



Request for Proposals

Recruitment of City of Aspen Municipal Judge

Due Date: 2:00 PM, November 25, 2024

427 Rio Grande Place
Aspen, CO 81611
(970)920-5059

REQUEST FOR PROPOSALS

Sealed proposals will be received by the City of Aspen Purchasing Department through Procurement@aspen.gov, until 2:00 p.m., November 25, 2024, at which time the proposals will be opened and reviewed, for the following City of Aspen project:

2024-418 Recruitment of City of Aspen Municipal Judge

The project will include but is not limited to: recruitment and appointment of a municipal judge for the city of Aspen.

Applicants wishing to be considered for this opportunity should send all required material in either a Word or PDF format to procurement@aspen.gov by the required deadline.

The City reserves the right to reject any or all proposals or accept, in its judgment, proposals that are in the City's best interest. The City further reserves the right to accept late submittals or to waive any technical defects or irregularities in any and all proposals submitted.

Non-Discrimination Policy

Any business that enters into a contract for goods or services with the City of Aspen or any of its boards, agencies, or departments shall:

- (a) Implement an employment nondiscrimination policy prohibiting discrimination in hiring, discharging, promoting or demoting, matters of compensation, or any other employment-related decision or benefit on account of actual or perceived race, color, religion, national origin, gender, physical or mental disability, age, military status, sexual orientation, gender identity, gender expression, or marital or familial status.
- (b) Not discriminate in the performance of the contract on account of actual or perceived race, color, religion, national origin, gender, physical or mental disability, age, military status, sexual orientation, gender identity, gender expression, or marital or familial status.
- (c) Incorporate the foregoing provisions in all subcontracts hereunder.

Diversity and Inclusion

The City shall acquire its goods and services in a manner that integrates fiscal responsibility, social equity, women and minority business opportunity, and environmental stewardship. Bidders should provide any additional information and or certifications describing the above.

Pursuant to the Colorado Open Records Act, C.R.S. Section 24-72-200.1 (CORA), any and all of the documents that are submitted to the City of Aspen may be deemed public records subject to examination and inspection by third parties. The City of Aspen reserves the right, at its sole discretion, to release for inspection or copying any document, plan, specification, proposal or other writing submitted pursuant to this request. Candidates should identify any portion of their proposals which they consider confidential.

By participating in the City's procurement process, you are agreeing to the terms and conditions of the procurement process and the legal parameters of doing business with the City without change.

**City of Aspen
Request for Proposals**

Discussion may be conducted with responsible Offerors who submit Proposals determined to be reasonably susceptible to be selected for award for purpose of clarification to assure full understanding of, and responsiveness to the solicitation requirements.

BY ORDER OF THE CITY OF ASPEN, COLORADO

Asal Vojdani, Purchasing

Table of Contents

1.0 Background	5
2.0 Process	6
3.0 Scope of Work	7
4.0 Proposal Format	7
5.0 Legal	8

1.0 Background

The City of Aspen is a home-rule municipality with an elected mayor and four council members. Aspen has a population of roughly 7,000 permanent residents who live in a span of only 3.6 square miles. This resident population is joined by approximately 27,000 visitors throughout peak seasons each year to enjoy the natural beauty of the area as well as enjoy the multitude of amenities provided.

As a world-class town, Aspen is defined by its stunning natural surroundings, active lifestyle, and sophisticated culture. Skiing arrived in Aspen in the late 1940's, as did the town's modern-day founders Walter and Elizabeth Paepcke. The Paepckes spearheaded Aspen's civic and cultural renaissance with a vision for the community that focused on the renewal of Mind, Body and Spirit – the Aspen Idea. The Aspen Idea is at the core of our town's cultural and philosophic heart today. People from around the world come to this special place of extreme natural beauty to revel in nature, engage their intellectual curiosity, and deepen their understanding. Those who live here embrace the Aspen Idea by aspiring to personal growth with a sense of adventure. That could mean pushing your body to mountain summits; debating with your friends at an outdoor café under bluebird skies on a beautiful summer day; or standing in a mountain meadow deeply breathing the fresh mountain air letting your spirit grow.

RFP Objectives

Pursuant to Section 7.2 of the city of Aspen municipal home rule charter, the Council is obliged to select the new leadership of the municipal court system and has selected City staff to support them in this selection process. Through this request for proposals (RFP) solicitation, staff shall collect and review applicant proposals for the role of Municipal Court Judge and submit all applications to the council. The council will assess applicants' information and direct staff for how it wishes to proceed with interviewing its highest ranking candidates, and will support the council until it identifies its top candidate for the position. Ultimately, the final selection is the responsibility of the Council.

Municipal Court Background

The Municipal Court has original jurisdiction of all criminal and civil cases arising under the City Charter, the City Code and other ordinances of the City, with power to punish violations thereof by imposing fines and penalties. The Municipal Court also has the power to assess and collect civil penalties, order and enforce by contempt abatement of nuisances, enforce subpoenas issued by the Charter, Municipal Code and other ordinances.

Municipal Court is in session two to three Wednesdays a month at 9 a.m. in City Hall, located at 427 Rio Grande Place, Aspen Colorado, on the 3rd Floor in Council Chambers.

The table below provides a summary of all municipal court case dispositions from 2021 to 2023.

Case Dispositions	2021	2022	2023	Total
Guilty	235	213	191	639
Not Guilty	1	0	4	5
Dismissed - recommendation of Police Officer	9	7	31	47
Dismissed - plea agreement or completion of traffic school	22	33	28	83
Dismissed – other	2	15	18	35
Deferred	2	0	4	6
Total	271	268	276	815

Citations vary across 92 categories of ordinance violations. The most common violations cited include speeding 5-9 MPH over and speeding 10-19 MPH over the prima facie limit, maintaining

and operating unsecured wildlife-proof containers, failure to obey traffic control device/stop sign and failing to appear.

Around 78.4 percent of cases above resulted in a disposition of guilty, whether by a plea of guilty or a finding of guilt by the Court. Guilty dispositions result in outcomes such as probation, a sentence to jail time and fines paid.

Approximately 4.3 percent of cases disposed from 2021 to 2023 were dismissed in which there was no finding of guilt or conviction. These cases were dismissed for various reasons, including dismissal because the defendant was either subject to a mental health hold or deemed incompetent by the state court, trials set but witnesses failed to appear or refused to testify, and cases involving defendants who had pending state court charges and were sentenced to long jail sentences or prison.

Approximately 10 percent of cases disposed in the last three years were dismissed pursuant to a plea agreement or the completion of traffic school. It has long been a policy of the municipal court to allow minor traffic violators who have a clean driving record for at least five preceding years to elect to enter an agreement whereby if the violator completes traffic school, the ticket is dismissed - this practice is common across the State. Dismissed cases also reflect the completion of conditions surrounding a plea agreement. Around 40 percent of these cases were dismissed in response to a completed deferred judgment and sentence or other plea arrangement.

In discussing municipal court case findings, it is important to note that city staff are considering municipal code updates as an avenue to increase the judicial mechanisms that the municipal court has at its disposal.

2.0 Process

Communication

Offerors may contact Procurement at procurement@aspen.gov or 720-589-4943 for questions regarding the procurement process and for submitting proposals.

Proposal Submission

Electronic submission of all material is required and must be received by the close date and time listed, and shall be emailed to procurement@aspen.gov. Electronic submissions must be compiled into a single pdf or Word document. The name of the document must contain the City project number and firm's name. The deadline for submitting responses to this RFP is 2:00pm, November 25, 2024.

Schedule

The proposal, evaluation and selection schedule are preliminary as follows:

Dates	Task
Nov 20	Questions to be submitted on or before
Nov 25	Bid closing
Dec 2/3	Qualified applicants presented to council for consideration
Dec 9	Considered applicants to interview with council (specific times TBD)
TBD	Intent to award / contract negotiations (council work session / regular meeting)

Selection Criteria

Proposals shall be assessed based on a combination of qualifications, experience and cost. Discussion may be conducted with responsible offerors who submit Proposals determined to be

reasonably susceptible to be selected for award for purpose of clarification to assure full understanding of, and responsiveness to the solicitation requirements.

Minimum and Preferred Qualifications

Applicants must be a member of the Bar of the State of Colorado and have a minimum of five years' experience on the bench or in the active practice of law in Colorado immediately prior to appointment. Legal experience in the field of criminal law, procedure, and rules of evidence is beneficial.

3.0 Scope of Work

Actual services to be performed will be determined to include, but are not limited to, the following:

The Presiding Municipal Judge works with the Court Administrator and Court Staff in a professional and courteous manner to establish and maintain processes and procedures to ensure efficient and legally defensible courtroom practices. The Presiding Judge participates in implementation of various City programs as they relate to Municipal Court. The selected appointee will demonstrate impeccable character, integrity, reputation, judgment, experience, and efficiency.

Judicial Functions include, but may not be limited to:

- Preside over court sessions. Interpret and apply the law, make legal rulings, and ensure that the proceedings are conducted fairly and according to established legal procedures.
- Responsible for making legal decisions based on the facts presented and applicable laws. Adjudicate cases by listening to evidence, determining the guilt or innocence of the accused, and, in the case of guilt, imposing appropriate penalties.
- Interpret and apply the law to specific cases. Ensure that legal principles are correctly understood and followed.
- Uphold the principles of due process, ensuring that all parties involved in a case are treated fairly and have the opportunity to present their case.
- Adopt rules and regulations to conduct the business of the Court.

It is anticipated that the Presiding Municipal Judge will work a schedule that fluctuates 20-25 hours per week depending on caseload.

4.0 Proposal Format

All proposals will follow the format outlined below. Failure to do so may result in disqualification.

- Cover Letter
- Resume
- A description of similar work experience
- A description of any disciplinary actions you may have been subject to
- A statement detailing your current practice and the potential for conflicts of interest that may arise if you are appointed to the judge position
- List of 3 professional references.
- Submit an hourly, monthly, and/or annual rate or other compensation expectations

5.0 Legal

The City reserves the right to reject any or all Proposals or accept what is, in its judgment, the Proposal which is in the City's best interest. The City further reserves the right, in the best interests of the City, to accept a late submittal or to waive any technical defects or irregularities in any and all Proposals submitted.

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In order to fully understand the legal parameters of the City's procurement process and contractual requirements, Respondents must review Aspen Municipal Code Title 4 Procurement Code and Home Rule Charter for the City of Aspen.

By participating in the City's procurement process, you agree to the terms and conditions of the procurement process and the legal parameters of doing business with the City without change.