



CITY OF SACRAMENTO
REQUEST FOR QUALIFICATIONS FOR AN INDEPENDENT EVALUATOR
TO SUPPORT THE SACRAMENTO ETHICS COMMISSION

INTRODUCTION

The City of Sacramento is seeking to retain an independent evaluator to review and investigate complaints and to make recommendations to the Sacramento Ethics Commission. Candidates must be experienced in conducting law-enforcement, ethics, or employment-related evaluations.

OBJECTIVE

The City’s objective is to retain an independent evaluator who will investigate complaints filed with the Commission and make recommendations about the appropriate disposition of the complaints. The investigations must be conducted with the highest legal and ethical standards and must include in-depth and sound analysis of facts, evidence, and legal issues relating to the complaints.

The evaluator will investigate potential violations of the following provisions:

- Section 35 of the Sacramento City Charter (“Limitation on future employment”)
- Chapter 1.20 of the Sacramento City Code (“Code of Fair Campaign Practices”)
- Chapters 2.13 (“Campaign Contribution Limitations”) and 2.14 (“Campaign Spending Limits and Public Campaign Financing”) of the Sacramento City Code, if the City has not contracted with the Fair Political Practices Commission for enforcement of those chapters
- Chapter 2.15 of the Sacramento City Code (“Lobbyist Registration and Reporting Code”)
- Chapter 2.16 of the Sacramento City Code (“Conflict of Interest”)
- Chapter 4.02 of the Sacramento City Code (“Code of Ethics”)
- Chapter 4.04 of the Sacramento City Code (“Sunshine Ordinance”)
- Chapter 3 (“Conduct of Members”) and Rule 6.E (“Closed Sessions”) of the Sacramento City Council’s Rules of Procedure

The City Code and City Charter may be viewed at <http://www.qcode.us/codes/sacramento/>, and the Rules of Procedure may be viewed at <http://www.cityofsacramento.org/-/media/Corporate/Files/City-Clerk/Meetings-and-Agendas/R2018-0182-Council-Rules-of-Procedure-05222018.pdf?la=en>

STATEMENT OF WORK

The evaluator will review and investigate complaints and submit to the Commission a written report, with recommendations, for each complaint forwarded by the City. The evaluator must be neutral and impartial and must not have or appear to have any bias or favoritism toward any person or entity involved in any complaint or investigation. To avoid any potential or actual conflicts of interest, the evaluator must also forgo involvement in the City's political campaigns.

Candidates must have experience in investigative practices and procedures, including demonstrated skills in obtaining information and facts through interview and observation. Familiarity with conflict-of-interest, campaign-finance, and lobbying law is preferred.

SUBMITTAL REQUIREMENTS

Candidates seeking consideration must submit their complete proposals to the Office of the City Clerk, addressed as follows:

Office of the City Clerk
Attn: Mindy Cuppy, City Clerk
New City Hall
915 I Street, 5th Floor
Sacramento, CA 95814

Proposals must be received by the Office of the City Clerk by 5:00 p.m. on Friday, August 30, 2019. Late proposals will not be considered.

Questions may be directed to Mindy Cuppy, City Clerk, by phone ((916) 808-5442) or by email (mcuppy@cityofsacramento.org).

All proposals must be accompanied by the following documents and information:

- A complete statement of qualifications detailing educational, employment, licensure, and professional background.
- Information regarding candidate's familiarity and experience with the City's conflict-of-interest, campaign-finance, lobbying, and ethics laws.
- Information regarding experience and skills in gathering and evaluating facts and legal principles. Candidates must submit at least one sample of a written investigation, report, decision, or brief that demonstrates the required experience and skills.
- A statement of the candidate's overall approach for delivering services to the Commission as requested in this RFQ.
- Information on the candidate's ability to meet guidelines in the Commission's Complaint Intake and Independent Evaluator Investigation Procedures. Those procedures may be viewed on the Commission's website:

<https://www.cityofsacramento.org/Clerk/Good-Governance-and-Compliance/Ethics-Commission>

- Identification of any potential conflicts of interest in providing services to the Commission and the City.
- At least two professional references from any firms, organizations, or entities that have used or are familiar with the candidate's services in the past five years.
- A schedule of hourly fees or rates for providing the services requested in this RFQ. Labor, administrative, and incidental costs should also be included.

PROPOSAL EVALUATION

All proposals will be reviewed preliminarily to determine minimum responsiveness and completeness. Proposals that do not meet the criteria set forth in this RFQ, as determined in the City Clerk's sole discretion, will be returned or destroyed without further consideration, and a letter will be sent to the candidate stating that the proposal did not meet the criteria set forth and specifying the disposition of the proposal if not returned.

Qualified proposals will be evaluated using the following criteria:

- Quality and depth of experience with the ethics laws and policies of the City and the State of California.
- Experience in gathering and evaluating facts and legal principles.
- Overall approach for delivering services as requested in this RFQ.
- Cost considerations.
- Timeframes for evaluation and report submittal.

The Commission will review the qualified proposals and give its recommendation to the City Council. The City will enter into an agreement with the successful candidate for a term of up to two years, with the agreement subject to early termination if any circumstances arise that, in the judgment of the Commission and the City Council, would compromise the candidate's neutrality or give the appearance of the candidate's non-neutrality.

Each candidate will be notified within 90 calendar days after the submission deadline of the City's action on the candidate's proposal.