



City of SeaTac Request for Qualifications Contract for Professional Services

Purpose

The City of SeaTac is requesting Proposals from individuals or firms with substantial Hearing Examiner experience for the purpose of selecting a City Hearing Examiner. The Hearing Examiner conducts quasi-judicial hearings on complex land use matters and regulatory compliance issues on behalf of the City and issues decisions and recommendations supported by findings and conclusions. Proposers must be experienced in the areas of land use law, real property law, city planning, development and permitting. Additionally, in accordance with SMC 1.20, the Hearing Examiner may conduct hearings on other limited matters as identified in the SeaTac Municipal Code such as traffic impact fees and ethics of elected officials.

SeaTac At a Glance

The City is home to just over 30,000 residents and approximately 62 percent of SeaTac’s population is non-Caucasian, with a representation of more than 80 nationalities and 70 different languages. The City is a global gateway and is a designated regional growth center with an employment base of nearly 40,000 jobs.

The City has held a limited number of hearings in that last several years, averaging one hearing a year. In 2021, no hearings have been held; however at least two are expected in 2022.

Evaluation

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| Qualifications | If proposer is an Attorney, state name of Law School and year of graduation. If the proposer is a firm, provide this information for all Attorneys anticipated to provide services along with each Attorney’s tenure with firm. If the proposer is not an attorney, provide relevant qualifications. | 15 points |
| Experience | List chronologically all Hearing Examiner experience, | 35 points |

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| | including but not limited to experience with writing legally defensible local land use decisions, holding public meetings and quasi-judicial proceedings. Include client's name and contact information for each case. Note: this information may be used for reference check. | |
| Approach | Describe the approach to how the individual or firm will provide Hearing Examiner services. If the designated Hearing Examiner is not available on the date of the hearing, describe the approach taken by the individual or firm to secure a pro-tem examiner. | 35 points |
| | Total possible Written Interviews | 85 points 15 points |
| | Total Evaluation Points | 100 points |

Submittal Requirements

- Letter of Interest – No more than three pages in length that includes contact information and signature. The letter should state the educational degree(s) held by the person, institutions issuing degree(s) and the date such degree(s) were issued. If the proposal is submitted by a law firm, information on all attorneys anticipated to provide services must be provided.
- Summary of Qualifications, Experience and Availability – This must be no more than three pages in length. It should summarize the applicant's qualifications to be a hearing examiner, including his/her relevant experience as a hearing examiner or other type of administrative judge, experience with land use law, environmental law, shoreline laws, and building codes. For judicial or quasi-judicial experience, please list jurisdictions, types of cases, number of cases and approximate dates such work was performed.
- Approach – A summary of the applicant's approach to providing examiner services, including a description of applicant's support staff and how applicant will have the ability to meet decision deadlines.

- Example of Written Work – At least three examples of the applicant’s written decisions, preferably as a hearing examiner, must be provided.
- Professional References – At least three professional references, including phone numbers and other contact information.
- Fee Proposal – A description of the proposed compensation required by the applicant. Specify whether the proposal is for a lump sum annual fee, a cost per hour fee or a combination of lump sum and cost per hour fees. Specify whether mileage, travel time and/or out of pocket expenses are factored into the fee proposal.
- Twelve pages maximum. Examples of written work does not count towards the maximum page amount.

City Deliverables

The City will provide the following services to the selected hearing examiner:

1. Arrange for and provide a hearing room and facilities (including recording and sound systems);
2. Provide public notice of hearings as is required under City ordinance and rule; and
3. Current copy of all City land use plans, policies and ordinances and amendments thereto passed during the term of this contract.
4. Provide staff reports and exhibits in electronic format to hearing examiner prior to a public hearing within an agreed upon timeframe.

Scope of Work

The Hearing Examiner shall:

1. Visit project sites, as necessary, prior to public hearings;
2. Examine hearing related documents and review case files, City codes and policies, environmental impact statements, plot plans and topographical maps;
3. Evaluate testimony and evidence, prepare records, enter final writing findings and impose conditions to conform projects to City ordinances and land use policies;
4. Develop and maintain rules of procedures for public hearings;
5. Punctually attend all hearings which are held at SeaTac City Hall. It is anticipated that hearings will be held on the 3rd Wednesday of the month;
6. Administer the Public Hearing Process in a professional and impartial manner;
7. Prepare sound and defensible decisions within the prescribed timelines;
8. Coordinate with City Staff on ancillary functions including setting of hearing dates, handling of associated hearing exhibits, distribution of decisions, etc.;
9. Decision copying and distribution services as required under City ordinance and rule; and
10. Maintain knowledge of current relevant state and City land use laws, policies and related state and federal court decisions.

Cost Estimate

A description of the proposed compensation required by the applicant. Specify whether the proposal is for a lump sum annual fee, a cost per hour fee or a combination of lump sum and cost per hour fees. Specify whether mileage, travel time and/or out of pocket expenses are factored into the fee proposal.

Minimum Qualifications

In accordance with SMC 1.20, the Hearing Examiner shall be appointed solely based on qualifications for the duties of the office with special reference to training, actual experience in, and knowledge of administrative or quasi-judicial hearings on zoning, subdivision and other land use regulatory enactments as may be granted by ordinance.

Experience

The Hearing Examiner shall have a minimum of eight (8) years of experience in the areas listed under 'Minimum Qualifications'.

Appointment

Section 1.20.030 of the SeaTac Municipal Code provides for the appointment of the Hearing Examiner by the City Manager, subject to confirmation by the City Council, to serve a term of two years.

Proposed Timeline

| Action | Date, 2021 |
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| Request for Qualifications (RFQ) Notice | Nov 10 |
| Questions Due | Nov 17 |
| Statement of Qualifications Due | Dec 1 |
| Consultant Interviews | Dec 13 |
| Consultant Selection | Dec 17 |

RFQ Questions

Questions or requests for clarification regarding this RFQ shall be directed to Senior Management Analyst, Anita Woodmass, at awoodmass@seatacwa.gov. Questions must be received in writing no later than 5:00PM, Pacific Standard Time, November 17, 2021. Questions will be compiled, answered, and distributed via email to all responding consultants.

Statement of Qualifications Submission Logistics

Statements of Qualifications must be received electronically via email to Senior Management Analyst, Anita Woodmass, at awoodmass@seatacwa.gov no later than 5:00PM, Pacific Standard

Time, December 1, 2021. No hard copy submittals will be accepted. If the file size is larger than 15 MB, contact the project manager for alternative submission options. Upon receipt of your documents, the City will send a confirmation email. Questions about the electronic submittal process may be directed to Senior Management Analyst, Anita Woodmass, at awoodmass@seatacwa.gov. Submittals, modifications of submittals, received after the exact hour and date specified for receipt will not be considered.

Addenda

If at any time, the City changes, revises, deletes, clarifies, increases, or otherwise modifies the RFQ, the City will issue a written Addendum to the RFQ.

Preparation Costs

The City of SeaTac shall not be responsible for any costs or fees related to response preparation, nor for costs including attorney fees associated with any (administrative, judicial or otherwise) challenge to the determination of the highest ranked proposer and/or award of contract and/or rejection of proposal. By submitting a proposal, each proposer agrees to be bound in this respect and waives all claims to such costs and fees.

Proposals

The City of SeaTac reserves the right to reject any or all proposals if determined to be in the best interest of the City, and to accept or reject minor informalities. Submitted documents will become public records.

Title VI Statement

The City of SeaTac, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Accommodations for persons with disabilities

The City is committed to meeting the requirement of the Americans with Disabilities Act (ADA). To access this document in other formats please contact Anita Woodmass at awoodmass@seatacwa.gov.