

THE JUDICIARY, STATE OF HAWAII

REQUEST FOR PROPOSALS

NO. J14001

FOR

PROVIDING GUARDIAN AD LITEM SERVICES for the
FAMILY COURT and FAMILY DRUG COURT
OR LEGAL COUNSEL FOR PARENTS SERVICES

THROUGH

THE FAMILY COURT OF THE

FIRST CIRCUIT

DURING THE PERIOD

July 1, 2013 THROUGH June 30, 2015

NOTE: If this solicitation document was downloaded through the internet, each interested person must register through email, providing contact information to the listed contact person in the Judiciary Contracts & Purchasing Office. Registration is essential for you to receive any addendums or other information for this solicitation. The Judiciary shall not be responsible for any missing addenda, clarifications, attachments or other information regarding this solicitation if an offer is submitted from an incomplete solicitation document.

MARCH 2013

NOTICE TO OFFERORS

This solicitation is provided to you for information purposes. If interested in responding to this solicitation, you may choose to submit your offer on the downloaded document provided. **You must register** your company by fax or e-mail for this specific solicitation. If you do not register your company, you will not receive addenda, if any, and your offer **may be** rejected and not considered for award.

Registration

Submit FAX or E-MAIL to: FAX No.: (808) 538-5802
E-mail Address: Kathie.G.Kim@courts.state.hi.us

Provide the following information:

- | | | | |
|---|---------------------|-------------------|--------------------------|
| 1 | Name of Company | • Mailing Address | • Name of Contact Person |
| 2 | Telephone Number | • FAX number | • E-mail Address |
| 3 | Solicitation Number | | |

**REQUEST FOR PROPOSALS NO. J14001
TO PROVIDE GUARDIAN AD LITEM AND/OR LEGAL COUNSEL SERVICES
FOR THE FAMILY COURT AND FAMILY COURT DRUG COURT FOR PARENTS
THROUGH THE FAMILY COURT OF THE FIRST CIRCUIT DURING THE PERIOD
JULY 1, 2013 THROUGH JUNE 30, 2015**

The Judiciary, State of Hawaii, is requesting competitive sealed proposals from qualified applicants to provide Guardian Ad Litem and/or Legal Counsel for the Family Court and Family Court Drug Court for Parents Services for the Family Courts of the First Circuit during the period July 1, 2013 through June 30, 2015. The contract term will be for two (2) years from July 1, 2013 through June 30, 2015. Contracts may be extended for two (2) years from July 1, 2015 through June 30, 2017, subject to appropriation and availability of funds, satisfactory performance of services by provider, and if deemed to be in the best interest of the Judiciary.

Persons or organizations must submit three (3) sets (Orig + 2 copies) of their completed proposals and they **must be postmarked before midnight on May 1, 2013, or hand delivered by 4:00 p.m., Hawaii Standard Time, May 1, 2013,** to the following address:

The Judiciary, State of Hawaii
Financial Services Office
Kauikeaouli Hale (District Court Building)
1111 Alakea Street., 6th Floor
Honolulu, Hi 96813-2807

Proposals postmarked or hand delivered after the above due date and times will not be considered and will be returned to the applicant.

The Request For Proposal (RFP) documents may be obtained from the above Financial Services Office, or from our Judiciary web site at <http://www.courts.state.hi.us>.


Janell Kim
Financial Services Administrator



Office of the Administrative Director - Financial Services Department

THE JUDICIARY • STATE OF HAWAII • 1111 ALAKEA STREET, 6th FLOOR • HONOLULU, HAWAII 96813-2807
TELEPHONE (808) 538-5805 • FAX (808) 538-5802

Rodney A. Maile
ADMINISTRATIVE DIRECTOR

Iris Murayama
DEPUTY ADMINISTRATIVE DIRECTOR

March 27, 2013

To: All Applicants

From: Janell Kim
Financial Services Administrator

Subject: Request for Proposals No. J14001
Guardian Ad Litem and/or Legal Counsel Services for the Family Court and Family Drug Court or Legal Counsel Services for Parents through the Family Court of the First Circuit during the period July 1, 2013 through June 30, 2015

The Judiciary, State of Hawaii, is requesting competitive sealed proposals from qualified applicants to provide Guardian Ad Litem Services for the Family Court and Family Drug Court or Legal Counsel Services for Parents through the Family Court of the First Circuit during the period July 1, 2013 through June 30, 2015. The contract term will be for two (2) years, from July 1, 2013 through June 30, 2015. Contracts may be extended for two (2) additional years, from July 1, 2015 through June 30, 2017, subject to appropriation and availability of funds, satisfactory performance of services by provider, and if deemed to be in the best interest of the Judiciary.

Attached is a packet of materials which outlines the requirements for proposal applications. It includes the administrative requirements, service specifications, application form, and other information. This RFP is also available on our Judiciary web site at:
<http://www.courts.state.hi.us>, General Information, Doing Business with the Hawaii State Judiciary.

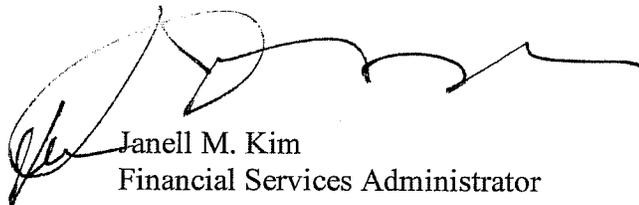
Persons or organizations must submit three (3) sets (Original + 2 copies) of their completed proposals and they **must be postmarked before midnight on May 1, 2013, or hand delivered by 4:00 p.m., Hawaii Standard Time**, to the following address:

The Judiciary, State of Hawaii
Fiscal Office, Support Services Office
Kauikeaouli Hale (District Court Building)
1111 Alakea Street, 6th Floor
Honolulu, HI 96813-2807

Proposals postmarked or hand delivered after the above date and times will not be considered and will be returned unopened to the applicant.

Proposal application and contract award procedures shall be in accordance with Chapter 103D, Hawaii Revised Statutes, as amended. The actual funding of the contract will be based on the proposal applications submitted by the applicants and the services required by the Judiciary. The Administrative Director of the Courts reserves the right and power to award the contract in any manner which he deems to be in the best interest of the Judiciary.

Please contact Gordean Akiona, Program Specialist, Family Court, First Judicial Circuit at (808) 954-8221 if you have any questions regarding this RFP. Contract questions may be directed to Kathleen Kim in the Contract & Purchasing Office at (808) 538-5805.



Janell M. Kim
Financial Services Administrator

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SECTION ONE - INTRODUCTION

1.1. INTRODUCTION

The Scope of Work contained herein describes the scope and nature of the work required of the Provider who shall be engaged by the Judiciary, State of Hawaii (hereinafter referred to as the "Judiciary"), to manage and provide guardian ad litem services on behalf of children and legal counsel services for parents who are parties in Hawaii Revised Statutes Chapter 587A proceedings and other miscellaneous hearings involving children and parents that are heard in the Family Court and Family Drug Court consisting of Zero To Three.

Under the provisions of the Child Protective Act, HRS Chapter 587A, a guardian ad litem shall be appointed for children and legal counsel may be appointed for parents. The Judiciary will contract with a limited number of organizations or independent providers capable of providing these services for the period covering July 1, 2013 through June 30, 2015, with the option that the contract may be extended for two (2) additional twelve (12) month periods. The total contract period, including extensions, shall not exceed forty eight (48) months. Contracts extended beyond the initial contract period shall be subject to appropriation and availability of funds, satisfactory performance of services by provider and if deemed in the best interest of the Judiciary.

The Family Court of the First Judicial Circuit is desirous of assigning child abuse/neglect cases to courtroom teams. Each team will consist of a guardian ad litem, separate legal counsel for mothers and legal fathers (depending on their eligibility for such services), and a court officer. Each team will be assigned to a specific judge.

1.2. SIGNIFICANT DATES

The significant dates for this project are as follows:

PROPOSALS DUE:BY 4:00 p.m., H.S.T or postmarked...	By May 1, 2013
CONTRACT TO BE AWARDED:	May 29, 2013
COMMENCEMENT OF WORK:	July 1, 2013

End of Section

SECTION TWO - SCOPE OF WORK

2.1. OBJECTIVES

The first objective is to provide the Judiciary with guardian ad litem services for children and such other parties deemed appropriate by the court in Hawaii Revised Statutes Chapter 587A proceedings and other miscellaneous hearings that are heard in the Family Court.

The second objective is to provide the Judiciary with legal counsel services for indigent parents and any other parties that the court deems in need of court appointed counsel including minors involved with Hawaii Revised Statutes Chapter 587A proceedings and other hearings that are heard in the Family Court.

2.1.1. Guardian Ad Litem (GAL) services for Family Court, First Circuit will include, but not be limited to, the following:

- a. Act as an independent fact finder to ascertain the facts and circumstances of the child's situation.
- b. Ascertain the needs and the views of the child, including maintaining a trusting relationship with the child via face-to-face contact in the child's family or resource care home at least once every three months.
- c. Advocate for the best interests of the child, and for the prompt resolution of the child's situation.
- d. Seek cooperative resolutions in the child's best interest.
- e. If the child is in foster care, observe visits with parent(s) to report on the quality and nature of the visits to the court.
- f. Provide written reports of findings and recommendations to the court and all parties at each hearing, unless otherwise waived by the court. Inform the court of the child's perceived interests if they differ from those being advocated by the child's guardian ad litem.
- g. Promptly provide a written report to the court if services are not being made available to the child and/or family or if the child is in an unsafe situation.
- h. Monitor implementation of service plans and disposition orders as ordered by the court, to ensure that services are being provided, are provided in a timely manner, and are accomplishing their desired goal.
- i. Encourage and prepare children and youth to attend and participate in their court

hearings unless not in their best interest. Explain the outcome of the proceeding to the child in developmentally appropriate language.

- j. Accept service and notice of hearings on behalf of the children and youth and promptly discuss/explain the outcome with the child and youth in developmental appropriate language.
- k. Attend all hearings.
- l. Learn child welfare “best practices” e.g. through Family Court memoranda, or publications from the National Council of Juvenile and Family Court Judges, and Court Improvement trainings and apply these as appropriate.
- m. Provide consultation to young adults from age 18 up to age 21 if requested by the Judiciary court.

2.1.2. Guardian ad litem services for the Family Drug Court’s Zero To Three cases will include but not be limited to the following:

- a. Act as an independent fact finder to ascertain the facts and circumstances of the child's situation.
- b. Ascertain the needs and the views of the child, including maintaining a trusting relationship with the child via face-to-face contact in the child's family or foster home at least once a month.
- c. Advocate for the best interests of the child, and for the prompt resolution of the child's situation.
- d. Seek cooperative resolutions in the child’s best interest.
- e. If the child is in foster care, observe visits with parent(s) to report on the quality and nature of the visits to the court.
- f. Provide written reports of findings and recommendations to the court and all parties as ordered by the presiding judge.
- g. Promptly provide a written report to the court if services are not being made available to the child and/or family or if the child is in an unsafe situation.
- h. Accept service of notice of hearings on behalf of the children and youth and promptly discuss/explain the outcome with the child and youth in developmental appropriate language. Encourage and prepare children and youth to attend and participate in their court hearings unless not in their best interest. Explain the outcome of the proceeding to the child in developmentally appropriate language.
- i. Monitor implementation of service plans and disposition orders as ordered by the

court, to ensure that services are being provided, are provided in a timely manner, and are accomplishing their desired goal.

- j. Attend Family Drug Court team meeting training and hearings on a weekly basis or as appropriate. If applicable to the guardian ad litem's role, attend Zero To Three team meetings, training and hearings on a monthly basis.
- k. Provide consultation to young adults from age 18 up to age 21 if directed by the court.
- l. Learn reported "best practices" e.g. through Family Court memoranda or publications from the National Council of Juvenile and Family Court Judges and Zero To Three Foundation and Court Improvement trainings and apply these as appropriate.

2.1.3. Legal counsel services for Family Court will include, but not be limited to the following:

- a. Explain and discuss with the client what happens at court and what happens in a Child Protective Act case.
- b. Explain, discuss and actively advocate (in court and with other parties, service providers, and potential third-parties) ways to resolve problems and issues raised in the Child Protective Act case for the client.
- c. Explain and discuss jurisdiction, disposition e.g. family supervision, foster custody, permanent custody and service plans to the client.
- d. Review and explain the documents filed and/or submitted to the Family Court by others and file documents as directed by the client.
- e. Explain to the client their rights, choices and consequences of the parent's/minor's actions and their responsibilities.
- f. Appears as legal counsel for and maintain an attorney-client relationship with the client.
- g. Seek and encourage cooperative resolutions including mediation disputes consistent with the client's interests.
- h. Attend court hearings and keep clients informed of all proceedings.
- i. If the client does not prevail at trial, explain and discuss the client's right to file an appeal and provide legal representation throughout the appeal process.
- j. Provide full representation to clients, who include legal parents, unadjudicated fathers for whom the court approves court appointed counsel and minor parents of subject children.

- k. Prepare and file motions for reconsideration and motions to set aside defaults.
- l. Attend all meetings.
- m. Participate in the Family Drug Court Zero To Three (ZTT) parent activity (once a month) case conference calls, and as directed by the court.

2.2. DEFINITIONS

Case - A legal action initiated in the Family Court under HRS 587A involving a family unit with the same birth mother. Each case will include all children of the birth mother, regardless of paternity.

Independent Provider(s) - Individual(s) providing GAL and/or legal counsel services.

Organizations - Social service agencies, legal firms, including consortiums, etc.

2.3. QUALIFICATIONS

Family Court is seeking providers who will have a pool of qualified staff to provide guardian ad litem and/or legal counsel services.

Provider

- a. Have adequate and properly trained staff available to provide guardian ad litem and/or legal counsel cases for at least one courtroom team.
- b. Utilize only properly trained paraprofessionals and volunteers under close supervision by professional staff.
- c. Have the ability to manage the assignment of cases and ensure courtroom coverage.
- d. Have an adequate accounting system to prepare accurate and timely data reports as requested by Judiciary.

Guardians Ad Litem, Family Court, First Circuit shall have, at minimum, the following qualifications.:

- a. Associate's degree in education, social science, nursing, or related field, or an advanced degree in any field, or a minimum of five years of comparable experience in a relevant field.
- b. Ability to conduct interviews and investigate and evaluate facts.
- c. Ability to make objective decisions and recommendations in the best interest of the

- child.
- d. Ability to create and maintain accurate records.
 - e. Ability to communicate clearly and concisely to children and adults, both orally and in writing.
 - f. Need not appear in court so long as the provider staffs the courtroom with legal representation for the GAL and so long as GAL will be available at the court's request.
 - g. Ability to relate civilly and professionally with clients, families, attorneys and representatives from other agencies.
 - h. Complete the Court Appointed Special Advocates Program training or similar training approved by the Judiciary, within 90 days of initial contract execution.
 - i. Complete a minimum of twenty hours of training as approved by the Judiciary during each fiscal year, in areas such as dynamics of child abuse and neglect, child development, cultural competence, child sex abuse, sex offender treatment, family dynamics, domestic violence, and/or related topics.
 - j. Before taking a sex abuse case complete at minimum a Judiciary approved training or the general dynamics of sex abuse and/or sex offender treatment or child sex abuse.
 - k. Demonstrate familiarity with strength-based practices and trauma informed services and treatment.

Guardian Ad Litem, Family Drug Court Zero To Three Court

In addition to the aforementioned qualifications, provider needs:

- a. Five years experience as a Guardian Ad Litem with at least two years experience in working as a member of a court or treatment team on reunification issues involving children whose parents 1) have substance abuse histories and or 2) children in the zero to three age range.
- b. Demonstrated familiarity with strength based practices.
- c. Demonstrated ability to work as a member of a team that uses consensus as its primary decision making tool.
- d. Basic knowledge of twelve step recovery programs.
- e. Knowledge of and demonstrated ability in working with community based treatment programs at all treatment levels.

Legal Counsel must:

- a. Have a license to practice law in the State of Hawaii.
- b. Ensure that utilized paraprofessionals and volunteers are properly trained and will be under close supervision by professional staff to assist the parents except that only licensed attorneys can provide legal services.
- c. Complete the Court Appointed Special Advocate (CASA) Program training or similar training approved by the Judiciary within 90 days of contract execution.
- d. Complete a minimum of twenty hours of training each fiscal year in areas such as dynamics of child abuse and neglect, child development, cultural competence, child sex abuse, sex offender treatment, family dynamics, domestic violence, and/or related topics.
- e. Be competent in conducting interviews, investigating and evaluating facts.
- f. Be competent in creating and maintaining accurate records.
- g. Communicate clearly and concisely to children and adults, both orally and in writing.
- h. Relate civilly and professionally with clients, families, attorneys and representatives from other agencies and departments.

2.4. SUMMARY OF SERVICE ACTIVITY

Funding amounts are not known at the time of this solicitation and funding may change and are subject to legislative appropriation.

All proposals shall include all applicable taxes and shall be accompanied by current verification of sufficient insurance. Current Hawaii Compliant Express Certificate (HCE) is required and must be submitted prior to contract execution.

Guardians Ad Litem for Family Court, First Judicial Circuit

- a. Proposals are being solicited for providers to retain and manage individuals qualified to perform guardian ad litem services to the Judiciary for children and parties involved with HRS Chapter 587A proceedings and other related court hearings, including Zero To Three Court.
- b. The successful offeror(s) will be assigned carryover cases from prior contracts and shall be compensated in accordance with Section 3.5.1.
- c. There are approximately 835+ cases currently in four courtrooms and approximately 275 new filings per year.

- d. All legal work of the guardian ad litem shall be done by an attorney licensed to practice law in the State of Hawaii.
- e. Proposals are being solicited for contract for a twenty-four month period with the option that the contract may be extended for three (3) additional twelve month periods.
- f. Successful Guardian Ad Litem offerors shall be assigned to a specific team and be expected to provide GAL services for all referrals.

Guardians Ad Litem for Family Drug Court, First Judicial Circuit

- a. Proposals are being solicited for one provider to retain and manage individuals qualified to perform guardian ad litem services to the Judiciary for children and parties involved with HRS Chapter 587A Family Drug Court proceedings and other related court hearings.
- b. The successful offeror(s) will be assigned carryover cases from prior contracts and all new cases assigned to Family Drug Court and shall be compensated in accordance with Section 3.5.1.
- c. All legal work of the guardian ad litem shall be done by an attorney licensed to practice law in the State of Hawaii.
- d. Proposals are being solicited for contract for a twenty-four month period with the option that the contract may be extended for three (3) additional twelve month periods.
- e. Successful Guardian Ad Litem offeror(s) shall be assigned to a specific team and be expected to provide GAL services for all referrals.

Legal Counsel

- a. Proposals are being solicited for providers to retain and manage attorneys qualified to perform contracts to provide legal counsel services to parents involved with HRS Chapter 587A proceedings and other related court hearings.
- b. The successful offeror(s) will be assigned carryover cases from prior contracts to serve as full representation attorneys.
- c. There are approximately 880 cases currently in the system and approximately 275 new filings per year.

2.5. MANAGEMENT REQUIREMENTS

2.5.1. Personnel

- a. Guardian Ad Litem Services shall be provided by staff who are qualified and have

appropriate writing and oral skills, have an understanding of the dynamics of child abuse and/or neglect, child development, substance abuse, family violence and advocacy skills. Volunteers and para-professionals may be utilized but must be provided with training and on-going supervision by paid professional staff.

- b. Legal Counsel services shall be provided by attorneys licensed in the State of Hawaii who have strong communication skills, knowledge and understanding of the dynamics of child abuse and neglect, family violence, and substance abuse, all relevant statutes, all relevant court rules, and family law.
- c. The offeror shall obtain consents [sample attached] from each qualified guardian ad litem, legal counsel and staff in order for the Judiciary to obtain information from the Department of Human Services, Office of Disciplinary Counsel, Hawaii Judiciary Informational System, Criminal Justice Informational System, National Crime Information System, and Juvenile Statewide Informational System and Sex Offender Registry.
- d. The offeror(s) shall conduct a criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to adult or juvenile clients, or other program related adolescents or children. At a minimum, applicants will search www.ecrim.ehawaii.gov (Adult Criminal Conviction Information System, Hawaii Criminal Justice Data Center) and www.nsopr.gov (National Sex Offender Public Registry). For persons working in positions which necessitates close proximity to children or adolescents, the criminal history record check shall include a national criminal history database check which may require fingerprinting. The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review.
- e. A confirmed report of abuse or neglect will disqualify a guardian ad litem or legal counsel from performing services under the contract. Disqualification may also occur for "unconfirmed" reports or reports under investigation. The guardian ad litem, legal counselor staff will be disqualified from performing services under the contract if he/she has been convicted of any felony or misdemeanor involving a crime a "crime of violence" that "involves injury or threat of injury to the person of another", Disqualification may occur for all other criminal convictions or cases under investigation. Disqualification may also occur for complaints under investigation and/or recommended for sanctions by the Office of Disciplinary Counsel.

2.5.2. Quality Assurance and Evaluation

- a. The offeror shall have a written quality assurance plan in place to evaluate the performance of the guardians ad litem and/or counsel.
- b. If selected, the Contractor shall provide the Judiciary with a monthly report with data on caseload, number of new cases, terminations, statement of problems and corrective action taken and staffing changes. Reports shall be submitted before the twenty first day

- following the end of the month.
- c. If selected, the Contractor shall cooperate with the Judiciary in evaluating the effectiveness of the Contractor's services.

End of Section

SECTION THREE - SPECIAL PROVISIONS

3.1. SUBMITTAL OF PROPOSAL

All proposals shall be delivered as follows:

- 3.1.1. ONE (1) ORIGINAL and Two (2) copies of each completed proposal shall be delivered and they **must be postmarked before midnight on or hand delivered no later than 4:00 p.m. HST on May 1, 2013**, to:

The Judiciary, State of Hawaii
 Financial Services Division
 1111 Alakea Street, 6th Floor
 Honolulu, Hawaii 96813-2807

Separate proposals are required for Guardian Ad Litem services for Family Court, First Judicial Circuit, Family Drug Court First Judicial Circuit and legal counsel services.

Proposals postmarked or hand delivered after the above date and time will not be considered and will be returned to the applicant.

Offers on CD. As an option to submitting hard copies (orig. +2) of your entire offer packet, offers may be submitted on CD (3copies of CD) in Adobe's pdf format along with hard copies of the Offer Form, all no later than the date and time indicated in the Significant Dates section of this RFP.

Offers via electronic submittal. As another option to submitting hard copies of your offer packet, offers may be submitted no later than the date and time indicated in the Significant Dates section of this RFP to the above Purchasing Specialist via Email or FAX.

Offeror bears responsibility for transmission. Offerors who submit proposals or amendments by electronic means, bear the whole and exclusive responsibility for assuring that the documents are received by the purchasing agency and for ensuring the complete, correctly formatted, legible, and timely transmission of their documents. By opting to submit documents by electronic means, Offerors assume all risk that a purchasing agency's receiving equipment and system may be inoperative or otherwise unavailable at the time transmission is attempted.

- 3.1.2. **Requirement for Award.** To be eligible for award, all prospective proposers will be contacted to submit copies of the documents listed below to demonstrate compliance with Section 103D-310©, HRS. The documents should be applied for and submitted to the Judiciary upon award of contract. If a valid certificate is not submitted on a timely basis for award of a contract, a contract may not be awarded.

- a) **Hawaii Compliance Express**

1. The Contractor is required to submit a Hawaii Compliance Certificate. The Hawaii Compliance Express Certificate (HCE), allows businesses to register online through a simple wizard interface at <http://vendors.ehawaii.gov/hce/splash/welcom.html> to acquire a “Certificate of Vendor Compliance.” The HCE provides current compliance status as of the issuance date. The “Certificate of Vendor Compliance” indicating that vendor’s status is compliant with the requirements of Chapter 103D-310(c), HRS, shall be accepted for both contracting purposes and final payment. Under Hawaii Law, Vendors must provide proof of compliance in order to receive a contract greater than \$25,000 with state and counter government entities in Hawaii. Vendors that elect to use the new HCE services will be required to pay an annual fee to the Hawaii Information Consortium, LLC (HIC).

Timely Submission of all Certificates. The above certificates should be applied for and submitted to the Judiciary upon award of contract. If a valid certificate is not submitted on a timely basis for award of a contract, a contract may not be awarded.

Final Payment Requirement A Hawaii Compliance Certificate will be required for final payment. A copy of the form is also available at <http://www4.hawaii.gov/StateFormsFiles/form221.pdf>

- 3.1.3. The CONTRACTOR shall provide the Judiciary with evidence that CONTRACTOR has a professional errors and omission liability insurance policy issued by a company authorized to do business in the State of Hawaii, in the minimum amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) per claim.
- 3.14. The proposal(s) shall be submitted to the Judiciary no later than the date and time indicated above in Section 1.2, SIGNIFICANT DATES.
- 3.1.5. Offerors will be notified by the appropriate Family Courts for any clarifications of their proposals, any discussions, or for submittal of any best and final offers.
- 3.1.6. Proposals received after the date specified above or at a location other than the location specified above will not be considered at this time for these cases. If there is a need for emergency or additional case coverage during the fiscal year, additional proposals will be accepted for evaluation and qualification. However, please note that non-submittal of proposals for this RFP will not preclude individual appointment of GAL or Counsel through the current case-by-case selection process established for the balance of court-appointed cases in the Family Courts and Circuit Courts.

3.2. EVALUATION CRITERIA

Proposals will be evaluated by an appropriate evaluation committee within each Family Court office. The following elements of the proposal will provide the rating criteria to be used in determining the award of contracts, not necessarily in order of importance:

- 3.2.1. Qualifications and experience of firms or individuals in the fields of Family Law and/or Child Welfare related services.

3.2.2. Scope of Services to be provided.

3.2.3 Cost of Services.

Pursuant to Hawaii Administrative Rule § 3-122-52, proposals with the lowest cost factor shall receive the highest available rating allocated to cost. Offerors schedule of expenses shall be reviewed for reasonableness and necessity pursuant to Hawaii Revised Statutes § 571-87.

3.2.4. Completeness of Proposal.

3.3. CONTRACT AWARDS

Awards will be made to responsible offerors whose proposals are determined in writing to be the most advantageous to the Judiciary taking into consideration price and the evaluation factors set forth in the requests for proposals.

Successful offerors receiving an award shall be required to enter into a formal written contract. No performance or payment bond is required for this contract.

The Judiciary reserves the right to reject any proposals and to waive any defects, when in its opinion, such rejection or waiver is in the best interest of the Judiciary.

3.4. CONTRACT EXTENSION

3.4.1 Unless terminated, the contract may be extended for two (2) additional 12 month periods past the initial period covered by this RFP, upon mutual agreement in writing, at least sixty (60) days prior to expiration of the contract and provided the contract price remains the same as the previous year's contract price or is negotiated and mutually agreed upon by each party subject to legislation funding. Should an extension to the contract be made, the Contractor shall be required to execute an amendment to the contract for the additional extension period. Any extension to the contract is subject to the availability of funds.

3.5. PAYMENT

3.5.1. Method of Payment.

Payments shall be made in increments and shall be agreed to mutually by the Contractor and the Judiciary with the following conditions:

- a. The amount of each incremental payment shall be subject to agreement.
- b. Each request for incremental payment shall be accompanied by a certified statement of cases involved.
- c. Final payment: A Hawaii Compliance Certificate will be required for final payment. A

copy of the form is also available at <http://www4.hawaii.gov/StateFormsFiles/form221.pdf>

3.5.2. Termination for Lack of Funds.

Pursuant to Section 103-309, Hawaii Revised Statutes, except in certain instances, no contract entered into between the Judiciary and the Contractor shall be binding or of any force unless the Judiciary's Financial Services Administrator certifies that there is an available unexpended appropriation or balance of an appropriation over and above all outstanding contracts sufficient to cover the amount required by the contract.

If the contract calls for performance or payment in more than one fiscal year, the fiscal year being July 1 to June 30, the Judiciary's Financial Services Administrator is permitted to certify only that portion of the total funds required for the contract that is available because funds may not be allocated to satisfy the Judiciary's obligations for periodic payments in future fiscal periods. In such an event, the Judiciary will not be obligated to pay the net remainder of the agreed to consecutive periodic payments remaining unpaid beyond the end of the current fiscal year, and availability of funds in excess of the amount certified as available shall be contingent upon future appropriations.

3.5.3 Sanction/Fine

Effective February 4, 2013, Guardian Ad Litem's will be sanctioned for failure to submit court reports and/or late reports. The sanction/fine will consist of the following:

First late report/no report a sanction of Fifty Dollars (\$50.00).

Second late report/no report a sanction of One Hundred Dollars (\$100.00).

Third and subsequent late report a sanction of One Hundred Fifty Dollars (\$150.00) and/or termination.

3.6. PROFESSIONAL ERRORS AND OMISSIONS

CONTRACTOR understands that CONTRACTOR is subject to liability, under applicable law, for any professional errors and omission which may occur in connection with the performance of service in connection to this Agreement.

CONTRACTOR shall obtain and keep in force throughout the period of this agreement, or any extension of service, a professional errors and omission liability insurance policy issued by a company authorized to do business in the State of Hawaii, in the minimum amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) per claim.

CONTRACTOR shall furnish JUDICIARY with evidence that CONTRACTOR maintains such insurance.

End of Section

SECTION FOUR - PROPOSAL

Please provide us with the following information on the APPLICATION FORM and on separate attachments.

4.1. APPLICATION FORM (See ATTACHMENT: STATEMENT OF QUALIFICATIONS AND EXPRESSION OF INTEREST)

Offeror shall require each GAL or legal counsel to complete the "STATEMENT OF QUALIFICATIONS AND EXPRESSION OF INTEREST" and attach any additional sheets. The application form requests the following information:

- a. General Information
- b. Professional Firm/Agency Affiliation(s)
- c. Education
- d. Jurisdiction Admitted to Practice (For Legal Counsel)
- e. Licenses or certificates obtained
- f. Specialized Training/Continuing Education Completed or Attending and certifications or licenses obtained
- g. Three (3) references
- h. Current and valid driver's license
- i. Written narrative on work of GAL and/or legal counsel (not to exceed one page)

4.2. DESCRIPTION OF FIRM

The offeror's background, staff, and work, previously conducted as outlined below:

4.2.1. Background

- a. Describe the nature of services provided by the firm or consortium.
- b. Describe the firm's organization and how it manages the operation of its work.

4.2.2 Staff

Give the total number of full-time staff (if any) currently employed by the firm or consortium in Hawaii by categories (services, professional, and other classifications, and office).

4.2.3. Previous Work

- a. Describe any work done which is similar or related to the work called for by these specifications. Offerors shall disclose any potential conflict of interest which may affect the project. If there can be construed to be a potential conflict of interest, Offerors shall indicate how it can be minimized to safeguard the independence of this project.
- b. If Offeror has been reprimanded or sanctioned on any HRS 587A case or by any professional organization (including the ODC) in the past three years, please list case name and circumstances.

4.3. RESOURCES TO BE USED

List the resources that the Offeror intends to commit to the work, including names and qualifications of the company's personnel (if any), the scope of the work contemplated for and the amount of time to be devoted to each of the firm's personnel. Offerors may subcontract, hire or retain other personnel or practitioners to perform the work and only after consultation with and receiving the written consent of the Judiciary. All new personnel must sign, the consent noted in Section 2.5.1.C in order to enable the Judiciary to evaluate the Offerors proposal.

Offerors must submit a plan as to how the cases will be assigned and managed. Prior to contract execution, Offerors must provide the Judiciary with a list of qualified and/or eligible guardians ad litem and legal counsel.

4.4. COSTS PROPOSALS

Cost proposals are requested for the performance of all services listed under Section Two-Scope of Work on an annual basis. Proposals shall include breakdown of expenditures budgeted for this project and shall include all applicable taxes.

Offerors should consider that they will be assigned a variety of cases, ranging from simple to complex. In all cases, offerors are only entitled to receive reasonable compensation for necessary expenses. Proposals shall include a detailed schedule of all necessary expenses including proposal cost per case. Cost proposals should be presented with the understanding that the amount proposed during a given year cannot be exceeded.

End of Section

CONSENT TO THE DISCLOSURE OF CONFIDENTIAL INFORMATION

I, _____, hereby authorize the Department of Human Services, Criminal Justice Information Center, and the Office of Disciplinary Counsel to release confidential information relating to any criminal, social, medical records, complaint history in it's custody to the Judiciary, State of Hawaii (The Judiciary). I understand that the Judiciary will comply with any applicable requirement of federal, state, and other laws, statutes, and regulations governing the protection of such records.

I further authorize this Judiciary to obtain copies of any such records and to use the records for the purpose of investigating my qualifications as Guardian Ad Litem pursuant to a contract with the Judiciary. I understand that the information may be used as a basis for disqualifying me from performing service under the contract.

The authorization is valid for the duration of this contract, including all time extensions. However, I understand that I may revoke this authorization at any time by providing written notice of revocation to the Chief Court Administrator's Office staff. I also understand that if I revoke this authorization before the Judiciary completes its investigation, I may be disqualified from performing services under the contract.

I release the Judiciary from any liability I connection with the appropriate use of information made pursuant to this authorization.

Signature

Date

Print Name

**THE JUDICIARY, STATE OF HAWAII
 FAMILY COURT, THIRD JUDICIAL CIRCUIT
 REQUEST FOR PROPOSAL NO. J14001**

**STATEMENT OF QUALIFICATIONS AND EXPRESSION OF INTEREST
 FISCAL YEAR _____**

Please answer all questions. Omission of an item may delay the evaluation of your application or may preclude you from being included in the Judiciary's list of qualified contracted providers.

1. GENERAL INFORMATION

LAST NAME	FIRST	MIDDLE	OTHER NAMES USED
BUSINESS ADDRESS			TELEPHONE NO. ()
CITY	STATE	ZIP CODE	CELL NO. ()
			FAX NO. ()
			e-mail ADDRESS

2. PROFESSIONAL AFFILIATION(S) and LICENSING CERTIFICATIONS
(Please submit verification of license certification)

NAME AND LOCATION (CITY, STATE) OF PROFESSIONAL FIRM/AGENCY AND/OR LICENSING CERTIFICATIONS	FROM	TO(PRESENT)

Current Valid Driver's License No.

**3. EDUCATION – Please submit verification of Degree(s) received
(Use additional sheets of paper to complete this section as needed)**

NAME OF SCHOOL	LOCATION (CITY, STATE)	DEGREE RECEIVED

4. JURISDICTION ADMITTED TO PRACTICE (FOR LEGAL COUNSEL)

JURISDICTION	DATE ADMITTED

5. SPECIALIZED TRAINING/CONTINUING EDUCATION COMPLETED OR ATTENDING:

TRAINING/EDUCATION	DATES

6. REFERENCES

Name Address Phone Number & email	Relationship

7. REQUEST

TYPE OF APPOINTMENT Family Court GAL & Legal Counsel Family Court Drug Court GAL	NUMBER OF CASES PER FY New & Carryover cases	
	New	Carry over
Family Court GAL (may include Zero to Three)		
Family Court Legal Counsel		
Family Court Drug Court GAL (may include Zero to Three)		

8. NAME THREE (3) ABUSE/NEGLECT CATEGORIES OF PRACTICE IN WHICH YOU CONSIDER YOURSELF PROFICIENT AND FOR WHICH YOU WISH TO BE CONSIDERED:

1.	2.	3.
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ON SEPARATE SHEETS OF PAPER, FOR EACH AREA OF PRACTICE LISTED IN ITEM 8, ESTIMATE THE TOTAL NUMBER OF CASES OR MATTERS HANDLED; INCLUDE TIME PERIOD; PROVIDE A REPRESENTATIVE SAMPLE IN THIS AREA, I.E. SAMPLE OF GAL REPORT, FOR COUNSEL, SAMPLE OF LEGAL DOCUMENTS PREPARED ON BEHALF OF

PARENTS.

- 9. PROVIDE A WRITTEN NARRATIVE OF THE ROLE OF A GAL AND/OR LEGAL COUNSEL. (NOT TO EXCEED ONE PAGE.)**

CERTIFICATION BY APPLICANT

I HEREBY CERTIFY THAT ALL STATEMENTS IN THIS APPLICATION, INCLUDING ATTACHMENTS, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF APPLICANT

DATE

THE COMPLETED STATEMENT OF QUALIFICATIONS AND EXPRESSION OF INTEREST FORM, CONSENT TO THE DISCLOSURE OF CONFIDENTIAL INFORMATION FORM, AND ALL OTHER REQUIRED DOCUMENTS MUST BE SUBMITTED TO THE JUDICIARY AT THE ADDRESS AND BY THE DATE AND TIME DESIGNATED IN THE REQUEST FOR PROPOSALS.