



**REQUEST FOR QUALIFICATIONS (RFQ)  
FOR  
ADMINISTRATIVE HEARING OFFICER**

Rachelle Custer, Community Development Director  
Tooele County  
47 S Main St  
Tooele, UT 84074

RFQ Circulation Date: August 10, 2020

**PROPOSALS DUE NO LATER THAN 4:30 P.M. on August 28, 2020  
TO THE ATTENTION OF RACHELLE CUSTER, COMMUNITY DEVELOPMENT DIRECTOR.**

## **REQUEST FOR QUALIFICATIONS ADMINISTRATIVE HEARING OFFICER**

Tooele County is preparing to institute an Administrative Adjudication System to process violations of certain provisions of Tooele County Code through an Administrative Hearing Officer (AHO), who will be appointed by the Community Development Director, Tooele County Commission and Tooele County Attorney.

Individuals or firms that are interested in being considered for appointment as Administrative Hearing Officer must submit a written response to this Request for Qualifications (RFQ) by the application deadline. The response must include all required and requested information listed in this RFQ, and must address the qualifications of the respondent to perform the duties and responsibilities of the Administrative Hearing Officer.

### **Application Deadline:**

Responses to this Request for Qualifications must be in writing and must be directed to Tooele County Community Development.

**Purchasing Agent** at the following address:

Tooele County Attention: Community Development, Suite 208, 47 S Main St., Tooele, UT 84074

All responses must be received by 04:30 P.M. on August 28, 2020. Any responses received after this time will be discarded unopened and without notice.

Copies of this RFQ may be obtained from the Tooele County website, [www.tooeleco.org](http://www.tooeleco.org), or from the Community Development office, suite 208 at the Tooele County building located at 47 S Main St, Tooele, UT 84074.

Any questions regarding the process must be written or e-mailed, and directed to **County Attorney, Scott Broadhead** at [sbroadhead@tooeleco.org](mailto:sbroadhead@tooeleco.org).

### **Evaluation of Responses and Candidates**

All complete responses will be evaluated by the Community Development Director, County Attorney, County Commission, and any other staff as directed by the CD director. The reviews performed will help determine who will be selected for interview. The County Attorney will ultimately determine which candidate is the best fit for this position based on recommendations from the review team.

### **Schedule of Events**

<b>A.</b> RFQ Available	August 10, 2020
<b>B.</b> Submission Deadline	August 28, 2020
<b>C.</b> Staff Review Responses	September 3, 2020
<b>D.</b> Candidate Interviews with Staff (if necessary)	TBD
<b>E.</b> County Commission Appoints Hearing Officer	TBD

(dates listed above are subject to change)

**Minimum Qualifications**

The Administrative Hearing Officer shall meet or exceed the following qualifications:

- A. The candidate must be an attorney in good standing who has been licensed to practice in the State of Utah for a minimum of three consecutive years.
- B. The candidate must be available for hearing sessions on a schedule to be agreeable to the County’s needs.
- C. The candidate must not be a member of any board, commission, committee or subcommittee established by Tooele County or whose members are appointed by the Tooele County Commission.
- D. The candidate must not be an employee of Tooele County, and must not serve as an independent contractor paid by Tooele County.
- E. The candidate must be of the highest morale character and must not have been convicted of any serious misdemeanor or any felony.
- F. The candidate must not have any personal, financial or business relationships that, in the judgment of the County Commission, may give rise to an actual or apparent conflict of interest.
- G. Prior judicial and/or other adjudicatory experience is preferred, but not required.

**Background & Expectations**

Tooele County has been in the process of evaluating this type of program for some time. The County expects to average between 20 and 30 hearings and around 100 administrative citations, “Default Judgements”, in a given year. Many of these offenses could be better dealt with by utilizing an administrative hearing process.

The anticipated different types of cases to be heard will include (but not be limited to):

- Inoperable/unlicensed vehicle nuisances
- Weed nuisance violations
- Trash/debris, junk and unsightly item nuisances
- Zoning code violations
- Non-misdemeanor ordinance violations

The goals of utilizing an Administrative Hearing officer will include (but not be limited to):

- Process violations more efficiently and cost effectively
- Increase overall compliance and ensure compliance in a timely manner
- Provide an objective third party to address special circumstances and impartially resolve disputes
- Allow justice court to focus on more serious cases

**Required submissions:**

The response to this Request for Qualification must include at least the following:

- A. A summary statement of the applicant’s relevant experience and qualifications.

- B.** A current resume showing professional experience, and employment and educational background, including any prior judicial and/or other adjudicatory experience.
- C.** Utah State Bar number(s).
- D.** A listing of any potential conflicts of interest that could affect the candidate's ability to adjudicate issues for Tooele County.
- E.** Proposed substitute coverage in case of an unavoidable absence at a scheduled hearing. As hearing dates are set in advance, arrangements for a qualified substitute AHO are necessary should the selected candidate be unavailable for a hearing.
- F.** A list and detailed explanation of any exceptions to the qualifications listed above.
- G.** Complete contact information, including a mailing address, telephone number and e-mail address.
- H.** Any other information that the applicant believes relevant to establishing qualifications for the position.
- I.** A signed, sworn Certificate of Compliance, in the form appended to this Request for Qualifications.

**Monetary Compensation:**

Tooele County has budgeted this position at \$50.00/hr. Hours will vary, depending on the demands of the Community Development department and case load.

**RFQ Terms:**

Any prospective candidate for this position that submits a response to this RFQ agrees to the following:

- A.** All submitted responses become the property of Tooele County.
- B.** Tooele County will make reasonable efforts to maintain the confidential nature of the submissions within the bounds of applicable Utah and federal law.
- C.** Tooele County reserves the right to reject any or all responses to this RFQ.
- D.** Tooele County may request clarification to any part of any submitted responses to this RFQ and may request interviews with any candidate that submits a response.
- E.** Tooele County will not be held responsible for any costs incurred in preparing, submitting or handling of any response.
- F.** Tooele County may correct or alter this RFQ at any time. The County will make reasonable attempts to notify any party that has submitted a response to the RFQ or has notified the County in writing of their intent to submit a response of any changes made.
- G.** Tooele County may enter into an agreement with a candidate based on that candidate's submitted response and any other information gathered by the County or provided as part of interviews or meetings with the candidate.
- H.** Any such agreement may be terminated by the County with a written notice at least 45 days in advance of any such termination.
- I.** A successful candidate will provide at least 45 days' notice in writing to the Community Development Director prior to termination of his or her engagement as the Administrative Hearing Officer.
- J.** The term of engagement of the person appointed as the Administrative Hearing Officer for Tooele County will remain in effect until terminated in writing by either party.

**REFERENCES**

List below other organizations for which these or other similar services have been provided since January 1, 2017:

Instructions: This is to be completely filled out and executed by the chief officer or the individual authorized to submit the certification.

Agency Name: \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Contact Person \_\_\_\_\_  
Dates of Service \_\_\_\_\_  
Project Description \_\_\_\_\_  
Project Size and Cost \_\_\_\_\_

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Address \_\_\_\_\_  
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Telephone Number \_\_\_\_\_  
Contact Person \_\_\_\_\_  
Dates of Service \_\_\_\_\_  
Project Description \_\_\_\_\_  
Project Size and Cost \_\_\_\_\_

*[Use additional pages as necessary.]*

## CERTIFICATION OF QUALIFICATION SUBMISSION

I certify that all information provided for this Request for Qualifications is complete, accurate and to the best of my knowledge, true.

I hereby state that I have read, understand and agree to be bound by all terms of this Request for Qualifications document.

Firm (If applicable): \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_