REQUEST FOR PROPOSAL CONFERENCE

THURSDAY, JANUARY 19, 2012

DEPARTMENT OF SOCIAL SERVICES

122 North Potomac Street

Hagerstown, Maryland 21740

ATTENDEES:

David A. Engle
Joni Spickler
Karen Christof
L. Bruce Massey
John Kenney
Ann Pittman
Michael Piercy
Cassandra L. Wood, Esquire
Missy DeHaven
PROCEDINGS

MS. SPICKLER: My name is Joni Spickler, and I am actually the procurement officer for the solicitation. Welcome to DSS. We are here to share some information concerning the proposal that is entitled, "Legal Services For Washington County." The Agency Control Number for the RFP is WASH/CW/12129-S.

I know I just asked and you have all signed in, which is great. If you do know if you are an MBE or SBR, please let us know because the Department does track that.

Please note that ELSS Executive Reporting is transcribing this conference. So when you are asking questions, we ask that you at least state your name and the company, just for the record. A transcript of this whole conference will be made available on "eM Marketplace," and the DSS website as well.

I'd like to start by having you introduce yourselves, where you are from.

MS. WOOD: My name is Cassandra
Wood. I am the owner of the Wood Group, LLC. I am a Maryland licensed attorney. I have been practicing law since about the mid '20s or early '20s, and that's about it.

This is my first pre-bid conference. And I want to get into the game, and so I am here to find out what the game is all about, and I want to make money.

MS. SPICKLER: Thank you.

MS. WOOD: You are welcome.

MS. DEHAVEN: My name is Missy DeHaven. I am standing in for the office manager, who is home with a sick child, for the law office of Bernard W. Seamer, II. We are located just across from the Circuit Court on West Washington Street.

MS. SPICKLER: Okay. We can go around here and introduce ourselves from the Department of Social Services.

MR. PIERCY: I am Mike Piercy. I am a child welfare administrator for Child Protective Services.

MS. PITTMAN: I am Ann Pittman
from the Department of Social Services, and I am a child welfare program manager for foster care.

MR. KENNEY: I am John Kenney, program manager for adult services.

MR. ENGLE: Dave Engle, Director of the Department of Social Services.

MR. MASSEY: Bruce Massey. I am the business manager.

MS. SPICKLER: I'm going to actually turn it over to Mr. Engle, the Director, and he can give some opening comments.

MR. ENGLE: Welcome, ladies. I thank you for being with us this morning.

The Washington County Department of Social Services intends to acquire the services of a practicing, attorney licensed in the state of Maryland to represent our agency before the Washington County Courts for matters of child welfare, adult protective services, adult services, foster care, child care, and services to families with children.
It is anticipated that a single contract will be awarded for a two-year period beginning May 1, 2012 through April 30, 2012, with two additional one-year renewal options at the State's sole discretion.

For the purposes of this RFP, the procurement officer is Ms. Spickler, and she is the sole point of contact between the State and the vendors. So you should not contact any other State representatives regarding questions about this request for proposal. Rather, we would ask that you please direct all inquiries to Ms. Spickler's attention.

And with that introduction, I'm going to ask Ms. Spickler to go ahead and talk to you about the format of the solicitation.

MS. SPICKLER: Thank you, David. I am going to start by just putting out the highlights that's in the RFP and as well as the department's website. Section 1.5 of the RFP regards questions and responses. At the end of this conference, we will be able to take questions regarding the solicitation.
Please be advised that time may not permit us to respond to all the questions. However, all the questions and responses from today will be posted on "eM Marketplace" and DHR's website, and it will allow sufficient time for all the offers to review and it will assist you in formatting your proposal submissions.

If you have questions that you need to ask after this conference, I suggest and I am asking that you submit them electronically to myself. Should there be any discrepancies between the response given during this conference and the written response that is posted on "eM Marketplace" and the DHR website, the written response shall prevail.

Section 1.6 is a very important section. It's the closing date. To submit your proposals, you have to submit an original proposal and seven copies of both a technical and a financial proposal, and it must arrive in the office no later than 4:00 p.m. on Friday, February 10, 2012. Requests for
extensions of this deadline will not be accepted. Proposals arriving late cannot and will not be accepted. If you are mailing the proposal, please allow sufficient time for mailing to ensure that it is received by me prior to the date and the due time. A postmark on the due date will not be acceptable. It has to be in my hands by 4:00 p.m. on Friday, February 10th.

I'm going to go on to Section 2, which is general information. I'm just going to hit some parts of that as well. Section 2.15 is the bid/proposal affidavit which was part of Attachment B on the RFP. This form has to be completely filled out and submitted with your technical proposal. You need only to submit it with the original technical. You do not have to make the seven copies of the proposal affidavit. This will be described in a little more detail when we discuss the proposal preparation.

Section 2.16 is corporate registration. All offerors must be certain
that they are registered with the State Department of Assessments and Taxation, which is the SDAT. They have to be registered in order to do business with the State of Maryland. There is a nominal fee to register your company, if you're not already registered. In addition, all tax obligations with SDAT must be met. Failure to do so may result in an otherwise successful proposal being dropped from consideration for the contract award.

Section 2.18 is the contract affidavit. This form is only to be submitted after notification of the contract award. Please do not include this with your technical proposal. Section 2.25 is the payment terms and billing. A monthly invoice, which is Attachment K, is required by the 15th of the month following the report month. Payments will be made based on one-twelfth of the annual contract each month. Please be advised that full payment of any invoice is contingent upon the timely receipt of all deliverables.
Failure to submit your reports timely may result in withholding a payment or a portion of the payment until all the reports have been submitted.

Section 2.28, "eM Marketplace."

In order to receive this contract award, the vendor must be registered on "eM Marketplace." "eM Marketplace" registration is only valid for one year, so please remember to keep your registration up to date. If you are uncertain as to your registration status, you can call eM Marketplace Help Desk, and I have the number, which is 410-767-1492.

Section 2.3 goes into minority business enterprises. Although there is no minority business enterprise subcontracting goal established with this procurement, we do encourage all MBEs to respond to this solicitation as well. Section 2.31 is a prompt payment policy. It is DHR's policy that if a subcontractor has performed service under a State contract, they will be paid by the prime contractor and paid promptly. The
State allows the Department some remedies, if there is an undisputed amount that a prime contractor is withholding to the subcontractor. A few of these include withholding the contract payment to the prime contractor until the undisputed amount has been paid, or the Department can pay the subcontractor directly and reduce that amount of payment from the prime contractor's payment. That is referred to in 2.31, and there is a lot more details in the RFP regarding payment policy.

Section 2.37 is the living wage requirement that is Attachment G, and I did actually attach that to your agenda as well. It is the full details of what the living wage requirements are for service contracts, so you can review that. And Section 2.38 is the hiring agreement. That is also attached to your agenda. By submitting a bid or proposal in response to this solicitation, the vendor agrees to execute and comply with the enclosed Maryland Department of Human Resources Hiring
Agreement. This agreement will be executed by the offerer and delivered to myself, the procurement officer, within ten business days following the receipt of notice that they have been recommended for the contract award. The hiring agreement will become effective concurrently with the award of the contract.

Are you okay so far? All right. Let's go on. Section 4 is the requirements for the proposal. The proposal has two volumes; it's a technical volume and a financial volume. Accompanying those two volumes is a transmittal letter. This letter needs to be on company letterhead and contain the name of your company, the title of the solicitation, your federal tax ID number, your social security number, and be signed by the individual who is authorized to bind the company to this information contained in the proposal.

The transmittal letter should also acknowledge receipt of any amendments to the RFP that have been issued. You can refer
to Section 4.2(b) for the format of the technical proposal. Make sure you address all sections that are listed. Please ensure that your discussion of proposed service follows the format as listed in that section as well.

Section G, 4.2(g), the references, please ensure that your reference letters are sent to you in a separately sealed envelope to include in your proposal. Reference letters should not be sent directly to myself, the procurement officer.

Section I is the financial responsibility and stability. You only need to submit one of the four forms that are listed to satisfy that requirement. You can refer to Section 4.2(i) for that information.

Section J, economic benefits to the State. Please ensure that you only include percentages in this section. Do not put any dollar amounts, just percentages.

Section N is forms. These forms only need to be submitted with the original copy. You do not have to submit copies of
these documents along with the proposal, just
one with the original. Section 4.3 is
financial. The financial proposal contains
all cost information for all products and
services proposed. Financial information
should not be presented in any portion in the
technical proposal. And please ensure that
your financial proposal is sealed separately
from the technical proposal, and remember to
include a budget narrative in this section.

Okay. We are going to go to
Section 3, which is the specifications, and
Karen Christof will speak to those.

MS. CHRISTOF: In terms of
Section 3, it's really about the services for
child welfare and adult services. Background
is that in administering those programs here,
it's routinely necessary for us to have
representation in Washington County Courts in
matters of child protective services, and
child welfare, and adult services. Legal
consultation and advisement is also needed
with matters of adult protective services,
child welfare, purchase of care services, and
services to families and children, families
with children, and other general legal matters
in our area.

There are approximately 75 agency
staff who may interact with the attorney on
these legal matters. Every Thursday is a full
day of court for hearings, adjudication, and
disposition hearings. Emergency shelter
hearings and adult guardianship cases can be
heard at any time during the week. They are
filed as needed.

And in the packet that you have,
in terms of numbers, during fiscal year 2010,
the attorney represented the department in 233
adjudication hearings and shelter care
hearings, 67 permanency plan hearings, 13 TPR
hearings, 847 review hearings. And he
represents approximately, in that year,
represented approximately 197 children in
foster care and 77 families in child
protective services. Washington Department of
Social Services also has 23 ongoing active
1 adult guardianship cases during fiscal year
2 2010, and that's stayed about the same. And
3 other than that, I think the rest is pretty
4 self-explanatory. I'm not going to go through
5 the details of all of the specifications under
6 each of the areas. So that's a summary of
7 what is expected from legal services.
8
9 MS. SPICKLER: Thank you, Karen.
10
11 Under Section 4 is actually the
12 evaluation procedure. There will be an
13 evaluation committee established by the
14 Department that will evaluate all proposals
15 received by the closing deadline. The
16 committee will rank the proposals according to
17 criteria listed in 5.5 of the RFP.
18
19 The evaluation committee will
20 evaluate the proposals according to the
21 following criteria, which is listed in
22 descending order of importance. First is the
23 proposed service, qualifications,
24 understanding the problem, personnel financial
25 responsibility, and stability, the references,
26 and then the economic benefit to the State.
These are all detailed in Section 4.2(c)(j) of this RFP. If necessary, the committee may request clarification for any information in your proposal.

In addition, offerers may be required to give an oral presentation of their technical proposal in order to further clarify the information included in the proposals, and this could be on short notice. Oral discussions may also be used in order to answer any questions that were not resolved through clarification.

The technical proposal will then be ranked based on the evaluation criteria stated. Proposals will be determined to either be susceptible for award or not reasonably susceptible for award. Technical proposals deemed to be reasonably susceptible for award will continue on the evaluation process. Any technical proposal found not to be susceptible for contracts award will be dropped from any further consideration and the financial proposal will be returned to you.
unopened.

During the technical evaluation, the financial proposals will be opened and evaluated -- I'm sorry, following the technical evaluation. If necessary and if determined to be in the best interest of the State, the best and final offer of the financial proposal may be requested of the offerer.

After review of the financial proposals and your best and final offer, the financial proposals will be evaluated and ranked based upon price. A recommendation for award will be made based upon which proposal represents the best value to the State, considering price and technical factors. In the overall evaluation, the technical proposal is given equal weight to the financial proposals.

That's sort of a brief rundown of what is listed in the RFP, and I'm sure if you have any questions that you need to ask, I just ask if you do state your name before
asking the questions, for the recorder purposes.

MS. DEHAVEN: My name is Missy DeHaven from the law office of Bernard W. Seamer.

Should the financial be on a per case or a blanket pricing; so, in other words, say you guys had 700 cases, should they price it per case or should they say we'll do an overall amount?

And then the next one is, the A(1) attachment would not print.

How else do we have access to that? And I tried again this morning. I was able to print A, but not A(1).

MS. SPICKLER: Off of "eM Marketplace?"

MS. DEHAVEN: I was on your website, DHR.

And what is the time frame for the transcript to be on the websites? And you mentioned that it had to you by a certain day. Is it sufficient to hand-deliver; is that
allowed?

MS. SPICKLER: Yes, you can hand-deliver it.

Ms. DEHAVEN: Okay. I just wanted to be sure.

MS. SPICKLER: Just to remind her that all these questions will be posted out for everyone to hear the question and the response, so everyone hears each question.

MS. WOOD: No questions at this time.

My name is Cassandra Wood. Can the questions be e-mailed to you, the procurement officer, after this conference, if I have any questions?

MS. SPICKLER: Yes, ma'am.

MS. WOOD: Thank you.

MS. SPICKLER: Okay. I want to thank you all for coming, and just remember the proposals are due February 10th, and no later than 4:00 p.m.

MS. WOOD: Thank you.

MS. SPICKLER: Thanks. I will
see you all out.

(The conference ended at approximately 10:30 a.m.)
CERTIFICATE OF NOTARY PUBLIC

I, Jackie Smith, Notary Public in and for the State of Maryland, before whom the foregoing conference was taken, that the testimony of said parties was taken by me at the time and place mentioned in the caption hereof and thereafter transcribed by me; that said conference is a true record of the testimony given by said parties; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this conference was taken; and further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

__________________________

Jackie Smith

My commission expires: March 30, 2012
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Section 2.37 is the living wage requirement that is Attachment G, and I did actually attach that to your agenda as well. It is the full details of what the living wage requirements are for service contracts, so you can review that. And Section 2.38 is the hiring agreement. That is also attached to your agenda. By submitting a bid or proposal in response to this solicitation, the vendor agrees to execute and comply with the enclosed Maryland Department of Human Resources Hiring Agreement. This agreement will be executed by the offerer and delivered to myself, the procurement officer, within ten business days following the receipt of notice that they have been recommended for the contract award. The hiring agreement will become effective concurrently with the award of the contract.

Are you okay so far? All right.

Let's go on. Section 4 is the requirements for the proposal. The proposal has two volumes; it's a technical volume and a financial volume. Accompanying those two volumes is a transmittal letter. This letter needs to be on company letterhead and contain the name of your company, the title of the solicitation, your federal tax ID number, your social security number, and be signed by the individual who is authorized to bind the company to this information contained in the proposal.

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Section I is the financial responsibility and stability. You only need to submit one of the four forms that are listed to satisfy that requirement. You can refer to Section 4.2(i) for that information. Section J, economic benefits to the State. Please ensure that you only include percentages in this section. Do not put any dollar amounts, just percentages. Section N is forms. These forms only need to be submitted with the original copy. You do not have to submit copies of
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Okay. We are going to go to Section 3, which is the specifications, and Karen Christof will speak to those.

MS. CHRISTOF: In terms of Section 3, it's really about the services for child welfare and adult services. Background is that in administering those programs here, it's routinely necessary for us to have representation in Washington County Courts in matters of child protective services, and child welfare, and adult services. Legal consultation and advisement is also needed with matters of adult protective services, adult guardianship cases during fiscal year 2010, and that's stayed about the same. And other than that, I think the rest is pretty self-explanatory. I'm not going to go through the details of all of the specifications under each of the areas. So that's a summary of what is expected from legal services.

MS. SPICKLER: Thank you, Karen.

Under Section 4 is actually the evaluation procedure. There will be an evaluation committee established by the Department that will evaluate all proposals received by the closing deadline. The committee will rank the proposals according to criteria listed in 5.5 of the RFP.

The evaluation committee will evaluate the proposals according to the following criteria, which is listed in descending order of importance. First is the proposed service, qualifications, understanding the problem, personnel financial responsibility, and stability, the references, and then the economic benefit to the State.

These are all detailed in Section 4.2(c)(j) of this RFP. If necessary, the committee may request clarification for any information in your proposal.

In addition, offerers may be required to give an oral presentation of their technical proposal in order to further clarify the information included in the proposals, and this could be on short notice. Oral discussions may also be used in order to answer any questions that were not resolved through clarification.

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1 during the technical evaluation, the financial proposals will be opened and evaluated -- i'm sorry, following the technical evaluation. if necessary and if determined to be in the best interest of the state, the best and final offer of the financial proposal may be requested of the offerer.

2 after review of the financial proposals and your best and final offer, the financial proposals will be evaluated and ranked based upon price. a recommendation for award will be made based upon which proposal represents the best value to the state, considering price and technical factors. in the overall evaluation, the technical proposal is given equal weight to the financial proposals.

3 that's sort of a brief rundown of what is listed in the rfp, and i'm sure if you have any questions that you need to ask, i just ask if you do state your name before asking the questions, for the recorder purposes.

4 ms. dehaven: my name is missy dehaven from the law office of bernard w. seamer.

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10 and what is the time frame for the transcript to be on the websites? and you mentioned that it had to you by a certain day. is it sufficient to hand-deliver; is that allowed?

11 ms. spickler: yes, you can hand-deliver it.

12 ms. dehaven: okay. i just wanted to be sure.

13 ms. spickler: just to remind her that all these questions will be posted out for everyone to hear the question and the response, so everyone hears each question.

14 ms. wood: no questions at this time.

15 my name is cassandra wood. can the questions be e-mailed to you, the procurement officer, after this conference, if i have any questions?

16 ms. spickler: yes, ma'am.

17 ms. wood: thank you.

18 ms. spickler: okay. i want to thank you all for coming, and just remember the proposals are due february 10th, and no later than 4:00 p.m.

19 ms. wood: thank you.

20 ms. spickler: thanks. i will see you all out.

21 (the conference ended at approximately 10:30 a.m.)
CERTIFICATE OF NOTARY PUBLIC

I, Jackie Smith, Notary Public in and for the State of Maryland, before whom the foregoing conference was taken, that the testimony of said parties was taken by me at the time and place mentioned in the caption hereof and thereafter transcribed by me; that said conference is a true record of the testimony given by said parties; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this conference was taken; and further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

____________________
Jackie Smith

My commission expires: March 30, 2012


