



REQUEST FOR QUALIFICATIONS (RFQ)

**COLLECTION SERVICES FOR MUNICIPAL
COURT**

I. Notice to Proposers

The City of Los Fresnos (the “City”) is soliciting sealed proposals for Request for Proposal (“RFP”) Collection Services for the Los Fresnos Municipal Court.

All addenda, notices, additional information, etc. will be posted on the City of Los Fresnos website, <http://www.cityoflosfresnos.com>. Seven printed copies (one original plus six copies) of responses must be sealed and returned to the City of Los Fresnos, Attention: Mark Milum, City Manager 520 E. Ocean Blvd Los Fresnos, Texas 78566 by 2:00 p.m. on Friday October 27, 2023. All responses must be plainly marked with the proposal name “Collection Services for the Los Fresnos Municipal Court”.

Proposer is responsible for delivery of response by the due date and time set. Responses received after the due date and time will not be considered.

The information contained in these specifications is confidential and is to be used only in connection with preparing this proposal.

The City of Los Fresnos reserves the right to reject any and all proposals and waive informalities in proposals received.

All questions concerning this RFP must be addressed to the following point of contact: Pablo A. Garza at (956) 233-5768 or E mail at pgarza@citylf.us.

II. Los Fresnos Municipal Court

The mission of the Municipal Court is to effectively coordinate the operation of the Municipal Court, which enhances the quality of life for the citizens and the community, while providing dignity, respect, and friendly customer service to each individual.

The Municipal Court handles the judicial processing of class “C” misdemeanors that originate from traffic citations, citizen complaints, code violations, and misdemeanor arrests, occurring within the territorial limits of the City of Los Fresnos. The Municipal Court processing is predetermined by the Texas Code of Criminal

III. Scope of Procurement

The City of Los Fresnos, Texas (hereafter “the City”) desires to contract for professional collection services with a private attorney or a public or private vendor, meeting all requirements of this RFP.

1. The City authorizes the addition of a collection fee in the amount of 30 percent on each item described in Subsection (a) that is more than 60 days past due and has been referred to the attorney or vendor for collection. The collection fee does not apply to a case that has been dismissed or acquitted by a court of competent jurisdiction, or to any amount that has been satisfied through jail credit or community service. The collection fee may be applied to any balance remaining after a partial credit for time served or community service if the balance is more than 60 days past due. A defendant will not be held liable for the collection fee if the Court determines the defendant indigent or possessing insufficient resources or income, or is otherwise unable to pay all or part of the underlying fine or costs. The judge reserves the right to determine any non- collection of fees on any case. All payments must be made directly to the Court. Successful Proposer will provide an itemized invoice monthly detailing all cases known to have been resolved in the prior month. Payment will be made to successful proposer after review and acceptance of the invoice in accordance with the Texas Prompt Payment Act. The City does not consider submission of a partial payment as a satisfaction of the outstanding debt. The final payment will

constitute the case being close. The City will retain ownership of all information collected while providing the services covered under this RFP.

2. Collection of debts and accounts receivable such as unpaid fines, fees, court costs, forfeited bonds and restitution ordered to be paid by the Court for citation and outstanding warrants; Amounts in cases where the accused has failed to appear as promised by written notice; and/or Amounts as ordered paid by the Court after plea or trial.

IV. Proposal Submission Requirements

1. The proposal must be submitted in hard copy. The Proposer shall submit one (1) original and six (6) copies of the proposal, consisting of:

Section 1: Proposal Cover Page, including authorized signatures – cover page must include:

- A. RFP title, Proposer's company name, phone number, fax number, address, primary contact person, including their title and phone number

Section 2: Profile of Proposer – must include:

- A. Previous (within the past 5 years) experience with collection services for municipal courts and/or municipalities, detailing length of service, types of services provided and collection rate.
- B. Current work load and flexibility of scheduling, size of collection staff, location where work/research will primarily be performed.
- C. References from five (5) clients, similar in size and requirements to the City, including contact names and phone number
- D. Complete description of data security systems in place to ensure confidentiality of records.
- E. Complete description of collection techniques used, along with phone etiquette policies and procedures.
- F. Description of software and other technology utilized in location of defendants, and abilities to communicate with the Court
- G. Provide policy and procedure manual used for collections.

Section 3: Approach to be used in supplying required services – must include:

- A. Implementation plan
- B. Description of Proposer's ability to comply with all requirements of the RFP
- C. Description of any additional related services Proposer provides Completed pricing schedule.

Section 4: Additional Information – must include the following:

- A. Copies of insurance certificates
- B. Copy of bonding certificate
- C. Copy of disaster recovery plan and ability to rebuild or backup the City's records Clear definition of the Proposer's participation and responsibility, including what training will be provided to City personnel.
- D. Complete description of job positions that perform collection services as described in this RFP, and complete description of qualifications and experience of personnel holding such positions.

2. Proposer Representations and Responsibilities

By submitting a proposal in response to this Request for Proposal, the Proposer represents that it has read and understands all elements of this Request for Proposal and has familiarized itself with all federal, state, and local laws, ordinances, and rules and regulations that in any manner may affect the cost, progress, or performance of the work contemplated under this RFP.

By submitting a proposal in response to this Request for Proposal, the Proposer represents that it has not relied exclusively upon the City's description of the services required, but has supplemented this information through due diligence research and reliance on previous experience, and that the Proposer sufficiently understands the all issues relative to the requirements of this RFP.

The failure or omission of any Proposer to receive or examine any form, instrument, addendum, or other documents or to become acquainted with conditions existing at the City or details of Court's requirements, shall in no way relieve any Proposer from any obligations with respect to its proposal or to the contract.

3. Proposal Withdrawal

A proposal may be modified or withdrawn by the Proposer any time prior to the time and date set for the receipt of proposals. The Proposer shall notify the City Manager Office in writing of its intentions.

1. If a change in the proposal is requested, the modification must be so worded by the Proposer as to not reveal the original amount of the proposal.
2. Modified and withdrawn proposals may be resubmitted to the City Manager Office up to the time and date set for the receipt of proposals.
3. No proposal can be withdrawn after the time set for the receipt of proposals and for 60 days thereafter.

V. Proposal Evaluation/Selection Process

The City has attempted to provide Proposers with a comprehensive statement of requirements through this RFP for Collection Services. Proposers are requested to make written proposals which present the Proposer's qualifications and understanding of the work to be performed. Proposers are asked to address each evaluation criteria and to be specific in presenting their qualifications. Proposals should be as thorough and detailed as possible so the City may properly evaluate your capabilities to provide the required goods/services.

Selection may be made of one or more Proposers deemed to be fully qualified and best suited among those submitting proposals. The City reserves the right to award based on the responses received or to negotiate with any or all of the Proposers so selected. Price shall be considered, but will not be the sole determining factor. The City shall select the Proposer which, in its opinion, has made the proposal that is most beneficial to the City, and shall award the contract to that Proposer. Should the City determine in writing and in its sole discretion that only one Proposer is fully qualified or that one Proposer is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that Proposer. The award document will be a contract incorporating by reference all the requirements, terms and conditions of the solicitation and the Proposer's proposal as negotiated.

1. Evaluation Criteria

The City has established specific, weighted criteria for selection. This section presents the evaluation criteria, their description, and the relative weight assigned to each (100 points maximum).

- a. Qualifications and experience with collection services – **35 points**
- b. Demonstrated ability to manage workload with results – **30 points**
- c. Quality and Cost– **35 points**

2. Proposal Evaluation Process

Each Proposer-submitted proposal will be reviewed, evaluated, and scored as part of the formal selection process. The Proposer's proposal will be a substantial part of the decision process to select a Proposer. Each proposal will be reviewed independently based solely on the merits of the proposal. The proposals will then be scored and, if necessary, a short list of Proposers will be selected for additional evaluation, Proposer presentations, demonstrations, and reference checks.

3. Award of Contract

- a. The award of the contract shall be made to the responsible Proposer, whose proposal is determined to be the best evaluated offer from negotiation, taking into consideration the relative importance of price and other evaluation factors.
- b. All proposals submitted in accordance with the requirements of this RFP shall be considered offers to contract on the terms contained in the proposals and in this RFP and at the price offered by the successful Proposer. When the City awards a contract to the successful Proposer, it will constitute an acceptance of that offer and a contract between the City and the successful Proposer embodying the terms of this RFP and the proposal will become effective on the date of such award.
- c. The contractor will represent the City beginning March 2, 2024 and will expire March 1, 2029. The City reserves the right to terminate the contract after giving 30 days' notice to the contractor at any time after the expiration of the first full year of contract. Upon termination of the contract, the firm will have six months to conclude its pending litigation activities.

VI. Successful Proposer's Understanding and Duty

The successful Proposer, its employees, subcontractors, and agents shall comply with all applicable federal and state laws, the charter and ordinances of the City of Los Fresnos, Texas, and all applicable rules and regulations promulgated by all local, state, and national boards, bureaus, and agencies. Successful Proposer shall further obtain and maintain all permits and licenses required, if any, for the performance of any services required hereunder.

VII. Vendor Requirements

- Must be in good financial standing, not in any form of bankruptcy, current in all payments of fees and taxes;
- Must be in good financial standing, not in any form of bankruptcy, current in all payments of fees and taxes;
- Must maintain a surety bond in compliance with *Texas Finance Code* 392.101 in the amount of \$10,000 issued by a surety company authorizing the vendor to do business in the State of Texas; Must provide services in a professional manner, maintaining a constructive environment and complete communication while pursuing unpaid balances;
- Must maintain a high level of customer service while pursuing collections;
- Must refrain from making false statements at all times during collection process;

- Must follow all Fair Debt Collection Practices Act (FDCPA) guidelines, Federal Credit Reporting Act (FCRA) guidelines and any applicable Texas statutes;
- Must maintain all confidential information collected in the process of providing these services in a secured environment, and take all necessary steps to prevent exposure of confidential information to third parties by unauthorized access or use; Must comply with the City’s Records Retention Schedule;

1. Requirements of the City and the Court

- The court will transmit files to the selected collection provider on cases that are more than 60 days past due. Files will include post judgment and prejudgment cases.
- **Los Fresnos Municipal Court uses Tyler Technologies/Incode as its software vendor. The selected collection provider must have software that is compatible to obtain the data transfer file from the court.**
- The court will be given the opportunity to approve the text letter template that will be mailed to the defendant on behalf of the City and make any revisions, if needed. The notice must include the person’s right to enter a plea or go to trial on any offense charged and that they must contact the court for additional information.
- A reconciliation and/or audit shall be performed at least once per year. The provider will send a file of the outstanding cases in alphabetical order with case and docket numbers with the outstanding amounts to the City for review.

VIII. **Pricing Schedule**

The collection rate is mandated by the State in the Code of Criminal Procedures. In the event of any changes in the Code, the successful Proposer must notify the City in writing of the effective date of any changes.

If any additional charges will apply, please list below. The City will not be liable for any charges not detailed in the response.
