

RE-ANNOUNCEMENT for COUNTY OF CHATHAM  
REQUEST FOR QUALIFICATIONS FOR CHILD  
WELFARE LEGAL SERVICES

**Description**

The Chatham County Department of Social Services is requesting proposals from qualified individuals and firms to provide statements of qualification for the following legal services:

1. Child Protective Services—Consultation, legal advice and representation in all legal matters arising under Article 44, Chapter 7B of the North Carolina General Statutes.
2. Foster Care and Adoption Programs—Consultation, legal advice and representation in all legal matters arising under Article 44, Chapter 7B of the North Carolina General Statutes.
3. Appellate Work as needed.
4. Adult Protective Services—Consultation, legal advice and representation in all legal matters arising under North Carolina General Statutes 108-A-99 in those instances where there is a conflict or for other reasons is unable to represent the department.”

Both federal and state funds may be used in this procurement. All contractors and approved subcontractors must comply with all applicable federal and state laws, regulations, executive orders and conditions of the identified funding source. The contract will be awarded as a Fixed-Price, or Not to Exceed.”

**Scope of Work**

The work elements include, but are not limited to:

1. Complete petitions and orders as requested with input from staff. This includes emergencies after hours and weekends. Provide representation in court for related proceedings.
2. Review orders and assure compliance with legal standards.
3. Perform appellate work as needed.
4. Provide legal advice, consultation and representation in the areas of law specified above.
5. Attend training provided by the Department of Health and Human Services.
6. Provide representation in court and at Child Planning Conferences. Court dates are typically two court days per month.
7. Maintain appropriate records and make these records available for federal and state audit.

**Proposed Schedule for Re-Announcement**

May 6, 2019	Announce Opportunity
May 13, 2019, by 12:00 Noon	All questions must be received
May 16, 2019 by 5:00 PM	All proposals Received
May 22, 2019	Interviews will be held
By June 7 <sup>rd</sup> , 2019	Final Evaluate respondents
June 17, 2019	Board of Commissioners meeting

## **Requirements**

Chatham County will receive **written responses until 5:00 on May 16, 2019.** Responses after this time will not be accepted. Responses should be concise and address the objectives requested by the County

All respondents to the Request for Qualifications shall address the following, as a minimum and should conform to the numbering system used below:

1. Letter of transmittal identifying the contact person and contact information including: Name, mailing address, physical address, e-mail address, phone and fax numbers.
2. Statement substantiating the firm's understanding of the legal duties, expectations, and assignments being requested.
3. Firm's background and history.
  - A brief history of the firm
  - Resumes of principals
4. Identify all key personnel to be assigned to perform the services outlined in this RFQ
5. Provide information regarding education, training, registrations, certifications and/or licenses for each team member.
6. Describe the firm's resources available to support the services to be performed as outlined in this RFQ.
7. Summarize what you consider are the qualifications of your firm and/or team that make you the most qualified firm to perform the work associated with this solicitation.
8. State any history or present condition that would put the firm in any conflict of interest.
9. Describe your firm's approach and method to successfully develop and deliver the services requested under this RFQ.
10. Describe firm's policies, procedures and plans to ensure quality services (continuing education, on-going training, internal quality practices, etc.).
11. List any similar work experience in the targeted legal area stated above.
12. Provide a brief description of Respondents relevant clients, including municipal government clients during the last three (3) years.
13. Describe your firm's flexibility in responding to immediate needs that arise.
14. If there will be a specific attorney who will be assigned this responsibility, name this attorney.
15. Please provide 3 references
16. Describe your firm's interaction with staff in preparing for court.
17. Describe the level of technology used by your office.
18. Provide your proposed fee schedule for service and support hours.
19. Speak to your firm's ability to provide necessary service and remain within the budgeted number of hours.
20. Describe your firm's billing practices.
21. Limits of malpractice insurance
22. Any judgments within the last three (3) years in which Respondent has been adjudicated liable for professional malpractice. If any exist, please explain.
23. Whether the Respondent is now or has been involved in any bankruptcy or reorganization proceedings in the last ten (10) years. If yes, please explain.
24. Confirmation of appropriate federal and state licenses to perform activities.
25. Respondents must list all cases where they represented a client in opposition to the Chatham County Department of Social Services.

## **Insurance Requirement**

During the term of the contract, the Contractor at its sole cost and expense shall provide commercial insurance of such type and with such terms and limits as may be reasonably associated with the contract. As a minimum, the Contractor shall provide and maintain the following coverage and limits:

- (a) **Worker's Compensation** - The contractor shall provide and maintain Worker's Compensation Insurance as required by the laws of North Carolina, as well as employer's liability coverage with minimum limits of \$500,000.00, covering all of Contractor's employees who are engaged in any work under the contract. If any work is sublet, the Contractor shall require the subcontractor to provide the same coverage for any of his employees engaged in any work under the contract. (Non-applicable-individual)
- (b) **Commercial General Liability** - General Liability Coverage on a Comprehensive Broad Form on an occurrence basis in the minimum amount of \$1,000,000.00 Combined Single Limit. (Defense cost shall be in excess of the limit of liability.)
- (c) **Automobile** - Automobile Liability Insurance, to include liability coverage, covering all owned, hired and non-owned vehicles used in performance of the contract. The minimum combined single limit shall be \$500,000.00 bodily injury and property damage; \$500,000.00 uninsured/under insured motorist; and \$25,000.00 medical payment. **(Non-applicable)**

The County shall be named as an additional insured on both the professional liability and comprehensive general liability coverage. Contractor shall furnish copies of all such policies and all renewals, terminations and alterations to the County on a current basis.

Providing and maintaining adequate insurance coverage is a material obligation of the Contractor and is of the essence of this contract. The Contractor may meet its requirements of maintaining specified coverage and limits by demonstrating to the County that there is in force insurance with equivalent coverage and limits that will offer at least the same protection to the County. All such insurance shall meet all laws of the State of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The Contractor shall at all times comply with the terms of such insurance policies, and all requirements of the insurer under any such insurance policies, except as they may conflict with existing North Carolina laws or this contract. The limits of coverage under each insurance policy maintained by the Contractor shall not be interpreted as limiting the contractor's.

## **Everify**

Effective September 4, 2013 North Carolina local government units are prohibited from entering into certain contracts unless the contractor and the contractor's subcontractors, if any, comply with the requirements of N.C. Gen. Stats. §64-26(a). Prior to providing any services hereunder, Contractor and Contractor's subcontractors, if any, are subject to the provisions of N.C. Gen. Stats. §64-26(a). Contractor agrees to fully comply with such statute and require Contractor's subcontractors, if any, to fully comply with such statute.

### **Iran Divestment Act**

Effective October 1, 2015 North Carolina local government units are prohibited from entering into certain contracts unless the contractor and the contractor's subcontractors, if any, comply with the requirements of §143C-6A-5. Contractor agrees to fully comply with such statute and require Contractors subcontractors, if any, to fully comply with such statute.

### **Divestment from Companies that Boycott Israel:**

Contractor certifies that (a) it is not identified on the Israel Boycott List or any other list created by the NC State Treasurer pursuant to NC G.S. 147-86.80 et al, and (b) it will not take any action causing it to appear on any such list during the term of the Contract Agreement.

### **Selection and Award**

Chatham County DSS anticipates interviewing one or more firms before making a final selection. The interview team will include: 1) the DSS Director, 2) the Family Services Program Administrator 3) Child Welfare Supervisor.

The proposals will be evaluated by the interview and selection team (Team). The Team reserves the right to request more information from consultants submitting proposals. Each selection committee member will review and evaluate each proposal.

The Team will meet together, and determine the importance of each criteria item generating the points assigned according to the matrix (see Attachment A). Each individual proposal shall be awarded points for each evaluation criteria within their proposal with Below Meets (1 point), Meets (2 points) and Above Meets (3 points). The firm's individual value for the criteria item is multiplied by the total value for the specific item generating the weighted score for that firm, per criteria item. The highest accumulated scoring proposals will be considered.

If it is determined that a short list should be developed, interviews may be conducted with the top two or more firms by the county team, after which final discussions will take place. At the conclusion of the evaluation process, the Team will, in order of preference, conduct negotiations with the Offerors, starting with the highest ranked proposal and continuing until a contract, satisfactory to the County, is agreed upon. Award will be recommended for one firm.

The contract will be awarded to the most qualified firm and right to reject any of and all responses based on the following criteria:

1. Demonstrated understanding of the specific areas of law addressed in this Request for Qualifications
2. Familiarity with Chatham County court system
3. Proximity to the Department of Social Services staff.
4. Related experience and knowledge of child welfare policy and practice
5. Ability of the firm to meet the availability requirements
6. Successful negotiation of fee
7. Such other appropriate information as the County Department deems advisable.

Chatham County reserves the right to reject any and all proposals or any part thereof and to select the most responsive proposal that is deemed in the best interest of Chatham County.

## PROPOSAL INSTRUCTIONS

A. **Proposal Deadline:** Must be received by Chatham County no later than May 16, 2019, 5:00 p.m. EST

B. **Submission of Qualifications:** The County is requesting 3 paper copies and one electronic on media included with the packet, prior to the deadline. All copies must be sent to one of the following delivery addresses:

- Postal Address: Robin James, Chatham County Finance Office, P. O. Box 608, Pittsboro, NC 27312
- Street Address: Robin James, County Finance Office, Courthouse Annex, 12 East Street, Pittsboro, NC 27312

Submissions in any other form including fax, email without hard copies, etc, will not be accepted for consideration.

C. **Withdrawal of Submittals:** Proposing vendors may withdraw their proposals any time before the deadline for submission on May 16, 2019, 5:00 p.m. EST, but the withdrawal must be submitted in writing and signed by the proposing vendor.

D. **Inquiries and Corrections**

All inquiries relating to this request should be in writing and addressed to:

Robin James  
Chatham County Finance Office  
P.O. Box 608  
Pittsboro, NC 27312

They also may be faxed to 919-545-2417 or emailed to: [purchasing@chathamnc.org](mailto:purchasing@chathamnc.org). If a proposing vendor finds discrepancies in or omissions from the specifications or should require additional clarification of any part, a written request for interpretation shall be submitted to Robin James. Any interpretation of or changes made to the RFP will be made by written addendum to each proposing consultant and shall become part of the request for any contract awarded. The County will not be responsible for the accuracy of any other oral explanations, interpretations, or representations. All inquiries must be made no later than, Monday, May 13, 2019, by 12:00 Noon EST. It shall be the responsibility of each proposing organization or individual to verify that every addenda has been received prior to submitting proposals.

E. **Vendor Certification:**

The submission of proposal shall be deemed a representation and certification that the proposing vendor:

- Has carefully read and fully understands the information provided by Chatham County in this RFP;
- Is financially solvent and as the capability to successfully undertake and complete the responsibilities and obligations of the proposal submitted;
- Represents that all of the information contained in the submitted proposal is true and correct;
- Did not in any way collude or conspire with any other parties, directly or indirectly, in regard to the amount, terms or conditions of this proposals;
- Acknowledges that Chatham County has the right to make any inquiry it deems appropriate to substantiate or supplement information provided by proposing vendors and hereby grants Chatham County permission to make these inquiries; and

- Acknowledges that any proposal cannot be modified after its submission for any reason.

**F. Format & Deadline of Proposals:** Late proposals will not be accepted under any circumstance and will not be opened or reviewed. We will not accept proposals by fax or any other method not specifically listed. The sender must allow ample delivery time for the selected shipment or transmission methods.

**G. Definition and Context:** Unless otherwise specified in this document, all words shall have a common meaning unless the context in which they are used clearly requires a different meaning. Words in the singular number include the plural, and in the plural include the singular.

### **I. County Conditions**

- All proposing firms or individuals shall comply with all conditions, requirements, and specifications contained herein, with any departure constituting sufficient cause for rejection of the proposal. However, Chatham County reserves the right to change the conditions, requirements and specifications as it deems necessary.
- The proposal must be signed by a duly authorized official of the proposing organization or individual submitting the proposal.
- No proposals will be accepted from any person or organization that is in arrears for any obligation to Chatham County, or that otherwise may be deemed irresponsible or unresponsive by county staff or the Chatham County Board of Commissioners.
- Chatham County is not obligated to enter into any contract as a result of the RFQ.
- All prices quoted must be firm for a period of 90 (ninety) days following the proposal deadline.
- Chatham County reserves the right to reject any and all proposals or any part thereof and to select the most responsive proposal that is deemed in the best interest of Chatham County.
- Only one proposal can be awarded as the result of the RFP.
- Chatham County may approve or disapprove the use of specific proposed subcontractors in any proposals.
- Chatham County reserves the right to enter into an agreement with another proposing vendor in the event that the originally selected vendor fails to execute a contract with the County or defaults on their contract.
- All proposals shall be prepared in a comprehensive manner as to content, but we do not require specific types of binders or promotional material for submissions. Promotional material will not be considered part of the proposal and will not affect the evaluation of proposals.
- Chatham County reserves the right to negotiate with any, none or all of the proposing vendors.
- All costs, including travel and expenses, incurred in the preparation of this proposal will be borne solely by the proposing company.
- The County will not return proposal materials to those submitting proposals.
- No agreements with any selected vendor shall be binding until a contract is signed and executed by the County Manager and authorized representatives of the vendor.

- Chatham County will follow all applicable local, state, and federal procurement requirements when expending federal funds and require all contractors to comply in full.
- Details of all terms and conditions for purchase orders and contracts can be found at <https://www.chathamnc.org/government/departments-programs/county-manager-finance-office/finance/purchasing>.

***The Chatham County Department of Social Services is an Equal Opportunity Employer and does not discriminate on the basis of sex, marital status, race, color, creed, national origin, age or disability.***



**Signature Page**

Check box that indicates business structure of Respondent

- Individual or Proprietorship
- Partnership or Joint Venture
- Corporation

The undersigned certifies that (s)he is (title) of the Respondent entity named below; that (s)he is designated to sign this Submittal Form (if a Corporation then by resolution with Certified Copy of resolution attached) for and on behalf of the entity named below, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provided for in the Submittal as required by this RFQ, and has the requisite authority to execute an Agreement on behalf of Respondent, if awarded, and that the 11-digit Comptroller's Taxpayer Number for the entity is: \_\_\_\_\_

Respondent Organization Name

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

(If Respondent is a Joint Venture, an authorized signature from a representative of each party is required)

Employer Identification Number \_\_\_\_\_

By signature above, Respondent agrees to the following:

1. If awarded a contract in submittal to this RFQ, Respondent will be able and willing to comply with all representations made by Respondent in Respondent's Submittal and during Submittal process.
2. Respondent agrees to fully and truthfully submit a General Questionnaire and with understanding failure to fully disclose requested information may result in disqualification of Submittal from consideration or termination of contract, once awarded.



EVALUATION MATRIX FOR PROJECT NAME

PHASE 1 - CRITERIA AND THEIR WEIGHTS										PHASE 2 - VENDOR SCORING											
										WEIGHT		firm 1		firm 2		firm 3		RAW		FINAL	
										Base weight of "1" plus actual points		RAW	FINAL	RAW	FINAL	RAW	FINAL	RAW	FINAL	RAW	FINAL
A	B	C	D	E	F	G	H	I	J	A =		0		0		0					
A	B									B =		0		0		0					
	B	C								C =		0		0		0					
		C	D							D =		0		0		0					
			D	E						E =		0		0		0					
				E	F					F =		0		0		0					
					F	G				G =		0		0		0					
						G	H			H =											
							H	I		I =											
								I	J	J =											
									J	J =											
										Totals		0		0		0		0		0	

1. Relative weight assigned to each criterion is based on the Committee's comparison of each criterion against all others using the following values.

1 = Disagreement among committee  
 2 = Majority of committee in agreement  
 3 = Unanimous or almost unanimous agreement

Examples using a 7- and 8-member committee  
 4-3                      4-4  
 5-2                      5-3 or 6-2  
 6-1 or 7-0              7-1 or 8-0

A point value of one is included as the initial basic weight for all Evaluation Criteria prior to beginning the analysis. In addition, each criterion's total points are added.

2. Proposers are rated by evaluating each proposal against the RFP requirements using the Evaluation Criteria. Raw score resulting from this evaluation based on the following scale.

1 = Below  
 2 = Meets  
 3 = Above

Evaluation Criteria are listed in no particular order. The weighting process will provide relative value.

**Evaluation Criteria                      Actual Criteria are developed by Owner for the specific project to be evaluated.**

- A. Demonstrated understanding of the specific areas of law addressed in this Request for Qualifications
- B. Familiarity with Chatham County court system
- C. Proximity to the Department of Social Services staff
- D. Related experience and knowledge of adult services and child support policy and practice
- E. Ability of the firm to meet the availability requirements
- F. Successful negotiation of fee
- G. Such other appropriate information as the County Department deems advisable.

PHASE 1 - CRITERIA AND THEIR WEIGHTS										WEIGHT	
	B	C	D	E	F	G	H	I	J	Base weight of "1" plus actual points	
A										A =	
A	B									B =	
	B	C								C =	
		C	D							D =	
			D	E						E =	
				E	F					F =	
					F	G				G =	
						G	H			H =	
							H	I		I =	
								I	J	J =	
									J	J =	
Totals											

1. Relative weight assigned to each criterion is based on the Committee's comparison of each criterion against all others using the following values.

	Examples using a 7- and 8-member committee	
1 = Disagreement among committee	4-3	4-4
2 = Majority of committee in agreement	5-2	5-3 or 6-2
3 = Unanimous or almost unanimous agreement	6-1 or 7-0	7-1 or 8-0

A point value of one is included as the initial basic weight for all Evaluation Criteria prior to beginning the analysis. In addition, each criterion's total points are added.

The weight of each criteria point is determined by the Selection-Evaluation Committee when they meet together after all have independently read and reviewed each submittal.  
 Criteria A is compared to Criteria B to determine which is more important between the two items only.  
 The point value for that item only is determined by the vote above, assigned upon the degree of agreement of the committee.  
 "A" is compared individually to B, then C, then D, etc until compared with all.  
 Then, "B" is compared to C, then D, etc.  
 This is continued until each item has been compared individually.  
 The point value for each Criteria letter is totaled, and a base point of "1" is added for the total weight of that criteria Letter, (A,B,C,etc)

PHASE 1 - CRITERIA AND THEIR WEIGHTS										WEIGHT	
	B	C	D	E	F	G	H	I	J	Base weight of "1" plus actual points	
A	A	c	D	A	A					A =	9
A	2	3	3	3	3					B =	7
	B	C	B	E	B					C =	16
		3	3	3	3					D =	7
		C	C	C	C					E =	9
			3	3	3					F =	1
			D	E	D					G =	
			D	2	3					H =	
				E	E					I =	
				E	3					J =	
					F					Totals	
					F						
						G					
						G					
							H				
							H				
								I			
								I			
									J		
									J		
Totals											

1. Relative weight assigned to each criterion is based on the Committee's comparison of each criterion against all others using the following values.

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A point value of one is included as the initial basic weight for all Evaluation Criteria prior to beginning the analysis. In addition, each criterion's total points are added.

SAMPLE  
ONLY

