

Issues and Discrepancies with Council Member Ritter's concerns over SEP Consulting's Proposal

During the public City Council meeting on March 12, 2019, Council Member Ritter raised multiple concerns as to SEP Consulting.

One concern Member Ritter raised, had to do with the status of SEP Consulting's prior work for the City in 2018. The City appeared to have made no prior attempts to contact the persons most directly able to shed light on the work completed on a prior project.

Upon review of the City Council video and creation of a transcript, of the March 12, 2019 Council Meeting review of RFP proposals, it is clear that the Council member made false and/or misleading statements about a proposal that would have been clearly shown to be false by a reading of said proposal, such that the Council member asked/stated, in order stated:

1. "Perry didn't provide a reference for his work done for Tonasket, correct?" Which was misleading, as Perry had provided City of Tonasket as one of its clients in their resume furnished in their RFP proposal. The fact was the City of Tonasket was listed in their resume.
2. asked Mayor, "were you guys able to confirm, did they provide a report for the work that they did for Tonasket?" The City Clerk was absent for this Council and so the Mayor could not consult with the Clerk. The Mayor was confident that there was a report and that a report could be obtained.
3. asked Mayor, "so why didn't they complete the whole vault?" Mayor answered that they were scheduled to come back in spring 2019 to finish the work.
4. asked Mayor, "why wasn't the whole job completed in that time?" A fact check would have shown that SEP had been paid approximately \$6K (\$5K by AWC grant and \$1K from City of Tonasket). What did this Council member expect to be done in 2018 in the amount of \$6K? And furthermore, if the vault was locked and inaccessible, how did any Council or City staff know the degree of completion of the vault.
5. "my concern is that, with SEP, is that in the time frame we have, they won't be able to complete the work, and that the other application guarantee it would get finished." When in fact this was the opposite of the facts stated in the two proposals. SEP stated, "barring any major unforeseen circumstances arising, it is anticipated this project can be completed within 90 days of commencement", whereas, SDB stated, "It is anticipated that additional work will need to be complete[d] after the 3 months".

6. "my other question would be for SEP, is, they're not local, they live on the west coast." Wherein other Council member states he lives part of the year locally, in Conconully and could return earlier, to do this project, if awarded the contract.

7. "and did his quote include the travel and per diem that would be incurred for the time we would want him." Wherein, a reading of the SEP proposal was clear, and its quote stated the project cost would not exceed \$24,660.00 and the quote "includes all duties performed by SEP, including any subcontractors as described in the enclosed "response to scope of work and conditions" document. This quote also includes all standard mileage for contractors, any anticipated equipment rental or dump fees, supplies or any other miscellaneous project costs." and details the additional costs the quote does not include being postage or publication fees required for legal notifications, nor any shipping costs associated with the return of evidence outside of City of Tonasket.

8. "Brown had, in my opinion, stronger references than SEP". When in fact SDB references were all with the Okanogan County Sheriff Department, whereas SEP references were for four difference references including Washington Criminal Justice Training Commission, City of Carnation, Jefferson County Sheriffs Office, and Edmonds Police Department. SEP references also stated the relationship with the client including time frame of relationship.

9. "no one knowing where the report is or how well the job was performed, I'm not sure that should bear in consideration because they've had a job with us before". Mayor responds he doesn't know if Alice has seen a report. The City Clerk Alice Attwood was not present, whereas the Deputy Clerk/Treasurer took minutes. If the City Clerk had been present she would have been able to respond as to the fact that SEP had worked for Tonasket in 2012 as well under Chief Burks. And,

10. "I'd rather go with Steve Brown, to have that guarantee, than SEP, who has not guaranteed they can do it in the time we have." While SDB RFP proposal stated "It is anticipated that additional work will need to be complete[d] after the 3 months;"

This portion of the Council meeting last 15 minutes and included ten misleading and/or false statements and created an unfair prejudice against SEP Consulting in favor of SDB Consulting & Investigation.

Point of Contact and reporting of deliverables:

The point of contact for the service agreement was designated to be the City Attorney Howe. Public comments included whether the Chief Law Enforcement officer for the City of Tonasket (the Sheriff of Okanogan County) being a law enforcement professional, could have oversight and be the point of contact, and sign off on the completion of the project deliverables. The Sheriff is not only the Chief Law Enforcement officer through jurisdiction but through a 2019 Law Enforcement agreement signed in February, 2019. However, the City Council did not seek additional law enforcement credentialed administrative overview of the highly sensitive deliverables as to the disbanded Police Department records, evidence, files, and property.

Basis for award decision

The City and Council did not have any formal documentation of the basis for the award decision.

Council member Ritter motioned to award the contract to SDB Consulting & Investigation due to time constraints. This motion was seconded by Council Member Moreno and affirmed by the remaining voting Council Members.

Again, the City and/or Council has not documented the basis for their award decision.

Review Panel and Bid Award Protest

City Residents objected to Council as to the Review Panel and the appearance of bias in the one Council member reviewer (who later was recused from voting on the selection). City Residents objected to the fact the review panel did not have any members with subject matter expertise. City Residents also objected to the bid review and award of the contract during the March 12, 2019 Council Meeting final review.

On March 15, 2019, the vendor that was not selected also sent a letter of concern to the Mayor and Council, objecting to some of the erroneous statements made by City Council on March 12, 2019. It does not appear that the Mayor or City Clerk-Treasurer responded to the vendor's letter of concern. The awarded vendor began his service on March 18, 2019, and a service agreement was entered March 18, 2019. It appears the City Clerk-Treasurer Attwood sent the letter of concern to Council, and Council addressed the letter publicly at the March 26, 2019 Council Meeting. No bid award protest or review process was administered as to the March 15, 2019 Letter of Concern from the vendor not selected.

Services Agreement

The City of Tonasket Professional Services Agreement was entered into on March 18, 2019 services agreement. The compensation is \$10,000 a month. The Term is expected to be a 3-month project and may be terminated or extended (“as set forth (in par. 6)”).

A public record request produced April 8, 2019, produced the services agreement. Other than the scope of work as exhibit, no other contract documents were included or available as of April 8, 2019 from the Clerk-Treasurer, as to whether the service provider had furnished the RFP required criteria such as proof of insurance, and a background check, (or proof of passing a polygraph test, or documentation of why a polygraph was not needed) (the RFP criteria listed a polygraph as may be need).

The service agreement, made and entered into March 18, 2019, was signed by the Service Provider S.D. Brown and City Mayor D. Brown, and attested to by Clerk-Treasurer Attwood, although the proof of insurance and background check criteria were not available or produced upon request on April 8, 2019.

Conclusion

The City of Tonasket and City Council did not follow standard procedures as to some key contracting processes such as initial check of completion, evaluation checklist, and comparison of qualifications specific to the scope of work.

Two Council members without the subject matter expertise were tasked with reviewing the RFP proposals and one of the Members had a conflict of interest and was recused from voting on the selection.

Biases and errors of fact were also introduced into the review process when a Council member made multiple false or misleading statements that appear to have prejudiced the Council against SEP Consulting and in favor of SDB Consulting & Investigation.

Both consultants had years of experience, however, it was clear SDB Consulting & Investigation had a focus in law and drug task enforcement whereas SEP Consulting had a focus in evidence and records processing and training. And that SEP Consulting had ten (10) years of related business experience whereas SDB Consulting & Investigation business license had just been issued.

SDB Consulting & Investigations actual RFP proposal packet was not complete or had insufficiencies (including no resume, and including that SDB Consulting & Investigation’s proposal scope of work excluded the “processing public records request” deliverable (that was in the original RFP). Its insufficiency in resume documentation was supplemented by the City Clerk from his prior submittal when the City considered hiring Mr. Brown as an employee.

SEP provided its firm's general approach to the project as well as detailed steps it would take in completing elements of the scope of work. SEP Consulting was also the lowest bid with the most potential cost savings. SEP Consulting provided the City with a "not to exceed" bid amount. Whereas SDB Consulting & Investigation had a set rate per month and anticipated work will need to be completed after the 3 months.

The City of Tonasket and Council did not timely administer or respond to a letter of concern from one of the vendors.

A service agreement was entered into without required contractual documents in place at the time the agreement was entered into (the supporting contractual documents were not available as part of a public record request produced by the City on April 8, 2019).

City employees were allocated to assist the awarded vendor, upon the service agreement being entered into, resulting in the actual cost of the project exceeding the quote furnished in the vendor's RFP proposal but, also potentially resulted in highly sensitive police department records being handled by individuals who had not met City requirements or credentials, as detailed in the RFP scope of work.

The ability to deliver and implement a highly sensitive scope of work, as to the integrity of the processing of the disbanded police department records and evidence, was central to the success of this project.

In conclusion, the City of Tonasket did not obtain the lowest and most qualified proposal in the award of the Internal Compliance Administrator contract. Further questions are raised as to the proper processing and disposition of highly sensitive records and evidence in the closing of the disbanded City of Tonasket Police Department.

Record
request
received
by City
resident

SEP CONSULTING

Public Safety Consulting Services

March 15, 2019

Mayor Dennis Brown and Members Of The Tonasket City Council.
209 S Whitcomb Ave
PO Box 487
Tonasket, WA 98855

Dear Mayor Brown/ Council Members

While I have not yet received official notification from the city that SEP Consulting was not selected to perform the work of Internal Compliance Administrator, I have been made aware by citizens that another vendor was selected. I have also seen clips from council meetings confirming this. While obviously disappointed in the decision, I was also disturbed by what appears to be a lack of understanding about the work I performed in 2018. There were also comments made concerning the quality and availability of my references and commitment to timelines. Please let me take the opportunity to clarify the record.

1. What was done in 2018 and were reports provided to the city?

When first contacted to meet with newly hired Chief Odegaard, I was advised that all evidence seized during previous administrations were sealed in the vault and that neither he nor records clerk Foreman wished to enter that vault without initial expert assistance. Since this was a wise, and industry recommended practice, I agreed to assist. When initially hired by the police department, my role was to oversee the opening of the vault, as well as assess the overall condition of their evidence function. Such a process would typically be followed up with a detailed written report, such as the 22-page report provided Tonasket on September 24th, 2012 after I was hired to perform that assessment.

Shortly into the 2018 process I realized that many of the 2012 recommendations had still not been finished or even started. As troubling, there had been previous significant purging of investigation reports where evidence still existed in the vault (severely inhibiting the ability to make retention decisions). After discussions with Chief Odegaard and Prosecutor Platter the project changed direction. Chief Odegaard and I mutually agreed that rather than spending limited city dollars providing an updated assessment, what was needed was actual assistance fixing existing problems.

We therefore agreed that my mission was to begin a process to (1) verify the integrity of the evidence system, (2) attempt to determine if misappropriation had occurred, (3) decide what existing evidence could be legally removed, (4) assure the integrity of remaining evidence for possible future prosecutions, and (5) educate Tonasket PD staff as to how to continue this work after I left. This included creating forms, streamlining processes and procedure recommendations.

During the project a 6th piece was added, namely helping Tonasket address the mandatory moving of operations to a different building due to the required evacuation of the existing facility.

Meanwhile, we were able to obtain a small grant from the Association of WA. Cities to continue this work. As I explained to AWC, even with the grant, sufficient funds didn't exist to "finish" all steps, but I believed we could get Tonasket back on track and empower staff to continue the work once the vault was once again accessible.

Chief Odegaard asked that I return in the Spring of 2019 to review what further progress had occurred, and to review all existing investigation reports to determine which could be purged or transferred to other entities, and which could be destroyed.

Over the next weeks, with cooperation of the prosecutor's office and the courts (through a painfully slow research process) considerable progress was made. SEPConsulting continued working with staff long after funds were exhausted to accomplish as much as possible before the building was shut down.

Upon leaving, I'm proud to say that steps 1-6 had been either been essentially completed or significantly on a path to completion. I agreed to continue advising staff (no charge) through the winter so that progress could continue. When I arrived in Tonasket, 729 items of evidence were in the vault. Upon leaving, only 243 remained. Every "removal" took place pursuant to law, and each was appropriately documented with all records retained by the Police Department.

2. Why wasn't all evidence work completed in 2018, eliminating a need for work in 2019?

While I believe the answer to question #1 addresses this, there is a significant additional factor. Upon leaving last fall, there was a Tonasket Police Department which needed to retain reports and items of evidence for open cases and pending prosecutions. It is impossible to finalize evidence work while a department continues to function.

3. Why didn't SEP Consulting use the City of Tonasket as a reference in their RFP response?

While the RFP response discussed my Tonasket work, the purpose of references is for the city to speak with outside persons/entities knowledgeable of the applicants performance. Also, in this case those in Tonasket who actually witnessed my work, are no longer there. It is unfortunate if my choice of references offended anyone, as that certainly wasn't the intent.

4. SEPConsulting's references were not as impressive as other submissions.

Rather than merely providing impressive "general" references, each name provided in the Tonasket response was someone who could specifically attest to work performed for their agency that directly related to the duties listed in the Tonasket posting. With years of experience reviewing applications and RFP's, I always found this type of reference to be the most valuable to an evaluator. Even more so, as proud as SEPConsulting is of the work it does, it's equally proud of relationships built over the years with clients.

5. Some SEPConsulting references did not respond to the city's attempt to contact them.

Being surprised hearing this, I contacted all four references provided. Two verified they spoke with a city representative, and two advised that they were never contacted, and in fact were still waiting for someone to call.

6. SEPConsulting didn't agree to complete the job within the time period listed in the posting.

Please see Page 2, Para. 3 of my RFP response. "*Barring any major unforeseen circumstances arising, it is anticipated this project can be completed within 90 days of commencement*". Unforeseen circumstances refers to the city's statement in the RFP that additional unnamed work would be required prior to project completion. No responsible vendor can guarantee a timeline until the required duties are established. Based on the duties that were listed, I agreed to finishing the project within 90 days.

I hope this addresses comments/concerns that some on the council may have. If not, please feel free to contact me. I have enjoyed working with the City of Tonasket and am disappointed this work apparently won't continue in 2019.

Sincerely,

Steven E. Perry
President
SEP Consulting

Cc: City Clerk Alice Attwood

Transcript of March 12, 2019 City of Tonasket Council meeting and Final Review and Award of the Internal Compliance Administrator services contract

Method

Transcribed by City of Tonasket Resident, J. Ward

Transcribed by from public video available to the public on the Watchdog: Tonasket City Government group on their Facebook page.

This transcription transcribes the portions of the video pertaining to the final review and award of the Internal Compliance Administrator contract agenda item including the related Public Comments scheduled last on the agenda.

Referring to City Council Meeting Minutes for March 12, 2019 [see: City of Tonasket website>Government>Agendas & Minutes>Minutes and Agenda Archive], present were Mayor Brown and Councilmembers Levine, Kriner, Moreno, Ritter and Sackman and City staff D. Johnson and Miller. Also present was City Attorney M. Howe.

Time duration transcribed is from 03:25 to 17:35 (equivalent to 15 minutes recording time) and some related public comment (approx. 5 minutes recording time).

Transcription of Video Recording as to Old Business and Public Comments: Approval of the contract for the Internal Compliance Administrator

[Transcription time signature begins at 03:25:00]

Mayor Brown: Unfinished business, approval of the contract for the international compliance administrator.

Council member Ritter: It's internal.

Mayor Brown: Internal. Internal, sorry about that. So... [interrupted by Council member Sackman]

Council member Sackman: [inaudible] Mayor, before we start, in the packet, I forgot to add that one of the questions we had for them was that if they needed a subcontractor, and for Steve Brown he said that he did not need one. That was forgot in the packet.

Council member Levine: So, Council asked me to officiate and Jensen and I split the two up. I looked into the references and the qualifications for SEP and she did the one for SDB Consulting. I think you guys have in the packets their responses to the questions, just clarifying their qualifications and references.

Council member Ritter: So, I have a question. For SEP's, Perry didn't provide a reference for his work for the work done for Tonasket, is that correct?

Levine: No, correct. He did not.

Ritter: And were you guys able to confirm, did they provide a report for the work that they did, that they did do for Tonasket?

Levine: It's not one of the references he had on there, so I didn't view it.

Ritter: Just looking at the packets you guys provided, some of the references didn't even return calls. I mean, the ones that did are reasonable but.

Levine: There was just one on here, that didn't return the phone call.

Ritter: So, I guess Mayor Brown, you'd probably be the only one privy to any of the work that SEP did for us earlier or later last year. Do you have any feedback based on what was completed for the Police Department?

Mayor Brown: Well, to my knowledge, it was, the vault was three quarters complete.

Ritter: So, why didn't they complete the whole vault?

Mayor Brown: I'm not sure why they didn't complete. Because, I didn't, Alice isn't here to help me out with that, but, they were supposed to, he was supposed to come back and complete it, but I think that he ran out of hours.

Council member Kriner: He was here from July to October.

Mayor Brown: But he was only here part time.

Ritter: So, I guess one of my concerns is, without a report, like MaryLou [Kriner] said, its a pretty lengthy amount of time, and why wasn't the whole job completed in that time? We only have basically two to three months left to get what's left done.

Mayor Brown: That's true.

Ritter: And, my concern is that, with SEP, is that in the time frame we have, they won't be able to complete the work, and that the other application guarantee it would get finished.

Public [Ward]: Well what was his, was his [SEP] a contract...[cut off]

Ritter: Mam, there is no comment unless you...[cut off]

Mayor Brown: There's no comments at this time.

Mayor Brown: The thing is, that, ya, if you were looking through his paperwork and he was guaranteeing he could get it done, the other one didn't. I was reading through this stuff this afternoon. And ya, he was, ah, Steve Brown is saying that he could complete the process in the amount of time we have?

Ritter: Well, and my other question would be fore SEP is, they're not local, they live on the west coast.

Mayor Brown: They live on the west coast.

Ritter: And did his quote include the travel and per diem that would be incurred for the time that we would want him to complete what work was left? Can you guys answer that?

Sackman: He's [SEP] stated that he has a place in Conconully that he actually goes to sometimes, and that he can come a couple of months early, to do this project, if we were to contract with him.

[inaudible]

Mayor Brown: Then he wouldn't have to [inaudible], there's paperwork that he [SEP] wouldn't have to have as much stuff to do as, as if he went and started all over again. We've got this nice little what three months that we've got left. So, if he's already started the project and he has all the paperwork we're aware.

Ritter: Well, but we paid for that service

Mayor Brown: We paid for that service.

Ritter: so we should have that paperwork unless

Mayor Brown: We should have that.

Ritter: ...we're not asking Perry for it.

Mayor Brown: And I haven't seen it. I don't know where, did Alice see any of that?

Moreno: That should be done. It shouldn't have to be redone by anybody.

Mayor Brown: It shouldn't have to be redone.

Moreno: It should just continue where they left off.

Sackman: We could start back from where it left off.

Mayor Brown: If he was to do it, it should just continue where he left off.

Kriner: Well, it's completing 6 years worth of more evidence and things, so, to bring us up current.

Mayor Brown: Ya.

Ritter: Well, if you look at the fact when you are comparing references, Brown had, in my opinion, stronger references than SEP, and just through the concern of no one knowing where the report is or how well the job was performed, I'm not sure that should bear in consideration because they've had a job with us before, and performed services that we don't know if those services met the need or not.

Mayor Brown: That's a good point.

Ritter: That's just my...

Mayor Brown: Agreed. I haven't seen a report on that, and I don't know if Alice got one.

Levine: I wish she was here.

Mayor Brown: But if there is a report there, then, that we have from before, it should be transferred, whatever was done, transferred one way or another.

Levine: We heard a conversation regarding that ... [inaudible]... so there's got to be a report somewhere.

Mayor Brown: There's got to be a report somewhere.

Moreno: [inaudible].

Levine: It's just, so, even if he didn't complete the report at that time, there's got to be a report ...those services...

Mayor Brown: Yes.

Levine: So, whether he [SEP] does it or someone else does it, there's a report somewhere, someone can take it and run with it.

Mayor Brown: And Alice isn't here to see if we have got that report or not. It should be in a file somewhere.

Ritter: [inaudible] We need to make a decision tonight.

Kriner: So are you saying you haven't seen it?

Mayor Brown: I didn't get it.

Public [Ward]: What about qualifications?

Ritter: Does Council have any more questions?

Sackman: No.

Mayor Brown [appears to face towards Kriner]: Did you look at this?

Sackman: I feel that either way, either one would be a good choice, I mean qualification-wise, and criteria-wise, they match up pretty well with each other. I think that they balance each other out. So, either way, it will, [inaudible] either way.

Mayor Brown: his [SEP] quote is quite a bit cheaper than the other one [SDB].

Levine: Well, that's another reason why, in terms of a report, he knows more about what's going on. I mean, it was kind of, I don't know, a blind estimate on the other individual, so.

Ritter: My concern is the time frame.

Mayor Brown: That is a concern.

Ritter: I agree that SEP gave a better quote, more reasonable, but if I have to pay \$5,000 more, to guarantee that the work that's left, that the one-third that is left, gets done in the short period of time we have left, than I'd rather go with Steve Brown, to have that guarantee, than SEP, who has not guaranteed they can do it in the time we have.

Kriner: I mean, looking at all of his references, for Steve Brown, I mean he truly, I mean, he has nothing but good rapport with everything he's done. I mean [quoting the reference check question and answer] "he knows the laws and he's been the drug task force the last four years. He's a true leader." That's just one person. [quoting the reference check question and answer] "Would you hire him again?" Absolutely. [quoting the reference check question and answer] "Hands down". You know what I mean? He's just, I don't know, I just look at some of the things that keeps positive. He [quoting the reference check question and answer] "has a passion for serving the community in a positive way. Keeping drugs off the streets, he is a no nonsense guy. What you see is what you get," with him.

Levine: There was, the thing that called me back on SEP, was, they did the same, and they, that's all they could do was rave about Steve Perry, so.

Mayor Brown: And he's been a training commissioner doing that job, so.

Kriner: Does Council have more questions?

Kriner: The only thing that I would really like to bring up, is that, whoever we go with, that they have a certain person to communicate with. And, I kind of feel that, maybe, our City attorney, knowing the law, that he should be the one that works with this person and reports for.

Ritter: Is that acceptable with you Mick?

City Attorney Howe: That is acceptable to me. And I know him [Mr. Steve Brown] and can work with him, easily.

Mayor Brown: So, have you read these?

Attorney Howe: I've gone through all of it. It seemed like either one of them are qualified. I think that we have some urgency, so the comments that Jill is stressing, I will stress also.

Mayor Brown: Oh ya.

Attorney Howe: One of the things we're under the gun is on public records requests, and there is evidence. There is pending cases, there may be evidence on a lot of things, you just can't put off. I mean they've put off too long. And we should get on this right away, as soon as possible.

Public [Ward]: Is it possible for the Sheriff to...

Ritter: Got any more questions Council?

Council member Moreno: No.

Public [Ward]...to be the supervisor?

Ritter: Well, I'm ready to make a motion, if there's no more questions or comments.

Public [Ward]: Excuse me, but if you guys aren't going to let us have public comments until the end...

Ritter: Mam, public comments is on the agenda, you are not to...

Mayor Brown: Public comments...

Public [Ward]: Yes, it's at the end, so we have no say, no say in any of the agenda...

Ritter: Correct.

Public [Jones]: It's our money.

Ritter: It's our money too.

Public [Ward]: Residents are part of the organization chart.

Mayor Brown: Order.

Public [Ward]: And you guys give us no opportunity...

Ritter: I move to ...

Public [Ward]... to have any voice.

Ritter: ... award the contract for the Internal Compliance Administrator

Public [Ward]: ..so, why can't you answer legitimate questions?

Ritter:...to Steve Brown, due to time constraints.

Public [Ward]: So, Mayor Brown, I think it's, there's flexibility, and you have the option to hear legitimate questions.

Mayor Brown: You're not to talk now.

Public [Jones]: You're going to put yourself right further in it.

Public [Ward]: Records Specialists should report to the Chief of Police and now in our case it's going to be the Sheriff, so why can't this position report to the Sheriff?

Mayor Brown: Motion made by Council member Ritter. Seconded by Council member Moreno. All in favor?

Kriner and Sackman: Aye.

Mayor Brown: Opposed? Abstained?

[Levine raised her hand]

Mayor Brown: Motioned carried.

Reporter [Teachout]: I couldn't hear with all the chatter.

Ritter: Four. Teagan [Levine] abstained, recused herself. The four of us...

Mayor: Yes...

Ritter: I'm sorry.

Mayor Brown [to Kriner] [inaudible].

Kriner: Yes.

Attorney Howe: Well always intriguing.

Kriner: Yes.

Ritter: So, four voted for Steve Brown for our Internal Compliance Administrator. And Teagan [Levine] recused herself.

Sackman: And I just caught the end of your, what you were trying to say, about having the Sheriff's department do it. Everyone wanted us to do an outside source and go out for what we are doing, and so that is what we are trying to do.

Public [Ward]: No, that's not what I'm saying. I'm saying the Sheriff is now the Chief of Police of Tonasket. So, the Chief of Police should oversee this position based on other cities...

Public [Jones]: Instead of costing us more.

Ritter: They don't oversee this kind of work.

Public [Ward]: Yes, they do. It's similar kind of work....

Public [Jones]: It's going to end up costing us more [to have the City attorney oversee].

Public [Ward]: yes, they do. It's police services scope of work.

Mayor Brown: O.k., moving on.

Public [Ward]: And I'd like to see the Ordinance in the City where you are not allowed to take, not allowed to ask clarifying questions on decisions.

Council member Moreno: Mam, you're going to have your opportunity towards the end.

Public [Ward]: That's not what I'm saying. The question is can you show me the City ordinance...

Moreno: you can ask that question at the end. Thank you.

Public [Ward]: No, you are saying we can't ask clarifying questions, please show me.

Mayor Brown: Moving on, [Evaluation ends at 17:35].

[Public Comments on same topic, begin at 1:28:50]

Ward: So, I want to talk about the contract, but before that, as to the Internal Compliance Administrator. I think it is really unusual for the City Attorney to be made a point of contact on a contract. Has that ever happened before? Was that your recommendation Council member Ritter?

Ritter: I'd recommend it. Mick [Howe] knows the law. I don't see where it would be an injustice to oversee that work.

Ward: He's never been a contact on a contract. It seems very inappropriate, also, a potential conflict of interest if some of those records pertain to communications in some of the litigation that involves the City.

Ritter: I don't think he [Howe] would be privileged to that information or the evidence that is handled. It would just be his accomplishments...

Ward: I would ask the Mayor Brown to reconsider, because the research I did on this position, this type of scope of work, the Chief Law Enforcement officer would have the oversight of that kind of contract, and maybe that can be the point of contact for oversight of that work.

Levine: I think some of us had been talking about it being more of a [inaudible] point of contact, ...and would report to him [Howe], not asking him [Howe] questions. It would just be sending the reports...he's the one...

Ward: The Mayor Brown too should also be receiving those reports.

[related public comment ends 1:30:00]

[related public comment resumes 1:38:30]

Jones: I want to talk about you guys having Steve Brown come in. I basically want to address the City residents. Steve Perry is the Washington state trainer at the WA State Training facility [Criminal Justice Training Center], that trains all officers, whether sheriff, WA state patrol, or city police department. So, if Steve Brown had that certification, Steve Perry would have been his trainer. But he doesn't have that training certificate because you have to be a member of law enforcement, in order to hold that, you have to be an active member. And I got that information off the Criminal Justice Training Center website. And so, I wish Mayor Brown, that you would have brought that up, you knew that, and you didn't hire the most qualified and the most cost effective, when it comes to our money. It's our money we're paying. And you keep complaining we don't have money for this, we don't have money for that, and you guys keep spending money on what you want to see done and not on what is in City residents' best interests. So, I want to say I publicly object, and I want to publicly say maybe you guys got to start to think about your constituents instead of your own agendas. Thank you.

Mayor Brown: Alright, I am going to move to adjourn.

[Meeting adjourned at 1:40:05]

Initial Check for Completeness of RFP Proposals for Internal compliance administrator contract, (proposals were due by 2/26/19)

Completed by City of Tonasket resident J Ward, draft 4/18/19 (original draft 4/9/19)

Intent: This was done to compare the completeness of the request for proposal (RFP) proposal packets received, for the internal compliance administrator RFP. The RFP notice was published in the newspaper of record on 2/21/19, and the closing date was 2/26/19. Both packets were dated 2/25/19.

Background/context: Table is based on a 3/12/19 inquiry to Council and Mayor, which City Clerk turned into a public record request, with a response to be ready date given by the Clerk of April 1, 2019. The request produced the RFP packet of the two proposals submitted by 2/26/19. The inquiry/request materials were ready a couple days early, by 3/27/19. However, on pick up, the inquiry was still not answered, as to how the Council members evaluated and compared qualifications, an email was sent to the Clerk to follow-up with the incomplete response to the inquiry on 4/1/19. The Clerk forwarded the unanswered inquiry to the City attorney and Council members Ritter and Sackman. Council member Sackman gave a response to the inquiry, at City Council on 4/9/19. However, it still remains unclear how the qualifications were evaluated and compared side by side or other method for comparing qualifications.

Side by Side comparison of completeness of RFP proposal packets received:

Asked for in RFP:	Not asked for, but vendor provided	SDB Consulting & Investigation, LLC	SEP Consulting, LLC
Properly licensed		UBI yes	UBI yes
Properly insured		Not stated	States will maintain a one million (\$1,000,000.00_ dollar Professional Liability Insurance Plan, and a two million (\$2,000,000.00)

			dollar General Liability Insurance Plan
	Surety bond	\$10,000, effective Feb. 26, 2019	
Submit by 4:30 Feb. 26		Yes	Yes
Proposal		Yes	Yes
Attach a resume		No *(Clerk said had one from when looking to hire)	Yes
Maintain and preserve highest level of confidentiality			
Familiar with law enforcement terminology and procedures			
Knowledge on the proper procedures on how to process evidence (case mgmt, disposal and tracking, and adjudicate)			
Supplemental question asked of both: Ability to Work independently?		Did not answer (no answer in supplemental question.)	See 1 page letter received
Supplemental question for SEP			See 1 page letter received
Suppl. Question for SDB: Will you be using or anticipate needing an additional subcontractor and is that included in your proposal? If needed will they meet City requirements?		No, I will not need any additional sub-contractors	
Credentials/certifications or to be able to have limited access to Police Spillman Program		Only can go by cover letter as no resume provided in RFP proposal.	By cover letter and resume.
Pass a background check		No document	document
May be required to take a polygraph			
Note: No bid/quote asked for.			
	Quote	\$10,000 per month for 3 months	

	Detailed Cost quotation		Not to exceed \$24,660.00. "This quote includes all duties by SEP incl. any subcontractors as described in the enclosed Response to SOW and conditions. This quote includes standard mileage for contractors, any anticipated equipment rental or dump fees, supplies or any other misc. project costs.
	Additional costs		quote does not incl. any postage or publication fees required for legal notifications or shipping costs assoc. with return evidence outside City of Tonasket
Proposal		Yes	Yes
	SOW	Same as RFP except: does not include public records requests. And changed "Processing paper documents..." to "Destruction of documents..."	

Request for Proposals

The City of Tonasket is requesting proposals for a consultant to do work as an Internal Compliance Administrator. This person will be responsible to efficiently, confidentially and properly close out the Tonasket Police Department. For additional information please contact City Hall, 509-486-2132. This person needs to be properly licensed and insured. Please submit your proposal to the City of Tonasket, 209 S. Whitcomb Ave, Tonasket, WA 98855, by 4:30 pm February 26th, 2019.

Alice J. Attwood

Original obtained
from City Hall
week of Feb 21 - 5
due Feb 26
after March 26
Feb General
mtg

Request for Proposals for the Internal Compliance Administrator

Please submit your proposal by 4:30 pm, February 26, 2019, to Tonasket City Hall, 209 S. Whitcomb Ave, Tonasket, Washington.

With your proposal please attach a resume and references.

Thank you,

Alice Attwood
Clerk-Treasurer

Scope of Work for Internal Compliance Administrator

- The Project is expected to be a 2 – 3 month project.
- Identify all crimes involving victims and communicate with the prosecutor's office to ensure they have completed reports and evidence.
- Communicate with State agencies such as the Washington State Patrol Crime Lab so that any evidence that has been sent to them for analysis continues to be properly documented and that any returns are received by the proper authorities.
- The processing of documents, evidence or property in accordance with all WAC/RCW which have exceeded the statute of limitations or in which the City has received a final Judgement and Sentencing from the Prosecutor's office.
- Communicate with and/or receive the documents from an Audit done by Steven Perry and take any necessary action
- Identify all real or personal property belonging to individuals, prepare and document the return of these properties according to the laws of the State of Washington and with the knowledge of the elected Prosecutor should any of these items be evidence of a crime.
- Document and secure all property to include firearms or weapons in the custody, care or belonging to the City of Tonasket.
- Document all cash either seized or taken as evidence that is in the custody of the City of Tonasket and either return or properly retain cash according to the laws of the State of Washington.
- Identify and separate into different sections all items contained within both buildings. Document, photograph and provide a detailed report to the City about each of these sections.
- Process Public Records Requests.
- There will be additional work that is not listed in the above scope of work that will be required to complete the closure of the Police Department in a safe, efficient and professional manner.

Criteria

- Be able to maintain and preserve the highest level of confidentiality
- Familiar with Law Enforcement terminology and procedures
- Knowledge on the proper procedures on how to process evidence -- how to ensure the case management of evidence, disposal and tracking and how to properly adjudicate evidence
- Ability to work independently
- Have the credentials/certifications or to be able to have limited access to the Police Spillman Program
- Be properly licensed and insured
- Pass a background check
- May be required to take a polygraph

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Notice Content

Summary of Ordinance #796 An ordinance of the City of Tonasket, Washington, amending the 2018 Budget Ordinance #785 and Budget Amendment Ordinances #789, #790 and #794. For a complete copy of the Ordinance contact City Hall, 509-486-2132, P.O. Box 487, Tonasket, WA. 98855 Alice J. Attwood Clerk-Treasurer Published: Okanogan Valley Gazette-Tribune, December 20 and 29, 2018 Legal #: OVG838536 ad+ #838536]

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Notice Content

Summary of Ordinance #797 An ordinance of the City of Tonasket, Washington, adopting the budget of the ensuing fiscal and calendar year of 2019. For a complete copy of this ordinance contact city hall, 509-486-2132, Tonasket, WA. 98855. Alice J. Attwood Clerk-Treasurer
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Thursday, January 10, 2019

Notice Content

Summary of Ordinance #798 An ordinance of the City of Tonasket, Washington, temporarily repealing Chapter 2.12 of the Tonasket Municipal Code entitled "Police Department" and providing for police services to be temporarily provided by contract and designating the Sheriff of Okanogan County to be the Chief Law Enforcement Officer for the City of Tonasket until the Tonasket Police Department can be re-established. For a complete copy of this ordinance contact city hall, 509-486-2132, Tonasket, WA 98855. Alice J. Attwood Clerk-Treasurer
Published: Okanogan Valley Gazette-Tribune January 10, 2019 Legal #: OVG ad+#840388]

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