



STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES

**REQUEST FOR PROPOSALS # 34513-36116
AMENDMENT # 2
Child Support Enforcement Services 10th JD
(Bradley, Polk, McMinn and Monroe Counties)**

DATE: December 2, 2015

RFP # 34513-36116 IS AMENDED AS FOLLOWS:

- 1. This RFP Schedule of Events updates and confirms scheduled RFP dates. Any event, time, or date containing revised or new text is highlighted.**

| EVENT | TIME (central time zone) | DATE |
|---|---|-------------------|
| 1. RFP Issued | | November 6, 2015 |
| 2. Disability Accommodation Request Deadline | 2:00 p.m. | November 12, 2015 |
| 3. Notice of Intent to Respond Deadline | 2:00 p.m. | November 13, 2015 |
| 4. Written "Questions & Comments" Deadline | 2:00 p.m. | November 18, 2015 |
| 5. State Response to Written "Questions & Comments" | | December 2, 2015 |
| 6. Response Deadline | 2:00 p.m. | December 15, 2015 |
| 7. State Completion of Technical Response Evaluations | | January 4, 2016 |
| 8. State Opening & Scoring of Cost Proposals | 2:00 p.m. | January 5, 2016 |
| 9. Negotiations | 4:30 p.m. | January 8, 2016 |
| 10. State Notice of Intent to Award Released <u>and</u> RFP Files Opened for Public Inspection | 2:00 p.m. | January 20, 2016 |
| 11. End of Open File Period | | January 27, 2016 |
| 12. State sends contract to Contractor for signature | | January 28, 2016 |
| 13. Contractor Signature Deadline | 2:00 p.m. | February 4, 2016 |

2. State responses to questions and comments in the table below amend and clarify this RFP.

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

| QUESTION / COMMENT | STATE RESPONSE |
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| <p>1 Given that only two companies in the United States are likely to meet the stated bidders' qualifications in this section, would Tennessee consider revising the qualifications to allow other qualified bidders to compete, consistent with the objectives of clear, fair, and open competition required in the Tennessee procurement rules and regulations (Rule 0690-03-01-.05)? For example, would the State consider replacing the existing requirements with the qualifications required for the virtually identical procurement in Tennessee's 27th Judicial District (RFP No. 34513-12715)? These qualifications were: "Provide a statement attesting that the Respondent, either as the responding business entity, or individual controlling the responding business entity, has a minimum of five (5) continuous years of active participation in the administration of IV-D Child Support Services and is currently providing IV-D Child Support services through the operation of a full-service child support office with a caseload of at least 3,000 open IV-D cases." (We recognize that the State may wish to increase the required number of cases from 3,000 given that the 10th Judicial District is larger).</p> <p>A modification of the experience requirements in Section A.7. of the RFP is supported by Tenn. Code Ann. § 12-3-801 ("all procurement specifications. . .shall be worded or designed to permit open and competitive soliciting"); Tenn Comp. R. & Regs, § 0690-03-01.06(1) ("[e]ach written solicitation shall contain. . .technical requirements. . .that allow for open competition where practicable"); Tenn. Comp. R. & Regs. § 0690-03-01.12(1)(a) ("State shall use technical requirements. . .that are non-restrictive"); State ex. rel. Leech v. Wright, 622 S.W.2d</p> | <p>The State cannot agree to the alternative language proposed, as the primary purpose of the experience requirements set forth in Item A.7. of Attachment 6.2 are intended to ensure that the entity providing services has the minimum experience the State believes is required to provide such services for the 10th Judicial District, rather than an individual controlling the entity. The State has considered the argument that such requirement may preclude some potential proposers; however, please note that the caseload threshold stated in Item A.7 represents approximately 80% of the actual caseload in the 10th Judicial District. In other words, the threshold was lowered in order to increase the pool of potential proposers.</p> |

| QUESTION / COMMENT | STATE RESPONSE |
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| <p>807, 815 (Tenn. 1981) (“[a]ll persons or corporations having the ability to furnish the supplies or materials needed, or to perform the work to be done, should be allowed to compete freely without any unreasonable restrictions”); and Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards § 200.319(a) (“procurement transactions must be conducted in a manner providing full and open competition. . . [s]ome of the situations considered to be restrictive of competition include but are not limited to. . . [r]equiring unnecessary experience”)</p> | |
| <p>2 For purposes of transition planning, how many staff are currently employed by the current vendor? Please classify by full- or part-time and permanent versus temporary status. Please include any sub-contractor staff in this accounting.</p> | <p>There are currently 16 full-time staff and 2 temporary staff. The attorney is subcontracted.</p> |
| <p>3 For purposes of the implementation plan, does the current vendor have an imaging system for the district? If so, what is the type of imaging system (e.g. OnBase, FileNet) and the format of the images? How many images are in the database that will need to be transferred/converted? What proportion of the active cases have been imaged?</p> | <p>The current vendor uses an OnBase Imaging System with TIFF format. The entire caseload is imaged. The system contains 780,507 documents or 2,708,964 pages.</p> |
| <p>4 Is the first clause intended to read: “For Contract Years One through Two of the Contract”?</p> | <p>Yes. Please see amended language in Section A.8. of RFP Attachment 6.6.</p> |
| <p>5 What is the definition of “full-time employee”? Does this mean an employee who works 40 hours per week?</p> | <p>A full-time employee is one working 40 hours per week.</p> |
| <p>6 Is the vendor responsible for the cost of filing fees, service of process fees (in-state or out-of-state) or any other legal fees? If so, please provide the total annual costs for the last three years for each type of fee assumed by the vendor.</p> | <p>The current contractor budgets \$7,000 per year for service of process, including the use of the local sheriff, a private process server, and service via restricted certified mail. They are not billed for filing fees</p> |
| <p>7 Please provide the number of open IV-D cases as of September 30, 2015.</p> | <p>There were 10,988 open IV-D cases in the 10th Judicial District as of September 30, 2015.</p> |

| QUESTION / COMMENT | STATE RESPONSE |
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| 8 Will the state provide network printers and copiers? | The State will provide network printers and copiers. Models and quantities for that equipment will be determined by the State after contract award. |
| 9 In the last 12 month period, how many court days per month and how many cases on a docket per court day? | Information by County is as follows: Bradley – 5 court days per month with approximately 95 cases per docket Polk – 1 court day per month with approximately 40 cases per docket McMinn – 4 court days per month with approximately 75 cases per docket Monroe – 4 court days per month with approximately 70 cases per docket |
| 10 How many responding and initiating intergovernmental cases are in the 10 th Judicial District? | As of October 2015, there were 1,140 Initiating cases and 514 Responding cases. |
| 11 Has the State assessed payment reductions against the contractor in the last five years? If so, please specify nature and amount. | No |
| 12 Will the state provide laptops for access to TCSES and/or electronic documents at court? Will the state provide a laptop to the local manager? | Attorneys and the individual in the Child Support office designated as the office administrator will be provided with State laptops. Laptops will also be provided for Legal Assistants required to be in court on a regular basis. |
| 13 Does the state cover the cost of data usage on the state-provided network connection? If not, please provide the prior 12 months of data charges to the current contractor broken out by month. | The State will provide a Vendor-VPN connectivity option that will connect to the contractor's existing provider (data) connection. The Vendor-VPN cost is covered by the State; however, the required data (Internet) connection will need to be provided and paid for by the contractor. |
| 14 Are there other monthly state provided IT costs charged to the vendor? If so, please provide the prior 12 months of charges broken out by month and category. | There are no other monthly state provided IT costs charged to the vendor. |
| 15 Does the state provide any shared drive access that allows for backing up document libraries contained on the State provided computer equipment? An example would be a locally maintained Windows server? | The State currently does not offer contractors access to shared drives. |
| 16 Would the State also consider excluding all the following from the 200-page restriction (which includes about 60 pages)? • All tabs and dividers | The following will not be included in determining the number of pages of the Technical Response (as specified in Section 3.1.1.2 of the RFP): all tabs and dividers, RFP Attachment 6.2, the Statement of Certifications |

| QUESTION / COMMENT | STATE RESPONSE |
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| <ul style="list-style-type: none"> • RFP Attachments 6.2-Sections A, B, C Forms • All of Attachment A requirements: <ul style="list-style-type: none"> – A.1. Statement of Certifications and Assurances – A.3. Bank Reference – A.4. Credit References from vendors – A.5. Credit Bureau document – A.6. Certificate of Insurance C.5. Complete documented Disaster Recovery / Business Continuity Plan | <p>and Assurances, bank reference, credit references from vendors, report(s) from a credit bureau, certificate of insurance, and the Disaster Recovery /Business Continuity Plan.</p> |
| <p>17 Question 1: Is document imaging currently being used in this district? Question 2: If so, what software/hardware is being used? If more than one piece of hardware is being used, how many pieces of hardware are being used? Question 3: What documents are imaged? Question 4: May we have a report of the average number of pages and documents imaged monthly for the last year?</p> | <p>Document imaging is currently being used in the 10th Judicial District, using OnBase software and one Model #F1-6670A scanner. Information regarding monthly averages for pages and documents scanned is not available.</p> <p>Please see Item #3 for additional information on document imaging.</p> |
| <p>18 Does the current contractor pay for out-of-state service of process? If so, please provide the average monthly cost.</p> | <p>The current contractor does not pay for out-of-state service for UIFSA matters. However, for local cases being served via long arm through restricted certified mail, the current contractor would pay this cost which is included in the estimate given in Response 6.</p> |
| <p>19 How much does the district spend in postage each month? Please provide the average number of outgoing pieces of certified mail and first class mail each month.</p> | <p>Postage charges are approximately \$1,000 per month. Information regarding the number of outgoing pieces of mail is not available.</p> |
| <p>20 What State and/or federal grants are currently active for the office?</p> | <p style="text-align: center;">None</p> |
| <p>21 What community agencies are currently utilized by the child support office in outreach activities or through referrals to/from the child support office?</p> | <p>No community agencies are utilized at this time.</p> |
| <p>22 Would the State also consider excluding all the following from the 200-page restriction (which includes about 60 pages)? All tabs and dividers RFP Attachments 6.2-Sections A, B, C All of Attachment A requirements:</p> | <p>Please see response to Item 16 above regarding exclusions from the 200 page restriction.</p> |

| QUESTION / COMMENT | STATE RESPONSE |
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| <p>A.1. Statement of Certifications and Assurances A.3. Bank Reference A.4. Credit References from vendors A.5. Credit Bureau document A.6. Certificate of Insurance C.5. Documented Disaster Recovery/Business Continuity Plan</p> | |
| <p>23 Is the current office under a Corrective Action Plan or Performance Improvement Plan?</p> | <p>The current office is under a Corrective Action Plan.</p> |
| <p>24 How many employees are currently on staff?</p> | <p>There are currently 16 full-time employees and two temporary employees on staff.</p> |
| <p>25 Please provide current job titles with the number of staff assigned to each title.</p> | <p>Administrator – 1 Attorney – 1 Office Supervisor – 1 Legal Assistant – 2 Customer Service Rep/Receptionist – 3 Caseworker - 8</p> |
| <p>26 Please provide court docketing schedule for each court/magistrate and describe how cases are assigned to each docket (for example: paternity, set, contempt, modification, or a mixture).</p> | <p>Each docket is heard by a Magistrate and contains a mixture of cases from Juvenile, Chancery and Circuit Courts. There is 1 Magistrate for the entire Judicial District, with the following schedule by County: Bradley – Every Thursday and one Monday per month Polk – One Monday per month McMinn – Every Wednesday Monroe – Every Tuesday</p> |
| <p>27 How are staff attorneys assigned to court/administrative dockets? What are the staff attorney work assignments (for example: court, administrative, staff assistance)?</p> | <p>One staff attorney handles all assignments.</p> |
| <p>28 How are orders completed after court decision? Are these orders completed in court with a signature and given to parties by court clerk or office staff?</p> | <p>Orders are completed in court and given to parties.</p> |
| <p>29 Do staff members attend court with the attorney? If so, what are their duties?</p> | <p>Legal Assistants attend court to meet with parties and assist the attorney as needed.</p> |
| <p>30 Is there TCSES/State mainframe access in the court rooms? Is there access to the internet in the court rooms?</p> | <p>There is no TCSES mainframe access in the courtrooms, nor is there access to the internet.</p> |
| <p>31 Does the court have an online system of searching for court orders and updating service of process information?</p> | <p>The court does not have an online system.</p> |
| <p>32 What are the court filing procedures from</p> | <p>Filings are dropped off and picked up weekly</p> |

| QUESTION / COMMENT | STATE RESPONSE |
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| the office to the clerk? How many pleadings are filed on average per day/week/month? | from each clerk by child support staff. Average weekly filings by county are as follows: Bradley (Juvenile, Chancery, Circuit) – 86 Polk (Juvenile, Chancery, Circuit) – 10 McMinn (Juvenile, Chancery, Circuit) – 55 Monroe (Juvenile, Chancery, Circuit) - 35 |
| 33 Who hears Circuit/Chancery cases in Bradley, Polk, McMinn & Monroe Counties? | These cases are heard by Magistrates. |
| 34 Are foster care and intergovernmental cases specifically docketed and/or grouped on the court docket as being foster care or intergovernmental, or are they interspersed with other cases? | Foster Care and Intergovernmental cases are interspersed with other cases. |
| 35 How does the staff currently obtain copies of local court orders that are not in their case file? | Copies are requested from the Court Clerk. |
| 36 Please clarify A.41 with A.76 in that the State will offer at no charge to the Contractor telephone interpreter service. Does that also mean translation of documents and use of interpreters in the court room? | Section A.41. of the <i>Pro Forma</i> Contract (RFP Attachment 6.6) states that the contractor shall provide telephone equipment necessary to comply with Title VI requirements, whereas Section A.76 provides that the contractor will not be responsible for the cost of telephone interpreter service (interpretation from one language to another). The contract does not require, nor will the State provide, document translation or courtroom interpreter services at no charge to the contractor. |
| 37 Please provide the following call volume statistics for the past 12 months: <ul style="list-style-type: none"> • Average daily call volumes; • Average weekly call volumes; • Monthly call volumes; • Busy Hour Traffic (the number of calls there are during the busiest hour of operation of the telephone system); • Average call duration; • Average wrap up time; and • How many voice mails/message are left by customers each month. | Please provide the following call volume statistics for the past 12 months: <ul style="list-style-type: none"> • Average daily call volumes: 271 • Average weekly call volumes: 1370 • Monthly call volumes: 5,500 • Busy Hour Traffic (the number of calls there are during the busiest hour of operation of the telephone system): 65 • Average call duration: 3:11 • Average wrap up time: 2:06 • Voice mails/messages left by customers each month: 109 |
| 38 What security measures are currently in place at the current office location | The office has a security alarm. |

| QUESTION / COMMENT | STATE RESPONSE |
|---|---|
| 39 Who currently carries out genetic testing for the child support office? What are the current procedures for carrying out genetic testing? Are genetic testing samples drawn at court? | Testing is carried out by DNA Diagnostics staff as well as child support staff. DNA Diagnostics staff are on site on a bi-weekly basis. Genetic samples are drawn at court. |
| 40 How many computers will be available for on-site training and interview rooms in addition to the computers/laptops for FTE staff? | A maximum of 2 computers will be available for interview rooms, and a maximum of 4 for on-site training. |
| 41 The RFP states that proposers must submit six (6) digital copies of the Technical Response in the form of five (5) PDF documents and one (1) Microsoft Office Word 2007 (or later) document recorded onto its own disk or USB flash drive. For clarification, does the State wish that proposers submit six (6) CD-Rs or flash drives, each containing a single file, or does the State want proposers to submit one (1) CDR or flash drive containing one (1) Microsoft Word file and five (5) identical PDF files? | Proposers should submit six CD-Rs or flash drives. Five of the CD-Rs or flash drives should contain a PDF document. One CD-R or flash drive should contain a Microsoft Office Word 2007 (or later) proposal document. |
| 42 Can subcontracting of legal counsel include paralegals / legal assistants to support that legal counsel? | A.3. specifically refers to legal counsel, and all references in this section specifically refer to representation by the legal counsel and do not include paralegals or legal assistants. |

3. Delete RFP Pro Forma Section A.7 (d) in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

Collections on Current Support. As of the end of the final month of each Contract Year, the ratio comparing the total amount of current support disbursed during the Contract Year to the total amount of current support owed during that same period shall at least equal the value for that Year as specified in the following table, or average that value over the term of that Year. All calculations for this performance measure shall be based exclusively on figures presented on the Monthly Performance Measures Reports.

| CONTRACT YEAR | MINIMUM REQUIRED LEVEL |
|---------------|------------------------|
| 1 | 56.75% |
| 2 | 57.00% |
| 3 | 57.25% |

4. Delete RFP Pro Forma Section A.7 (f) in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

Payments on Arrears Cases. The ratio comparing the number of IV-D cases in the Contractor's caseload for which an Arrears payment was due to the total number receiving an Arrears payment shall at least equal the values specified in the following table:

| PERIOD | MINIMUM REQUIRED LEVEL |
|--------------------------|------------------------|
| As of September 30, 2017 | 56.00% |
| As of September 30, 2018 | 56.50% |

5. **Delete RFP Pro Forma Section A.8 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):**

A.8. **For performance Years One and Two** of the Contract, the Contractor shall provide a written Corrective Action Plan within sixty (60) days of the date of each letter from the State specifying that one or more of the Performance Standards stated above in A.7.b.-f. was not met, and requesting a Corrective Action Plan. Each Corrective Action Plan submitted in accordance with this Section shall be subject to review and approval by the State. If implementation of the Corrective Action Plan does not result in the Contractor meeting the applicable Performance Standards by the next annual review, the Contractor shall, at the sole discretion of the State, be subject to Contract Payment Reductions as set forth in Attachment A- Performance Requirements and Contract Payment Reductions.

6. **RFP Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.