

**COUNTY OF WINNEBAGO, ILLINOIS**  
**REQUEST FOR QUALIFICATIONS: ADMINISTRATIVE HEARING OFFICER**  
**ISSUED: October 25, 2023**

**OVERVIEW**

The County of Winnebago, Illinois (“the County”) is requesting qualifications from experienced attorneys to serve as an administrative hearing officer pursuant to a professional services agreement with the County. The hearing officer’s services will primarily relate to presiding over proceedings arising from code and ordinance violations of the Winnebago County Code of Ordinances and animal control cases from certain municipalities within the County. Qualified candidates are invited to submit a response to this Request for Qualifications by providing the information described in Section III below.

**I. SCOPE OF SERVICES**

The administrative hearing officer shall attend and preside over all proceedings arising from code and ordinance violations as described in Paragraph (a)(i-vi) of this Section. The hearings are typically held bi-weekly: the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month on the 8<sup>th</sup> Floor of the Winnebago County Courthouse, 400 W. State Street, Rockford, Illinois 61101.

The Administrative Hearing Officer shall have the duty, authority and jurisdiction to:

- a. Preside over administrative hearings concerning any County code and ordinance violations that pertains to or regulates any of the following:
  - i. animal control *{and cited animal code violations from certain municipalities within the County}*;
  - ii. the definition, identification and abatement of public nuisances;
  - iii. the accumulation, disposal, and transportation of garbage, refuse and other forms of solid waste;
  - iv. the construction and maintenance of buildings and structures;
  - v. sanitation practices;
  - vi. zoning; or
  - vii. towing/impoundment.
- b. Postpone or continue an alleged violator's hearing to a later hearing date;

- c. Accept or reject any agreed order, continuance, or other agreed disposition presented by the parties;
- d. Administer oaths and affirmations;
- e. At the request of any party or on the hearing officer's own motion, issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, or directing the production of relevant books, records, or other information, but only if the hearing officer determines the subpoenaed information is necessary to present relevant evidence that relates to a contested issue in the case;
- f. Hear testimony and accept evidence from the code enforcement officer, the respondent, and all interested parties relevant to the existence of a code violation;
- g. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- h. Issue and sign written findings and a decision order stating whether a code violation exists;
- i. Impose penalties consistent with applicable code provisions and assess costs reasonably related to instituting the proceedings upon finding the respondent liable for the charged violation; and
- j. Any and all additional duties identified in Chapter 4 of the Winnebago County Code of Ordinances.

## **II. QUALIFIED CANDIDATES**

Qualified candidates shall meet or exceed the following requirements:

- a) Licensed to practice law in the state of Illinois for a minimum of three (3) years;
- b) Law license must be presently in active status and in good standing with the Attorney Registration and Disciplinary Commission of the Illinois Supreme Court;
- c) Possess a working knowledge of the relevant provisions of the Winnebago County Code of Ordinances that are set forth in Section I (a) of this Request for Qualifications;

- d) Possess a working knowledge of standard courtroom practices and procedures;
- e) Possess excellent oral and written communications skills;
- f) Possess a working knowledge and understanding of administrative hearings and procedures;
- g) Possess the ability to deal tactfully with the general public, attorneys and county staff;
- h) Possess the ability to analyze and interpret laws, rules and policies and logically apply them to cases under review;
- i) Possess the ability to conduct formal hearings and obtain and analyze necessary evidence; and
- j) Additionally, qualified candidates must not have any personal, financial, or business relationships that, in the judgment of the County Administrator, may give rise to an actual or apparent conflict of interest. If none exist, state so in the response.

### **III. REQUIRED SUBMISSIONS**

The response to this Request for Qualifications must include at least the following information and be in a sealed envelope (unless sent by electronic mail), clearly marked as ***“RFQ Response– Administrative Hearing Officer”***.

- a) A Cover Letter directed to the County Administrator, identifying why the candidate is interested in the position; why the applicant should be considered as qualified to perform the duties as outlined and also the candidate’s Attorney Registration & Disciplinary Commission identification number, the candidate’s relevant experience and qualifications, and the candidate’s name, address, phone, email and website (where applicable);
- b) A detailed resume or *curriculum vitae*, showing professional experience, previous employment, and educational background, including any prior judicial and/or other adjudicatory experience, if any;
- c) The names of three (3) professional references, including for each reference: name of employer, title, email address, and phone number. Two (2) of the references shall be from attorneys or judges, and one (1) of the references shall be from a non-attorney, non-judicial, professional contact;

- d) A Certificate of Good Standing issued by the Clerk of the Illinois Supreme Court within the preceding forty-five (45) days from submission of qualifications;
- e) A listing of any potential conflicts of interest that could affect the candidate's ability to adjudicate issues for the County;
- f) Copy of current Attorney Registration & Disciplinary Commission card;
- g) The hourly rate proposed for the scope of the work, and any other associated costs (if any); and
- h) Any additional documentation that is relevant to this RFQ.

#### **IV. DEADLINE FOR RECEIPT OF QUALIFICATIONS:**

November 9, 2023, by 2:00 P.M. (CST)

- a. RFQ responses shall be sent via electronic mail, first class mail or hand delivery to:

[Purchasing@purchasing.wincoil.gov](mailto:Purchasing@purchasing.wincoil.gov) or

County of Winnebago, Illinois, Attn: Patrick Thompson, County Administrator, 404 Elm Street, Suite 533, Rockford, Illinois 61101.

- b. All submittals must be clearly marked "RFQ – Administrative Hearing Officer." **Qualified submittals will be accepted until the specific date and time above, late delivery will be refused.**
- c. Any questions and/or inquiries concerning this RFQ and hard copies of this document are available by contacting:

Patrick Thompson, County Administrator, at (815) 319-4225 or via email [PTHompson@admin.wincoil.gov](mailto:PTHompson@admin.wincoil.gov), OR

Lafakeria Vaughn, Chief of Civil Bureau, at (815) 319-4799 or via email [LVaughn@sao.wincoil.gov](mailto:LVaughn@sao.wincoil.gov).

#### **V. EVALUATION OF RESPONSES AND CANDIDATES**

All complete responses will be evaluated by the County Administrator or his designee(s), who will have the sole discretion to determine which, if any, respondents will be interviewed. The evaluation of candidates may include interviews with relevant County staff as well as with the County Administrator and Winnebago County Board Chairman. The County will evaluate and select the firm and/or

attorney based on qualifications, experience and performance with similar legal matters, references, ability to provide timely services, and estimated fees and expenses. The evaluation process may also include contacting the references listed by the candidate and/or any current or former employer listed on the candidate's resume/*curriculum vitae*. The final selection of the Administrative Hearing Officer will be subject to approval by the Winnebago County Board.

## **VII. TERMS AND CONDITIONS**

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

- A. All submitted responses become the property of Winnebago County, Illinois.
- B. Documents and other information submitted in response to this Request for Qualifications are public records that are subject to any public disclosure requirements under the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) subsequent to the award of the contract, with the exception of any information that is exempt from disclosure under Illinois or federal law.
- C. The County reserves the right to reject any or all responses to this RFQ, waive technicalities and to accept the candidate deemed by the County to be in its best interest.
- D. The County may request clarification to any part of any submitted responses to this RFQ, request additional information as needed and may request interviews with any candidate that submits a response.
- E. The County will not be held responsible for any costs incurred by the candidate including and not limited to: expenses associated with preparing, submitting or handling of any RFQ response, attendance at interview(s) and final contract negotiations.
- F. The County may correct or alter this RFQ at any time. The County will make reasonable attempts to notify any applicant that has submitted a response to this RFQ or has notified the County in writing of their intent to submit a response of any changes made.
- G. After Winnebago County Board approval, the County will enter into an agreement or contract with the selected 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. Any such agreement or contract shall be reviewed by the Civil Bureau of the Winnebago County State's Attorney's Office. The County anticipates awarding an initial minimum contract for one (1) year, after which the County will have the right to renew for additional one (1) year periods of time.

H. Any such agreement may be terminated by the County for any reason, or no reason at all, with a written notice of at least (thirty) 30 days in advance of any such termination.

I. At the County's sole discretion, the County may conduct a background check of the candidate at the County's sole cost and expense.

J. The approved candidate shall not assign or subcontract any portion of the services to be provided without the written approval of the County.

K. Applicants are advised to adhere to the requirements of this RFQ. Failure to submit all information requested herein or to follow the above instructions may be sufficient grounds for disqualification.