings and code enforcement, vehicle impoundment appeals.
  - Other Hearing Examiner or administrative law judge experience. i.e., tax appeals, local improvement districts, drug forfeiture proceedings, administrative appeals, etc.
4. A proposed outline of tasks for a typical hearing process including the estimated number of hours by type of personnel required to complete each task.
5. Two pricing schedules; an hourly rate and a retainage fee.

6. A statement describing the roles and duties of a hearing examiner in a municipal setting and your approach to conducting public hearings, including your perspective about what constitutes a “good result” for public hearings that the Hearing Examiner might preside over.

Two (2) writing samples (recommendations or decisions) for hearings you have conducted, or other similar written work product demonstrating similar experience and writing ability. *Writing samples are not included in the five-page limit.*

### **SELECTION PROCESS**

All proposals will be reviewed and screened by the selection panel. Finalists will be invited for interviews. After the interview process, the Mayor’s appointment is subject to confirmation of the City Council.

### **REQUIREMENTS**

The selected attorney and/or firm will be required to undergo a reference check prior to appointment, and to provide proof of insurance as required (including professional liability insurance). The selected attorney and/or firm will also be required to obtain a City Business License.

**ALL APPLICATION MATERIALS SHALL BE SUBMITTED BY 4:00 P.M. ON JANUARY 13, 2020.**

Proponents accept all risks of late delivery of mailed proposals regardless of fault. **The Proponent bears all responsibility for ensuring the mailing address is correct.**