LEGAL SERVICES FOR THE HARFORD COUNTY
DEPARTMENT OF SOCIAL SERVICES
PRE-PROPOSAL CONFERENCE
HADSS/SSA 17-001 S

2 South Bond Street
Suite 300
Bel Air, Maryland 21014-3736

Monday, November 21, 2016

ATTENDANCE:

AGENCY:

Kim Nicolaus, Harford County
Sally Thompson, Procurement Officer, Harford County
Kim Parks-Bourn, In-Home Services Administrator, Harford County
Shirelle Green, DHR Central
Tracey Gamble, DHR Central
Charlie Evans, DHR Central
ATTENDees:

Kristen Barrett, Esq. Stark & Keenan
Laura Bearsch, Esq., Love, Fleming, Bearsch & Hurff
Jeffrey Burger, Esq., Love, Fleming, Bearsch & Hurff
Andrew Chabalowski, Esq.
Sandra M. Douglas, Esq.

Reported by: Chris Hofer, Notary Public
Hunt Reporting Company, Glen Burnie, Maryland
PROCEDINGS
(2:15 p.m.)

MS. THOMPSON: We're here this afternoon. My name is Sally Thompson and I'm the Procurement Officer for the Agency, and I'd like to welcome you to the Harford County Department of Social Services. If I don't look -- I'm reading from a script that I have to follow, so please forgive me for no constant eye contact.

So today we will share information with you concerning the request for proposals, RFP entitled Legal Services. The Agency Control Number for this RFP is HADSS/SSA 17-001 S.

If you haven't already done so, please make sure that you sign in at the table by the front door. I believe everybody got signed in. When you do, please indicate whether your organization is a certified MBE or SBR, so the Department can track the participation of these companies in any procurement opportunity. If you do have a business card, you can provide that and that will satisfy your sign-in requirement.

And now we can do some introductions. What I'd like to do is have all the State representatives
that are here today introduce themselves. We'll start
here with --

MS. PARKS-BOURN: I'm Kim Parks-Bourn, I am
the In-Home Services Administrator here at the Harford
County Department of Social Services.

MS. DOUGLAS: So we're just introducing --

MS. THOMPSON: Yes.

MS. DOUGLAS: Okay. My name -- hi, hi
everyone, my name is Sandra Douglas, I'm an attorney.

MR. CHABALOWSKI: I'm Andrew Chabalowski, I'm
an attorney. I'm the counterpart to Wilbur Bolton, but
he couldn't make it today, so I'm just sitting in.

MR. BURGER: I'm Jeff Burger, I'm with Love,
Fleming, Bearsch & Hurff.

MS. BEARSCH: And I'm Laura Bearsch with
Love, Fleming, Bearsch & Hurff.

MS. BARRETT: Kristen Barrett, I'm also with
Stark & Keenan.

MS. GREEN: Shirelle Green, DHR Central.

MS. GAMBLE: Tracey Gamble, DHR Central.

MR. EVANS: Charlie Evans, DHR Central.

MS. THOMPSON: And?

MS. NICOLAUS: Oh, I'm next?
MS. THOMPSON: Yes.

(Laughter.)

MS. NICOLAUS: Kim Nicolaus, I'm here with Sally here at DSS.

MS. THOMPSON: Thank you.

Okay, just some brief opening remarks. The Harford County Department of Social Services, also the acronym is HADSS, it's a unit of the Maryland Department of Human Resources, which the acronym for that is MDDHR, is issuing this request for proposals to acquire the services of a practicing attorney licensed in the State of Maryland to represent the Agency before the Harford County courts in accordance with Human Services Article 3-601 of the Annotated Code of Maryland, and that can be found in Attachment P in the RFP and is outlined in Section 3 of this RFP.

Legal services include, but are not limited to, matters relating to child abuse and neglect, petitions, termination of parental rights, and advising HCDSS staff on legal issues. It is the State's intention to obtain services as specified in this RFP from a contract between the selected offeror and the State.
The anticipated duration of services to be provided under this contract is three years, which two one-year renewable options at the State's sole discretion.

The Department intends to make a single award as a result of this RFP.

An offeror, either directly or through its subcontractors, must be able to provide all services and meet all of the requirements requested in the solicitation, and the successful offeror or contractor shall remain responsible for contract performance regardless of subcontractor participation in the work.

I did want to call your attention to, there already has been one amendment made, and I believe -- if you haven't picked it up, it's on the table over there. An amendment has been issued to amend certain information in this RFP. All information contained herein is binding on all offerors who respond to the RFP.

Specific parts of the RFP that have been amended are you need to add in attachment F-1, financial proposal instructions dated November 18th, 2016, and the second part of that is to remove
attachment J, which is the Non-Disclosure Agreement provided on November 4th of 2016, and replace it with a new attachment J, also entitled Non-Disclosure Agreement, that's dated November 18th, 2016.

MS. GREEN: And they all are listed on eMaryland Marketplace, all the attachments, all the notes.

MS. THOMPSON: We also had a series of six questions that have been posed up until now that also were on the table, if you hadn't had a chance to grab those, they are answers and they're on eMaryland Marketplace as well.

MS. GREEN: Yes, yes.

MS. THOMPSON: And so anything further that arises from today's conversation would also be on eMaryland Marketplace in the future.

So in Section 1, Section 1.5, regarding Procurement Officer, for the purposes of this RFP I am the sole point of contact between the State and the vendor community. Please do not contact any other State representatives regarding questions about this RFP. Please direct all inquiries to my attention.

Section 1.8, eMaryland Marketplace. In order
to receive a contract award, vendors must be registered on eMM. Each offeror is requested to indicate its eMM vendor number in the transmittal letter submitted at the time of its proposal submission.

Section 1.9, questions and responses. And as I mentioned, there have been six questions received prior to this conference. The responses to these questions are available on the table and will be posted on eMaryland Marketplace and the DHR Website with sufficient time to allow offerors to review them to assist with formulating their proposal submissions.

If any questions that are asked during this conference are responded to during the conference, please be advised that these responses to these questions will also be posted.

Should there be a discrepancy between responses given during this conference and written responses provided subsequently, the written responses shall prevail.

Section 1.11, proposal due date and time. An unbound original and five copies of both the technical and financial proposals must be received by the Procurement Officer no later than 4:30 p.m. local time.

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on Monday, December 5th, 2016 in order to be considered. Requests for extension of the due date and time will not be granted.

Proposals received after the due date and time cannot and will not be except as provided under the provisions of COMAR 21.05.03.02F and 21.05.02.10.

If you are mailing your proposal, please allow sufficient time for mailing to ensure that it is received by me prior to the proposal due date and time. A postmark by the due date and time is not acceptable, it must actually be received here by me.

More information regarding proposal format will be covered in Section 4.

Section 1.12, multiple or alternate proposals. Multiple and/or alternate proposals will not be accepted.

Section 1.14, Public Information Act notice. An offeror should give specific attention to the clear identification of those portions of its proposal that it considers confidential and/or proprietary commercial information or trade secrets, and provide justification why such materials upon request should not be disclosed by the State under the Public Information Act. This
confidential and/or proprietary information should be identified by page and section number and placed after the title page and before the table of contents in the technical proposal and, if applicable, separately in the financial proposal.

Offerors are advised that upon request for this information from a third party, the Procurement Officer is required to make an independent determination whether the information must be disclosed.

Section 1.25, bid proposal affidavit, which is attachment B of the RFP. This form must be completely filled out and submitted with your technical proposals. You only need to submit it with the original of the technical proposal; copies aren't required.

Section 1.26, contract affidavit. This form is only to be submitted after notification of a parent contract award, please do not include this with the technical proposal.

Section 1.28, verification of registration and tax payment. Before a business entity can do business with the State, it must be registered with the
State Department of Assessments and Taxation, also known as SDAT. SDAT is located at the State Office Building on 301 West Preston Street, Room 803, Baltimore, Maryland, 21201. The SDAT Website is listed in the section of the RFP. It's strongly recommended that any potential offeror complete registration prior to the due date for receipt of proposals or that you review your registration information to ensure that it is accurate and up to date. An offeror's failure to do so may result in an otherwise successful proposal being dropped from consideration for a contract award.

Section 1.33, minority business enterprise goals. An overall MBE subcontractor participation goal of five percent of the total contract dollar amount as set forth in the offeror's price proposal, which is attachment F, including all option years, if any, has been established for this procurement, and those attachments are D-1 through D-5.

Section 1.34, living wage requirements. Maryland law requires that contractors meeting certain conditions pay a living wage to covered employees on State service contracts over $100,000, Maryland Code State Finance and Procurement 18-010. The Commissioner
of Labor and Industry at the Department of Labor,
Licensing and Regulation requires that a contractor
subject to the living wage law submit payroll records
for covered employees and a signed statement indicating
that it paid a living wage to cover employees or
receive a waiver from the living wage reporting
requirements. And the reference there is COMAR
21.11.10.05.

The specific living wage is determined by
whether a majority of services take place in a Tier 1
or Tier 2 area of the State. Harford County is a Tier
2 area and the reference there is attachment G.

Section 1.36, conflict of interest affidavit
and disclosure. Offerors shall complete and sign the
conflict of interest affidavit and disclosure,
attachment I, and submit it with their proposal. All
offerors are advised that if a contract is awarded as a
result of this solicitation, the successful
contractor's personnel who perform or control work
under this contract and each of the participating
subcontractor personnel who perform or control work
under this contract shall be required to complete
agreements substantially similar to attachment I.
Section 1.37, non-disclosure agreement. All offerors are advised that the solicitation and any resultant contracts are subject to the terms of the non-disclosure agreement, NDA, contained in this solicitation as attachment J. This agreement must be provided within ten business days of the notification of proposed contract award. However, to expedite processing, it is suggested that this document be completed and submitted with the proposal.

Section 1.41, veterans-owned small business enterprise goals. Although there is no VOSB subcontractor participation goal for this procurement, veteran-owned small business enterprise vendors are encouraged to respond to this RFP.

Section 1.43, Department of Human Resources hiring agreement. All offerors are advised that if a contract is awarded as a result of this solicitation the successful offeror will be required to complete a DHR hiring agreement. A copy of this affidavit is included as attachment O. The affidavit must be provided within five business days of notification of the proposed contract award.

So onto Section 2, minimum offeror
qualifications. The offeror must provide proof with
its proposal that the following minimum qualifications
have been met.

The offeror must be licensed to practice law
in Maryland for a minimum of three years and be in good
standing with the Maryland Court of Appeals. As proof
of meeting this requirement, the offeror shall provide
with its proposal a copy of a certificate of good
standing from the Maryland Court of Appeals for each
attorney assigned to the contract.

The offeror shall have at least three years
of work experience in the practice of family law:
administrative child welfare, child disability, family
law, adult protective services, and/or related legal
fields. As proof of meeting this requirement, the
offeror shall provide with its proposal three reference
letters to support the proposal that address the
experience of the offeror and/or the offeror's
personnel who will be assigned to this contract.
References shall be submitted in the format as
specified in Section 4.4.2.9 of this RFP.

So on your agenda it says that the next
section that we look at is Section 3, which is scope of
work, and basically what I'd like to ask you all to do is take a close look at it or I'm assuming you've read through it to see what the requirements are there. Instead of us reading the entire thing to you, we'll give you an opportunity to let us know if you have any questions about any of the content there. There's --

MS. GREEN: There's copies over there at that table.

MS. THOMPSON: Yeah, if you need an extra copy, there's several over there. And it starts on page -- it starts on page 23 and runs to the middle of page -- or close to the middle of the page 29.

(Pause.)

MS. THOMPSON: Do we have any questions regarding the scope of work?

MR. CHABALOWSKI: Just as a clarification for the CINA adjudications/dispositions, the 270, is that cases, 270 cases, or is that a combination of just hearings and appearances?

MS. DOUGLAS: Which section are you --

MR. CHABALOWSKI: I'm sorry, I'm on page 23, Section 3.

MS. DOUGLAS: Okay. So you're asking --
MR. CHABALOWSKI: Under the scope of work portion, under the CINA adjudications/dispositions, you see the number 270 there, and is that number in relation to 270 combined hearings or -- I guess I'm just trying to find clarification on the number 270.

MS. PARKS-BOURN: I believe that it is.

MR. CHABALOWSKI: Okay.

MS. PARKS-BOURN: Yeah.

MS. THOMPSON: But what we'll do for the purposes of --

MS. PARKS-BOURN: For clarification, yeah.

MS. THOMPSON: -- we'll get something in writing to respond to that question specifically.

MS. GREEN: That response will be posted on the eMaryland Marketplace.

MR. CHABALOWSKI: Okay. Thank you very much.

MS. THOMPSON: Any other questions regarding the content there?

UNIDENTIFIED SPEAKER: What page was that again?

MS. THOMPSON: Oh, 23.

MR. CHABALOWSKI: That was 23.

MS. GREEN: And what number?
MR. CHABALOWSKI: It was -- it's the very first number right there, 270, if we go to the list of the CINA adjudications/dispositions.

MS. THOMPSON: Okay. Well, if there are no other questions at this moment, I'll move on to the second -- or Section 4 it is, proposal format, Section 4.1, it's a two-part submission. Offerors shall simultaneously submit proposals in separate volumes. Volume I is the technical proposal and Volume II is the financial proposal.

Under Section 4.2, proposals. Volume I, technical proposal, and Volume II, financial proposal, are to be sealed separately from one another. It's preferred, but not required, that the name, email address, and telephone number of the offeror be included on the outside of the packaging for each volume.

Each volume shall contain an unbound original, so identified, and five copies. And that is actually a correction to what is in the RFP at the moment, we -- that will be another amendment. I believe we've got four copies in there under that, so we need five. And so we'll have that update and
amendment posted on eMaryland Marketplace thereafter.

Unless the resulting package would be too
unwieldy, the State's preference is for the two sealed
volumes to be submitted together in a single package,
including a label bearing the RFP title, agency control
number, name and address of the offeror, and closing
date and time for receipt of proposals.

An electronic version, either a CD or DVD, of
the technical proposal in Microsoft Word format must
also be enclosed with the technical proposal. An
electronic version, again CD or DVD, of the financial
proposal in Microsoft Excel format must be enclosed
with the original financial proposal. CDs or DVDs must
be labeled on the outside with the RFP title and agency
control, name of the offeror and volume number.

CDs or DVDs must be packaged with the
original copy of the appropriate proposal, technical or
financial, and a second electronic version of Volume I
and Volume II in searchable Adobe.pdf format shall be
submitted on CD or DVD for Public Information Act
requests. This copy shall be redacted so that
confidential and/or proprietary information has been
removed. All pages of both proposal volumes should be

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Section 4.4, Volume I, technical proposal.

Please note no pricing information is to be included in the technical proposal, Volume I. Pricing information is to be included only in the financial proposal, which is Volume II.

The technical proposal shall include the following documents and information in the order specified. Each section of the technical proposal shall be separated by a tab and labeled as following:

- title page and table of contents submit under Tab A;
- claim of confidentiality, if applicable, submit under Tab A-1; transmittal letter, submit under Tab B.

The transmittal letter shall include the following: name and address of the offeror; name, title, email address and telephone number of the primary contact for each offeror; solicitation title and agency control number that the proposal is in response to; signature, typed name and title of an individual authorized to commit the offeror to its proposal; Federal Employer Identification number, FEIN, of the offeror, or if a single individual, that
individual's Social Security number, SSN. Offeror's email and Marketplace number; offeror's MBE certification number, if applicable; offeror's SBR certification number, if applicable; offeror's VSB certification number, if applicable; acceptance of all State RFP and contract terms and conditions; if any exceptions are taken, they are to be noted in the executive summary; and acknowledgment of all addenda to this RFP.

Executive summary, submit under Tab C;
minimum qualifications documentation, if applicable, submit under Tab D; offeror technical response to RFP requirements and proposed work plan, submit under Tab E; experience and qualifications of proposed staff, including proposed subcontractors, submit under Tab F; offeror qualifications and capabilities, submit under Tab G; references, submit under Tab H; list of current or prior State contracts, submit under Tab I; financial capability, submit under Tab J; certificate of insurance, submit under Tab K; subcontractors, submit under Tab L; legal action summary, submit under Tab M; economic benefit factors, submit under Tab N; additional required technical submissions, submit under
Tab O. This is the section where all of the required forms are to be submitted.

Section 4.5, Volume II, financial proposal.

And this is again where we will have an amendment to the number of copies we need. Under separate sealed cover from the technical proposal and clearly identified in the format identified in Section 4.2, the offeror shall submit an original unbound copy, five copies -- the current RFP says seven; we don't need seven, we just need five -- an electronic version in Microsoft Excel of the financial proposal.

The financial proposal shall contain all price information in the format specified in attachment F. The offeror shall complete the financial proposal form only as provided in the financial proposal instructions and the financial proposal form itself.

Section 5, evaluation committee, evaluation criteria and selection procedure.

Section 5.1, evaluation committee.

Evaluation of proposals will be performed in accordance with COMAR 21.05.03 by a committee established for that purpose and based on the evaluation criteria set forth in the RFP. The evaluation committee will review
proposals, may participate in offeror oral
presentations and discussions, and will provide input
to the Procurement Officer.

The Department reserves the right to utilize
the services of individuals outside of the established
evaluation committee for advice and assistance as
deemed appropriate.

Section 5.2, technical proposal evaluation
criteria. The criteria to be used to evaluate each
technical proposal are listed as follows in descending
order of importance. Offeror's technical response to
RFP requirements and work plan; offeror qualifications
and capabilities; experience and qualifications of
proposed staff, including proposed contractors; and
economic benefit to the State of Maryland.

Section 5.3, financial proposal evaluation
criteria. All qualified offerors, a responsible
offeror determined to have submitted an acceptable
technical proposal, will be ranked from the lowest,
most advantageous to the highest, least advantageous
price based on the offeror's total proposal price
within the stated guidelines set forth in this RFP and
as submitted on attachment F, financial proposal form.
Section 5.5, selection procedures. Technical proposals are evaluated for technical merit and ranked. During this review, oral presentations and discussions may be held. The purpose of such discussions will be to assure a full understanding of the State's requirements and the offeror's ability to perform the services, as well as to facilitate arrival at a contract that is most advantageous to the State. Offerors will be contacted by the State as soon as any discussions are scheduled.

Offerors must confirm in writing any substantive oral clarifications of or changes in their technical proposals made in the course of discussions. Any such written clarifications or changes then become part of the offeror's technical proposal.

Technical proposals are given a final review and ranked. The financial proposal of each qualified offeror will be evaluated and ranked separately from the technical evaluation. When in the best interest of the State, the Procurement Officer may permit qualified offerors to revise their initial proposals and submit in writing best and final offers. The State may make an award with or without issuing a request for best and
final offers.

Upon completion of the technical proposal and financial proposal evaluations and rankings, each offeror will receive an overall ranking. The Procurement Officer will recommend award of the contract to the responsible offeror that submitted the proposal determined to be most advantageous to the State. In making this most-advantageous-proposal determination, technical factors will receive equal weight with financial factors.

So in terms of -- if anybody has any questions, please speak up and let us know if there's anything we can do to clarify those for you.

(Pause.)

MS. GREEN: I'm sorry, what was your name again and what agency are you with?

MR. CHABALOWSKI: Andrew Chabalowski and Wilbur Bolton.

MS. GREEN: Can you make sure you send your question via email to Sally?

MR. CHABALOWSKI: I will. Thank you.

MS. GREEN: Thank you.

MS. THOMPSON: I'll get you my business card.
before we leave. Okay.

No questions? Wow, okay. Well, I'd like to thank you all for your time today. And if you do have questions that come up in the future before the closing date please, you know, be in touch with me and then we will get those answers back out to everybody through email and Marketplace.

So that concludes our conference. Thank you.

(At 2:45 p.m. the meeting was concluded.)
CERTIFICATE OF NOTARY

I, CHRIS HOFER, the officer before whom the foregoing testimony was taken, do hereby certify that the witness whose testimony appears in the foregoing transcript was duly sworn by me; that the testimony of said witness was taken by me by stenomask means and thereafter reduced to typewriting by me or under my direction; that said testimony is a true record of the testimony given by said witness; that I am neither counsel for, related to, or employed by any of the parties to the action in which this testimony is taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

This certification is expressly withdrawn and denied upon the disassembly or photocopying of the foregoing transcript of the proceedings or any part thereof, including exhibits, unless said disassembly or photocopying is done by the undersigned court reporter and/or under the auspices of Hunt Reporting Company.

CHRISS HOFER
Notary Public in and for the State of Maryland

My Commission Expires:

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