

Perry County Job and Family Services Request for Proposals (RFP) for Legal Counsel for Guardianship Services

The Perry County Department of Job and Family Services (PCJFS) is a public agency that administers public assistance, child support, workforce investment programs and Perry County Transit under the general administrative authority of the Perry County Board of Commissioners. PCJFS receives the majority of its administrative and program funding from the Ohio Department of Job and Family Services (ODJFS). Funding received from the Ohio Department of Job and Family Services (ODJFS) originates from different federal and state sources.

The purpose of this document is to provide interested parties information, on a fair and competitive basis, and in a manner that will ensure the highest possible quality of services, to enable them to prepare and submit a written proposal for Legal Counsel for Guardianship Services. The Department intends to use the results of this process to award a contract or multiple contracts. Any contract awarded must be approved by the Perry County Board of County Commissioners.

Calendar of Events

Specific and estimated dates and times of actions related to this RFP are listed below. The actions with specific dates must be completed as indicated unless otherwise changed by the Department. In the event that the Department finds it necessary to change any of the specific dates and times in the calendar of events listed below, it will do so by issuing a supplement to this RFP. There may or may not be a formal notification issued for changes in the estimated dates and times.

ACTION ITEM	DELIVERY DATE
RFP Issued	July 11, 2023
Deadline for receiving RFP questions	August 10, 2023
Deadline for issuing RFP answers	August 11, 2023
RFP deadline	August 16, 2023 at 12:00 noon
Proposals opened	August 16, 2023 at 2:00 p.m. at PCJFS
Notification of intent to award	August 21-25, 2023

Contact Information and Inquires

Copies of this RFP may be obtained at www.perryjfs.org, or by telephone, mail, or e-mail from PCJFS by contacting Lori Hollingshead at (740) 342-0657, e-mail: lori.hollingshead@jfs.ohio.gov.

All prospective proposers must provide an e-mail address to lori.hollingshead@jfs.ohio.gov at PCJFS in order to receive answers to questions submitted regarding this RFP, updates, material changes, and supplements to this RFP. Proposers are responsible for obtaining any such changes without further action from the Department.

Written questions concerning this RFP must be submitted and received by PCJFS no later than the date specified in the Calendar of Events. Questions may be submitted to lori.hollingshead@jfs.ohio.gov. The Department will endeavor but shall not be required to

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answer any such request for information. If it does, the answers shall be provided to all persons/firms who have received copies of this RFP and provided its e-mail address to the Department. All answers will be sent to the e-mail address provided by the proposer.

Scope of Work for Service Requirements

The Department is seeking, on an as-needed basis, a law firm or attorney with experience in guardianship to become guardian of Adult Protective Service (APS) clients deemed incompetent. This will require the law firm or attorney to perform all duties associated with guardianship as required by Ohio laws. As a significant portion of our population ages, guardianships are more often required. APS clients represent our most vulnerable aging population and, in many situations, lack a support system. This poses a major problem when the client is deemed incompetent and cannot make medical, financial, or safety decisions for themselves.

The law firm or attorney responding to this RFP, if awarded, will be expected to complete the Perry County Probate process to become emergency and/or full guardian of APS clients deemed incompetent and referred to the law firm or attorney. The law firm or attorney will take over all required legal paperwork to become and maintain guardianship; medical, financial, and/or placement decisions, primary contact for any in-home service providers; visitation requirements of ward; and any other needed tasks associated with guardianship. The law firm or attorney is expected to consider ward's personal history and best interests when making decisions for the ward. The law firm or attorney should address willingness to serve wards either needing in-home services and monitoring or nursing home placement. Explicitly address ability to serve wards in both settings.

Proposal Format: Questions, Deliverables and Itemized Cost Estimates

PCJFS requests that interested applicants submit a single document, their "proposal", in a paper submission on standard 8-½"x11" letter paper, or via email with PDF attachments.

A complete proposal will include all 5 of the following components:

1. **Transmittal Letter.** The first page of the proposal must be a transmittal on business letterhead. The transmittal letter must identify the name, email and phone number of the designated point of contact for the project. The transmittal letter must also include the signature, name, title, email and phone number of a person with authority to obligate the proposer to honor the proposal. The transmittal letter shall also contain a statement that the proposal is a firm offer for a sixty (60) day period.
2. **Applicant Experience and Qualifications.** PCJFS requests that, as part of determining applicants' experience and expertise, interested individuals briefly answer the following questions. Please try to limit your total word count for these questions to less than 1,000.

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- a. Describe your experience as a guardian.
 - b. Describe the experience you have working with families of those in need of a guardian.
 - c. Describe the experience you have with Probate Court.
 - d. Describe your experience and availability for referrals of APS clients deemed incompetent, with no appropriate family or support system, for guardianship.
3. **Deliverables and Itemized Cost Estimates.** Please quote the hourly rate and number of hours for deliverables a. and b., all expenses related to the deliverables, and in doing so be specific and provide a cost estimate figure, in dollars, *(PCJFS cannot accept proposals which do not provide itemized cost estimates)*:
 - a. Completed Application Process for incompetent client:
 1. Take all information acquired by APS caseworker regarding incompetent client.
 2. Complete emergency and/or full guardianship application for client with information provided by APS caseworker.
 3. Submit all applications and applicable documentation to Perry County Probate Court to initiate guardianship process.
 4. Attend any and all guardianship hearings set and required by Perry County Probate Judge.
 - b. Completion of Guardian Duties:
 1. Act in the best interests of ward in terms of placement or needed in-home services.
 2. Willingness to serve wards either needing in-home services and monitoring or nursing home placement.
 3. Complete four required visitations of ward per year (once per quarter).
 4. Provide varying levels of involvement with the understanding that medical/placement/service decisions may change throughout the ward's life.
 5. Manage finances of ward, or designate a payee, if not placed in a nursing facility.
 6. If applicable, communicate with family members unfit or unable to be guardian or out of state to ensure family is aware of any major changes with ward.
4. **References.** Include in the proposal, at least three references including points of contact (name, address, email and phone number) that can be used as references for work performed in the area of service required. Selected organizations may be contacted to determine the quality of work performed and personnel assigned.
5. **Signature Affidavit.** As the last page of the document, include the following Signature Affidavit Page, signed and dated.

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SIGNATURE AFFIDAVIT PAGE

(Please include this, filled in, signed and dated, as the last page of your proposal.)

In signing this proposal, I/we also certify that I/we have not either directly or indirectly entered into any agreement or participated in any collusion or otherwise taken any action in restraint of free competition, that no attempt has been made to induce any other person or firm to submit or not to submit a proposal, that this proposal has been independently arrived at without collusion with any other proposer competitor or potential competitor, that this proposal has not been knowingly disclosed prior to the opening of the proposals to any other proposer or competitor, that the above statement is accurate under the penalty of perjury.

The undersigned, submitting this proposal, hereby agrees with all the terms, conditions, and specifications required by the Department in this request for proposal, and declare that the attached proposal and pricing are in conformity therein.

Signature

Date

Name

Firm

Title

Address

Email

Phone

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Procedures for Proposal Submission

1. The proposal will be scored where the most points will be awarded to the proposal with the highest score for experience, qualifications, deliverables and lowest cost.
2. The proposer must provide cost information in the following categories: hourly rate and expenses, for each deliverable (Section 3 a. and b.).
3. An itemized list of the anticipated expenses should be provided (e.g., travel, postage, copies, etc.) in the proposal.
4. All prices, costs, and conditions outlined in the proposal shall remain fixed and valid for acceptance for sixty (60) calendar days starting on the due date for the proposals.
5. Proposals will be accepted by mail, hand delivery, or email.
6. Mailed or delivered proposals must be addressed to PCJFS at 5454 St. Rt. 37E, New Lexington, Ohio 43764. Mailed proposals will be time stamped at the time they are received by staff at PCJFS. The proposal's envelope must state "RFP for Legal Counsel." Emailed proposals must be submitted to lori.hollingshead@jfs.ohio.gov with the subject line reading "RFP for Legal Counsel".
7. **All proposals are due by 12:00 noon, on August 16, 2023.** Proposals must be received no later than the specified deadline. Late proposals will not be accepted.
8. Proposals may be corrected, modified, or withdrawn prior to the deadline for submission by submitting a corrected, modified, withdrawal or a new submission. The submission must contain the correct information in the subject line or on the envelope. Proposals may not be withdrawn or modified for a period of sixty (60) days after the opening of the proposals.
9. Selected proposers may be required to make videoconference presentations to supplement their proposals, if requested by the Department. Failure of a proposer to conduct a presentation to the Department on the date scheduled may result in rejection of the proposer's proposal.

General Instructions

1. The evaluation and selection of a contractor and the contract will be based on the information submitted in the proposal plus references and any required oral presentations. Elaborate proposals (e.g. excessive letters of recommendation) beyond that sufficient to present a complete and effective proposal, are neither necessary nor desired. PCJFS and the Perry County Board of Commissioners are not liable for any cost incurred by proposers to reply to this RFP.
2. Neither the Department nor the County is liable for any cost incurred by proposers in replying to this RFP.
3. All proposals shall be deemed to be public records within the meaning of Chapter 149 of

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the Ohio Revised Code. However, the contents of the responses to the RFP will not be deemed public records and will be treated as confidential information until completion of the evaluation process. If a proposer believes that the RFP requires the disclosure of technical, proprietary, or trade secret information that the Proposer is not willing to make public, such information should not be submitted. No part of the proposal may be designated as confidential.

4. All proposals shall be unconditional. Any proposal that purports to impose conditions not included in this RFP will be deemed non-responsive. The Department may, however, waive minor informalities and omissions in a proposal if it decides, in its sole discretion, that such informality or omission is not prejudicial to interests of the Department or to fair competition. The successful proposer will be required to execute a contract acceptable to the Department and the County within ten calendar days from acceptance of the proposal or within such further time as designated by the Department.

Proposal Evaluation, Selection and Contract Information

1. A preliminary review of all proposals submitted on time to ensure the proposal adheres to the requirements specified in the RFP. Proposals that meet the requirements will be deemed qualified. Those that do not, shall be deemed non-qualified. Non-qualified proposals may be rejected at PCJFS' discretion. In the event that all proposers do not meet one or more of the requirements, PCJFS reserves the right to continue the evaluation of the proposals and to select the proposal which most closely meets the requirements specified in the RFP.
2. Accepted proposals will be reviewed by an evaluation committee and scored against the stated criteria in Attachment A. The committee may review references, request oral presentations, and use the results in scoring the proposals
3. It should be noted that the evaluation criteria are designed to evaluate individuals. If the proposer is a firm who has staff that will collectively fulfill the requirements, the firm should submit qualifications of individuals that will be working on the project on behalf of PCJFS. Proposals, where the work is done by an unqualified employee/legal representative under supervision of a qualified individual, will be deemed responsive at the discretion of PCJFS.
4. The contract will be for a period of one year beginning on October 1, 2023 and ending September 30, 2024. PCJFS, at its sole discretion, may decide to extend the contract for a period of one or two years contingent, upon the level of future federal and state funding, provider effectiveness and demonstrated need for the services being provided. A contract and any extension require the approval of the Board of Perry County Commissioners. Each additional term will be for a period of one year.
5. The RFP does not commit PCJFS to award a contract, to pay any costs incurred in the preparation of a proposal for this RFP, or to procure or contract for services.

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6. PCJFS reserves the right to accept or reject any or all proposals or reject any part thereof received as a result of this RFP, to negotiate the terms of the contract, including the award amount, with all qualified sources, or to cancel in part or in its entirety this RFP if it is the best interest of PCJFS prior to entering into such a contract. The Department may require the selected organizations to participate in negotiations and to submit any fiscal, technical, or other revisions of their proposals that may result from negotiations. If contract negotiations cannot be concluded successfully with the highest scoring proposer, PCJFS may negotiate a contract with the next highest scoring proposer.
7. PCJFS reserves the right to interview or to seek additional information relating to criteria already in the RFP from any candidate after opening the proposals, but before entering into a contract, to reject any proposal if it deems it to be in the best interests of the Department, and to award a contract to the next qualified proposer. The Department reserves the right to check references identified by any proposer or associated with any previous employer of any employee of the proposer identified in the proposal. Based upon the results of the evaluation, PCJFS will select the proposal deemed to be most advantageous, with price and other factors considered. PCJFS reserves the right to award the contract based on considerations other than price.
8. The Department may award a cost reimbursement or similar contract based on offers received, without discussion of such offers with the proposers. Each proposal should, therefore, be submitted in the most favorable terms from a cost, programmatic, and technical standpoint. However, the Department reserves the right to conduct an on-site monitoring review of the proposer and/or request additional data, oral discussion, or presentation in support of the proposal.
9. PCJFS will prepare a contract with the successful proposer and recommend its approval by the Perry County Board of Commissioners.

Protest

Any potential, or actual, proposer objecting to the award of a contract resulting from the issuance of this RFP may file a protest of the award of the contract, or any other matter relating to the process of soliciting the proposals. Such a protest must comply with the following guidelines:

1. A protest may be filed by a prospective or actual bidder objecting to the award of a contract resulting from this RFP. The protest shall be in writing and shall contain the following information:
 - a. The name, address and telephone number of the protestor;
 - b. A detailed statement of the legal and factual grounds for the protest, including copies of any relevant documents;
 - c. A request for a ruling by PCJFS;
 - d. A statement as to the form of relief requested from PCJFS;
 - e. Any other information the protestor believes to be essential to the determination of the factual and legal questions at issue in the written protest.

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2. A timely protest shall be considered by PCJFS if it is received within the following periods:
 - a. A protest based upon alleged improprieties in the issuance of the RFP or any other event preceding the closing date for receipt of proposals which are apparent or should be apparent prior to the closing date for the receipt of proposals shall be filed no later than 1:00 p.m. on the closing date for the receipt of proposals, as specified in the Calendar of Events, of this RFP.
 - b. If the protest relates to the announced intent to award a contract, the protest shall be filed no later than 1:00 p.m. of the fifth (5th) calendar day after the notification of intent to award date as specified in the Calendar of Events, of this RFP.
3. An untimely protest may be considered by PCJFS if the Department determines that the protest raises issues significant to PCJFS' procurement system. An untimely protest is one received by the Department after the time periods set forth in Item B of this section.
4. All protests must be filed at the following location:

Perry County Department of Job & Family Services
5454 State Route 37 E
P.O. Box 311
New Lexington, Ohio 43764
5. When a timely protest is filed, a contract award will not proceed until a decision on the protest is issued or the matter is otherwise resolved, unless PCJFS determines that a delay will severely disadvantage the Department. The proposer(s) who would have been awarded the contract shall be notified of the receipt of the protest.
6. The Department will issue written decisions on all timely protests and shall notify any vendor who filed an untimely protest as to whether or not the protest will be considered.

Caveats

PCJFS is under no obligation to issue a contract as a result of this solicitation if, in the opinion of the Department, none of the proposals are responsive to the objectives and needs of PCJFS. The Department reserves the right to not select any vendor should the Department decide not to proceed. Changes in this RFP of a material nature will be provided to the e-mail address provided to PCJFS. All proposers are responsible for supplying the Department with a valid email address and for obtaining any such changes without further notice by the Department.

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ATTACHMENT A: PROPOSAL EVALUATION

Proposal Submitted by:

Compliance Checklist for Proposal Acceptance

- ☐ Timely Submission
- ☐ Letter of Transmittal
- ☐ Applicant Qualifications
- ☐ Deliverables and Itemized Cost Estimates
- ☐ References
- ☐ Signature Affidavit

Evaluator's Assessment

- ☐ Responsive
- ☐ Non-Responsive

Evaluator's Name: _____

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Proposer Evaluation

Proposal submitted by:		
Evaluation Criteria	Maximum Number of Points	Points Awarded
Qualifications Minimum score of 10 required.	20	
Describe your experience as a guardian.	5	
Describe the experience you have working with families of those in need of a guardian.	5	
Describe the experience you have with Probate Court.	5	
Describe your experience and availability for referrals of APS clients deemed incompetent, with no appropriate family or support system, for guardianship.	5	
Total Points Awarded	20	
DELIVERABLES Minimum score of 30 required.	60	
Ability to complete Deliverable a. 1, 2 & 3 within 48 hours. Availability to attend court hearings as assigned by the Probate court. Commitment of proposer to be available on "as needed basis".	30	
Ability to complete Deliverable b. 1, 2 & 3. Availability to complete and submit the annual report to Probate Court. Commitment of proposer to be available on "as needed basis".	30	
Total Points Awarded	60	
PRICE AND COST Minimum score of 11 required.	15	
Hourly rate charged for Guardianship responsibilities. Included itemized list of anticipated expenses for which reimbursement will be sought.	10	
Proposer's rates (in year one of the contract) does not exceed the cost analysis.	5	
Total Points Awarded	15	
Grand Total Points Awarded	95	
Comments:		
Evaluator's Printed Name		
Evaluator's Signature		Date