

**STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
REQUEST FOR PROPOSALS**

I. AGENCY:

New Jersey Department of Human Services ("Department")

II. SUBJECT:

Announcement of the availability of funds for fee for service models for the provision of legal services to individual survivors of Super Storm Sandy.

III. BACKGROUND AND SCOPE:

- a. **Background:** In the aftermath of Super Storm Sandy, a variety of New Jersey residents' legal issues have surfaced that warrant professional assistance. They include but are not limited to landlord-tenant issues, evictions, insurance delays and or denials, consumer contract problems and mortgages/foreclosures. The program's goal is to provide direct legal services to New Jersey residents harmed by Super Storm Sandy.
- b. **Eligible Applicants:** An eligible applicant (hereafter referred to as "Offeror") must be an attorney licensed to practice law in New Jersey, or law firm, legal services clinic, non-profit or other entity that includes attorneys licensed to practice law in New Jersey. Consideration will be given to for-profit and not-for-profit entities, including legal services clinics. The State reserves the right to award a contract to one or more applicants based upon need and response to this RFP. The Offeror must demonstrate capacity and proficiency in the following legal specialties:
- landlord/tenant issues;
 - fair housing/housing discrimination;
 - Fair Debt Collection Practices Act;
 - employment discrimination;
 - insurance matters;
 - suspension or termination of social service benefits; and,
 - contract law.

In order to be eligible for consideration for funding under this RFP, the Offeror must meet the following qualifications:

- The Offeror must be a fiscally viable for-profit or non-profit corporation or a government entity, and must document demonstrable experience in successfully providing legal and advocacy services and supports.
- The Offeror must be a government entity, or a corporation duly registered to conduct business within the State of New Jersey, i.e., in possession of a New

Jersey Business Registration Certificate issued by the NJ Department of the Treasury, Division of Revenue and Enterprise Services.

- The Offeror must comply with the terms and conditions of the Department's contracting rules and regulations set forth in the Standard Language Document, the Contract Reimbursement Manual (CRM), and the Contract Policy and Information Manual (CPIM), available on the web at <http://www.state.nj.us/humanservices/ocpm/home/resources/manuals/index.html>.
 - The Offeror must be in full compliance with the Americans with Disabilities Act and the New Jersey Law Against Discrimination. Auxiliary aids and services must be available, at no cost to the client, to make aurally delivered materials accessible to persons who are deaf or hard of hearing.
 - Draft Affiliation Agreement letters of intent between the Offeror and any relevant program partners, i.e., subcontractors, must be included in the application. Affiliation Agreements shall focus on the working relationships between and among the parties, including identifying contact people within each agency, timeframes for response regarding referrals, and information needed when making referrals.
- c. **Scope of Services:** Services shall be available statewide. Legal assistance to survivors of Super Storm Sandy will be provided at no cost to the client. The legal matters represented must have direct correlation to storm-related damages/issues.
- d. **Target Populations:** New Jersey residents that are in need of legal assistance with matters caused directly by the storm, including but not be limited to evictions, mortgage/foreclosures, fraud and rental issues.
- e. **Form of Contract:** A fee-for-service contract will be structured to pay the Offeror based upon the level of service provided, up to funding limitations. It is expected that the contract will be based on the hourly rate of the attorney or other legal professionals working on an assignment, broken down into time increments of no smaller than a tenth of an hour. The contract will also include payment of a flat fee for routine matters that can be handled by telephone and do not require extensive research.

IV. PROPOSAL CONTENTS:

a. Capacity of Offeror:

- Provide a narrative overview of the Offeror including size, structure, location, length of time in business, overview of agency services, mission and goals.
- Briefly describe what qualifies the Offeror to be the entity best able to provide legal assistance to the target populations described.
- State when (days and hours of operation) and where services will be provided. If alternate delivery sites are used, identify each site and days and hours of operation. Identify offeror's website, telephone numbers, and a required toll-free number.

- Describe the capacity of the Offeror to provide services to individuals who have Limited English Proficiency, are non-English speaking, and/or have disabilities.
- Discuss any subcontractor agreements the Offeror has, or expects to put in place.
- Provide a certified financial statement representing the Offeror's status within the last three (3) years.
- The Offeror must provide a listing of current Board of Directors, officers and terms of each.

b. Legal Experience: Describe the Offeror's expertise in each of the following areas:

- landlord/tenant issues;
- fair housing/housing discrimination;
- Fair Debt Collection Practices Act;
- employment discrimination;
- insurance matters;
- suspension or termination of social service benefits; and,
- contract law.

c. Attorney Qualifications: The Department requires a primary point of contact be identified by the Offeror. The Offeror must include a staffing plan for the proposed program, complete with a table that includes names, titles, percentages of time devoted to the program, and the roles and responsibilities of each staff member. This should include assignments to certain counties, case types or subject matter. The Offeror must include an agency organization chart with the proposal, as well as an organization chart reflecting the personnel and reporting structure proposed for the program discussed by this RFP. Additional required Offeror qualification information is listed below.

1. Identify all adverse determinations against the Offeror entity or any of its partners, associates, or employees or persons acting on its behalf, with respect to actions, proceedings, claims, or complaints of any kind under any local, State, or Federal laws, regulations, court rules, or Rules of Professional Conduct.
2. Identify and describe in detail any indictments, convictions, or civil offenses arising directly or indirectly from the conduct of business by the Offeror entity or any of its partners, associates, employees, or agents.
3. Identify any material arrangements, relationships, associations, employment, or other contacts that may cause a conflict of interest or the appearance of a conflict of interest if the Offeror entity is retained by the State.
4. Identify the Offeror entity's malpractice insurer and describe the insurance limits. Prior to the award of a contract, the State reserves the right to request proof of such insurance.

d. Client Confidentiality and Conflicts of Interest: The Offeror must describe its policy and/or procedures concerning client confidentiality, conflicts of interest and code of ethics.

e. **References:** The Offeror shall list three (3) clients and their contact information to whom the Offeror provided services similar to those sought by the Department.

f. **Description of Service Delivery Model:**

1. **Client Intake Methods:** The Offeror must briefly describe its proposed client intake process once an eligible client has been referred to it by the Department. The Offeror must indicate whether standardized intake forms will be used and if the intake process will be done on a "face-to-face" basis. The Offeror shall also describe how and by whom the intake interview will be conducted. What is the specific plan for reaching the potentially eligible homebound resident or person with a communication challenge or disability. The Offeror must also discuss the specific plan for reaching all counties within the State.
2. **Method of Attorney Supervision:** The response to this RFP must describe whether the Offeror's supervising attorneys or staff attorneys, legal assistants and paralegals are available on a regular basis or on an as-needed basis. The Offeror must describe and discuss the type of contact (telephonic vs. in person), level of supervisory review, and interaction between the supervising attorney and supervisees. The Offeror shall discuss the situations that are subject to supervisory review and specific time parameters. The Offeror's response to this RFP must include the name and business address of the attorney who is responsible for supervision.
3. **Attorney and Non-Attorney Service Delivery:** The Offeror must discuss the timeframes for the client actually having access to the attorney(s) and the extent to which information, legal advice and assistance would be provided by non-attorney(s). The Offeror must describe those instances or circumstances where a non-attorney will provide assistance to clients, with identification of those instances projected to occur without first discussing the issue with the supervising attorney(s).
4. **Method of Case Referral:** The Offeror's response must discuss how it proposes to assign cases, including referrals if subcontractors are used, and describe the proposed follow-up process.
5. **Description of Quality Assurance Systems:** The Offeror must describe its quality control systems. This discussion should include details of case reviews, case limitations, internal monitoring, programmatic and/or fiscal audits, or other systems in place to ensure quality services are being provided. The Offeror must also detail how it will determine client satisfaction.

g. **Referral Guidelines and Reporting:**

1. **Referral Guidelines Protocol:**

- Referrals may come from a variety of sources, including but not limited to a long-term recovery committee, a disaster case manager

on behalf of a Sandy survivor, a non-government entity such as the American Red Cross, the Salvation Army, etc., or a direct inquiry from a Sandy survivor to the legal entity. (Beyond these referral sources, the proposed entity can describe its protocol to receive and accept referral inquiries.)

- An invoice must be submitted to the Department on a monthly basis. The monthly invoice must present billing for each client and identify the number of service hours by category (i.e., number of hours for Senior Attorney, Junior Attorney, Paralegal, etc.), type of service categorized by Senior Attorney, Junior Attorney, Paralegal, etc., detail to explain services provided during the billable time, the hourly or other unit price, the extended price, the charges totaled for the client, and an overall invoice total for all client charges contained in the invoice.
- When the Offeror is closing a file on a referred client, the Offeror must send the referral form back to the Department, indicating on the back of the referral form the case outcomes and hours worked on the case.

2. **Reporting:** A detailed monthly service report with the client's name and case status must be submitted to the Department by the Offeror.

h. Pricing: Contractor shall be responsible to provide detailed billing information to show what legal services were provided to clients, in a manner consistent with the attorney-client privilege, and other applicable law. Detailed billing information shall be used to establish that the billing for the particular services provided was appropriate to the nature and complexity of the matter, proportionate to the overall value of the specific legal matter and within the scope of services included in the contract award. Contractor shall propose the specific method for provision of billing information.

i. Proposal Forms and Certifications:

1. The Offeror's proposal must have a cover sheet that includes at a minimum the following information:

- incorporated name of the Agency;
- agency type (i.e., profit, non-profit, hospital-based, public);
- Federal tax ID number;
- charities Registration number (if applicable);
- address,
- contact person's name, title, phone number, fax number and email address (if applicable);
- total dollar amount requested; and,
- an authorization signature of the Chief Executive Officer to submit the proposal.

2. The Offeror's response to this RFP must include the following forms and/or certifications:

- NJ Department of Human Services' Standard Language Document (P2.01), executed by the Offeror, available on the web at <http://www.state.nj.us/humanservices/ocpm/home/resources/manuals/index.html> under the Contract Amendments link;
 - Executive Order No. 189 – Addendum to Request for Proposal for Social Service and Training Contracts (available on the web at <http://www.state.nj.us/humanservices/ocpm/home/resources/manuals> as Attachment A to Policy Circular P1.04);
 - Statement of Assurances (available on the web at <http://www.state.nj.us/humanservices/ocpm/home/resources/manuals> as Attachment B to Policy Circular P1.04);
 - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (available on the web at <http://www.state.nj.us/humanservices/ocpm/home/resources/manuals> as Attachment D to Policy Circular P1.04);
 - Ownership Disclosure Form for vendor and all owners with 10% or great interest (<http://www.nj.gov/treasury/purchase/forms/StandardRFPForms.pdf>);
 - MacBride Principles form (<http://www.nj.gov/treasury/purchase/forms/MacBride.pdf>); and,
 - Disclosure of Investment Activities in Iran (<http://www.nj.gov/treasury/purchase/forms/StandardRFPForms.pdf>).
3. The forms and certifications listed below must be provided by the Offeror selected contract award before the contract is awarded, but need not be included in the Offeror's proposal.
- Business Registration Certificate (<http://www.nj.gov/treasury/revenue>);
 - ACORD Certificate of Insurance with coverage required by the New Jersey Department of Human Services' Standard Language Document (P2.01), and identifying the New Jersey Department of Human Services on the certificate.
 - Disclosure of Investigations and Other Actions Involving Bidder (<http://www.nj.gov/treasury/purchase/forms/StandardRFPForms.pdf>);
 - Affirmative Action Certificate (or Affirmative Action Employee Information Report plus \$150), or a copy of a Federal Letter of Approval verifying the vendor is operating under a federally approved or sanctioned Affirmative Action program. http://www.nj.gov/treasury/purchase/forms/AA_Supplement-ExhibitA.pdf; http://www.nj.gov/treasury/purchase/forms/AA_%20Supplement.pdf; <http://www.nj.gov/treasury/purchase/forms/EmployeeInformationReportInstructions-aa302ins.pdf>];
 - Chapter 51 (political contributions) http://www.nj.gov/treasury/purchase/forms/eo134/c51_eo117_cd_02

[10_09.pdf](#);
http://www.nj.gov/treasury/purchase/forms/eo134/c51_eo117_cd_instr%2002_2009.pdf]; and,

- Source Disclosure Certification Form (<http://www.nj.gov/treasury/purchase/forms/sdcert.pdf>).

V. PROPOSAL EVALUATION:

A panel of Department personnel will review proposals and make the selection. Interviews with Offerors may be requested prior to final selection. Proposals will be reviewed considering the following criteria:

- Responsiveness to this RFP;
- Qualifications of individuals identified;
- Relevant experience with similar clients and legal matters;
- Responses from references;
- Fee structure; and,
- Interview, if conducted.

VI. FUNDING AVAILABILITY:

A total of \$4.5 million is available to fund a two-year program. The awarded program will be contracted to be fully operational within three (3) months following the final award notification. Funds must be obligated and expended by September 30, 2015.

VII. INSTRUCTIONS ON PROPOSAL SUBMISSION:

- Inquiries of a technical nature must be emailed to Luis Tamayo at luis.tamayo@dhs.state.nj.us. Telephonic inquiries will not be accepted.
- The Offeror's proposal shall be submitted via email to Luis Tamayo at luis.tamayo@dhs.state.nj.us no later than 4:00 PM Eastern Time on February 3, 2014.
- All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Offeror and will not be reimbursed by the Department.
- The Offeror will be notified of the preliminary decision to accept or reject its proposal within seven (7) business days of the closing submission date for proposals as stated above.
- Appeal of award decisions: Appeals of any award determinations may be made only by the respondents to this RFP. All appeals must be made in writing and must be received by Department at the address below no later than eight (8) business days after announcement of the State's award decision. The written request must clearly set forth the basis for the appeal. Appeal correspondence should be addressed to:

Luis Tamayo
NJ Department of Human Services
P.O. Box 705
Trenton, NJ 08625-0705

Please note that all costs in connection with any appeals of the Department's decisions are costs that remain the responsibility of the Offeror/appellant and will not be reimbursed by the Department.

The Department will review any appeals and render final funding decisions by within three (3) weeks of the appeal cut-off date listed above. Awards will not be considered final until all timely appeals have been reviewed and final decisions rendered.

- The Department reserves the right to cancel this RFP, to reject any and all proposals, and to negotiate with the selected provider prior to entering into any written agreement. An accepted proposal becomes the basis for a written agreement, but is subject to negotiation prior to being finalized.
- The Department reserves the right to reject any and all proposals when circumstances indicate that it is in its best interest to do so. The Department's best interests in this context, include but are not limited to, loss of funding, inability of the Offeror(s) to provide adequate services, indication of misrepresentation of information and/or non-compliance with State and federal laws and regulations, any existing Department contracts, and procedures set forth in the Department's Contract Policy and Information Manual at Policy Circular P1.04, available on the web at <http://www.state.nj.us/humanservices/ocpm/home/resources/manuals>.