



REQUEST FOR PROPOSALS (RFP) for Hearing Examiner Services & Pro-tem Services

1.1 SUMMARY

The City of Lakewood, Washington, serves approximately 64,000 residents and is the 22nd most populous city in the state. The City processes approximately 2,400 permit applications annually and adjudicates appeals of certain administrative decisions.

The City is requesting proposals from qualified individuals, law firms, or consulting firms to provide Hearing Examiner and Hearing Examiner Pro Tem services in accordance with Chapter 1.36 of the Lakewood Municipal Code (LMC), "Hearing Examiner System," other applicable provisions of the LMC, and Washington State law.

Respondents should have demonstrated experience in land use law, real property law, municipal planning and development, code enforcement, and the adjudication of complex land use and regulatory compliance matters for municipal governments. The anticipated scope of work, budget, and schedule are summarized below.

1.2 BACKGROUND

The Hearing Examiner system is established under Chapter 1.36 of the Lakewood Municipal Code (LMC) and operates in accordance with the purposes and procedures set forth in that chapter. The system is authorized under RCW 35A.63.170, RCW 36.70B.110 through 36.70B.130, RCW 58.17.330, and other applicable provisions of Washington State law. The Hearing Examiner serves as an impartial, quasi-judicial decision-maker independent from the City's administrative and legislative functions.

The Hearing Examiner receives and evaluates relevant information, conducts public hearings, maintains the official hearing record, and issues findings of fact, conclusions of law, decisions, orders as applicable.

Hearings are scheduled on an as-needed basis in consultation with the City Clerk and Planning and Public Works Director or designee. Hearings are generally conducted virtually, in person at Lakewood City Hall, 6000 Main Street SW, or through a hybrid format, as determined appropriate by the City.

The City makes no representation or guarantee regarding the number, type, frequency, or value of matters that may be assigned under any resulting contract. Historically, the Hearing Examiner's caseload has averaged approximately five to ten quasi-judicial land use application matters per year, in addition to administrative appeals.

1.3 QUALIFICATIONS

At a minimum, each individual proposed to serve as the Hearing Examiner or Hearing Examiner Pro Tem must meet the following qualifications:

- Be admitted to practice law in the State of Washington and be an active member in good standing of the Washington State Bar Association.
- Possess demonstrated knowledge of Washington land use, environmental, municipal, and administrative law, including, but not limited to:
 - Chapter 36.70A RCW, Growth Management Act;
 - Chapter 36.70B RCW, Local Project Review Act;
 - Chapter 36.70C RCW, Land Use Petition Act;
 - Chapter 42.21C RCW, State Environmental Policy Act;
 - Chapter 42.30 RCW, Open Public Meetings Act;
 - Chapter 42.56 RCW, Public Records Act;
 - Chapter 58.17 RCW, Subdivision Act;
 - Chapter 90.58 RCW, Shoreline Management Act;
 - Washington State building and construction codes, including local amendments adopted under LMC Title 15;
 - Other applicable City codes, ordinances, resolutions, regulations, and policies; and
 - Other applicable federal and state statutes, administrative regulations, and case law.
- Possess sufficient training and experience to conduct administrative and quasi-judicial hearings and prepare legally defensible findings of fact, conclusions of law, decisions, orders, and recommendations.
- Have at least five years of experience serving as a hearing examiner, administrative law judge, deputy hearing examiner, or in a comparable quasi-judicial role for one or more Washington cities or counties.
- Have experience adjudicating code enforcement, nuisance abatement, dangerous building, rental housing, and business licensing appeals, sewer connections fee appeals in addition to land use matters.
- Hold no other elected or appointed office or position with the City of Lakewood.
- Be free from conflicts of interest that cannot be cured and be able to comply with LMC 1.36.070 and Chapter 42.36 RCW.
- Demonstrate familiarity with Pierce County jurisdictions, the Puget Sound regional planning framework, and military-adjacent land use issues associated with Joint Base Lewis-McChord.
- Demonstrate the ability to manage proceedings involving self-represented parties or emotionally charged disputes while maintaining decorum, impartiality, and procedural due process.
- Demonstrate a record of issuing decisions that have been upheld on appeal, with a low rate of reversal or remand resulting from inadequate findings, conclusions, or procedural error.
- Have the technological capacity and proficiency necessary to conduct in-person, remote, and hybrid hearings and to manage electronic exhibits, hearing records, and related documents.

1.4 SCOPE OF WORK & DURATION

The successful Hearing Examiner and Hearing Examiner Pro Tem must be able to perform the following services:

- Perform all duties and exercise all authority assigned to the Hearing Examiner under LMC Chapter 1.36, as currently adopted or subsequently amended;
- Provide a clear and predictable fee structure for all services;
- Conduct site visits when necessary and appropriate before a hearing;
- Review hearing-related documents, case files, City codes and policies, environmental documents, plans, maps, exhibits, and other materials relevant to the matter;
- Conduct administrative and quasi-judicial hearings in a professional, impartial, orderly, and legally sufficient manner;
- Administer oaths, receive testimony and documentary evidence, rule on procedural and evidentiary matters, and maintain an adequate hearing record;
- Evaluate testimony and evidence and prepare written findings of fact, conclusions of law, decisions, orders, and recommendations, as applicable;
- Impose conditions of approval when authorized and necessary to ensure compliance with City codes, ordinances, plans, and land use policies;
- Prepare legally sound and defensible decisions within all applicable statutory and local timelines;
- Issue decisions, orders, and recommendations as required by City ordinances, rules, and applicable law;
- Coordinate with City staff regarding hearing dates, agendas, exhibits, records, decision distribution, and other administrative and logistical matters; and
- Maintain current knowledge of applicable City, state, and federal land use, environmental, municipal, administrative, and procedural laws, policies, regulations, and court decisions.

The City will provide the following support:

- Establish hearing agendas and schedules in consultation with the Hearing Examiner;
- Provide public notice of hearings as required by City ordinances, rules, and applicable law;
- Prepare and transmit case files, records, exhibits, and staff reports describing and analyzing the application, appeal, or other matter to be heard, including a staff recommendation when applicable;
- Provide an appropriate hearing room and supporting facilities for in-person or hybrid hearings, including recording and sound-system capabilities;
- Provide a virtual meeting platform that supports public participation and recording for virtual and hybrid hearings;
- Provide copying, publication, and distribution of decisions, orders, and recommendations as required by City ordinances and rules; and
- Provide access to current City plans, policies, codes, ordinances, regulations, and amendments adopted during the term of the contract.

The City anticipates entering into an initial two-year professional services agreement with the selected individuals or firms. The agreement may be extended for additional periods upon the mutual written agreement of the parties and subject to satisfactory performance, available funding, and any required City approvals.

1.5 PROJECT CONTACT INFORMATION

Any questions or inquiries related to the RFP can be directed to the point of contact below:

Angie Silva, Assistant Director
Planning & Public Works
City of Lakewood
6000 Main St SW
Lakewood, WA 98499
Office: 253-983-7839
Email: asilva@cityoflakewood.us

1.5 RFP PROCESS

This is a notice of “Request for Proposals” for eligible, interested firms. Respondents’ SOQs will be reviewed by City staff. Based on review, an interview may be scheduled. The City reserves the right to select a firm without an interview. The City of Lakewood will approve the final contract agreement.

1.6 TIMELINE

RFP Release Date	September 30, 2026
Question Submission Deadline	October 14, 2026
Deadline for Receiving Proposals	October 26, 2026 by 5:00 PM PST
Initial Evaluation Completion	October 27-November 2, 2026
Possible Interview Schedule	November 5-9, 2026
Notice of Award/Contract Negotiations	November-December, 2026
Estimated Contract Executed	January 2026

1.7 INSTRUCTIONS TO RESPONDENTS

- Follow instructions carefully.
- All questions must be submitted by the deadline and sent via email to asilva@cityoflakewood.us.
- Submit proposals via email by the deadline to asilva@cityoflakewood.us. Only electronic submittals will be accepted.

Proposals must not exceed 20 pages, excluding resumes, references, and required forms, and should include the following:

- A cover letter identifying the individual or firm submitting the proposal and the individuals proposed to serve as Hearing Examiner and Hearing Examiner Pro Tem.
- A description of the proposer's general approach to providing Hearing Examiner services, including hearing preparation, case review, hearing administration, decision drafting, coordination with City staff, and compliance with applicable decision timelines.
- A detailed statement of qualifications describing the proposer's experience providing comparable Hearing Examiner, administrative law, or quasi-judicial services for Washington cities or counties.
- Resumes and professional qualifications for each individual proposed to perform services under the contract, including Washington State Bar membership, relevant training, years of experience, and current or recent municipal clients.
- A description of the proposer's approach to quality control, legal research, conflict screening, workload management, continuity of service, and preparation of legally sound and defensible decisions.
- Identification of any subcontractors, affiliated professionals, or additional Pro Tem Examiners who may provide services, including their experience, qualifications, responsible personnel, and anticipated roles.
- A proposed fee schedule identifying hourly rates and/or flat fees, hearing-day or flat-rate charges, travel expenses, administrative charges, and any other anticipated costs. The proposal should describe how the fee structure will provide predictability and cost control for the City. Flat fees are preferred, to the extent possible.
- A description of the proposer's availability and capacity to accommodate hearings on an as-needed basis, including the ability to conduct virtual, in-person, and hybrid hearings and to issue decisions within applicable timelines.
- References and contact information for at least three current or former municipal clients for whom the proposer has provided services comparable in size, complexity, or scope to those requested by the City.
- Disclosure of any actual or potential conflicts of interest involving the City, its officials, employees, consultants, or known parties regularly appearing before the Hearing Examiner.
- Any additional information the proposer believes demonstrates its ability to satisfy the City's selection criteria and successfully perform the requested services.

1.8 SELECTION CRITERIA

An evaluation committee comprised of City staff including representatives of Planning and Public Works, the Legal Department, and the City Clerk, will evaluate responsive proposals against the criteria below. The City may, at its discretion, shortlist proposers for interviews. The City also reserves the right to award without interviews.

Evaluation Criterion	Points	Weight
Qualifications and directly relevant quasi-judicial experience, including breadth of subject matter	30	30%

Evaluation Criterion	Points	Weight
Quality, clarity, and legal sufficiency of writing samples and demonstrated defensibility of decisions	25	25%
Approach to services, hearing management, procedural fairness, and accessibility	15	15%
Availability, capacity, responsiveness, and demonstrated timeliness of decision issuance	15	15%
Proposed rates and overall cost to the City	10	10%
References and performance history	5	5%
Total	100	100%

1.9 GENERAL TERMS AND CONDITIONS

- The City reserves the right to reject any and all proposals, and to determine and waive minor irregularities in any proposal.
- The City reserves the right to request clarification of information submitted, and to request additional information from any proposer.
- The City reserves the right to determine the most qualified firm or firms based on the City's evaluation of the proposals and qualifications received and any factors relevant thereto.
- The City reserves the right to award contracts for all or some of the tasks in the scope of the work to one or more firm to complete the tasks in the Scope of Work.
- The City reserves the right to award any contract to the next most qualified consultant, if the successful consultant does not execute a contract within thirty (30) days after the award of the proposal.
- The City shall not be responsible for any cost incurred by the firm in preparing, submitting or presenting its response to the RFP.
- Any proposal received is subject to the Washington State Public Records Act (RCW 42.56).

2.0 COMPENSATION

- If awarded a contract, payment for services will only be made after the services have been contracted and have been performed. An itemized billing statement shall be submitted in a form specified by the City and approved by the appropriate representatives, which shall specifically set forth the services performed. Payment will

be made in accordance with the payable payment cycles based upon a signed consultant agreement with the City.