

THE JUDICIARY, STATE OF HAWAII

REQUEST FOR PROPOSALS

NO. J16006

TO

PROVIDE GUARDIAN AD LITEM SERVICES for the

FAMILY COURT and FAMILY DRUG COURT

THROUGH

THE FAMILY COURT OF THE

FIRST CIRCUIT

DURING THE PERIOD

July 1, 2015 THROUGH June 30, 2017

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.

APRIL 2015

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: Deepa.P.Sheehan@courts.hawaii.gov

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. J16006 TO PROVIDE GUARDIAN AD LITEM SERVICES FOR THE FAMILY COURT THROUGH THE FAMILY COURT OF THE FIRST CIRCUIT DURING THE PERIOD JULY 1, 2015 THROUGH JUNE 30, 2017

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 Court Drug Court for the Family Courts of the First Circuit during the period July 1, 2015 through June 30, 2017. The contract term will be for two (2) years from July 1, 2015 through June 30, 2017. Contracts may be extended for two (2) years from July 1, 2017 through June 30, 2019, 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 (Original + 2 copies) of their completed proposals and they **must be postmarked before midnight on May 29, 2015, or hand delivered by 4:00 p.m., Hawaii Standard Time, May 29, 2015**, to the following address:

The Judiciary, State of Hawaii
Financial Services Office
Kauikaouli 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 website at <http://www.courts.state.hi.us>.

/s/ Janell Kim
Janell Kim
Financial Services Director

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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 (hereinafter referred to as "GAL") who shall be engaged by the Judiciary, State of Hawaii (hereinafter referred to as the "Judiciary"), to manage and provide guardian ad litem services for 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 involving Zero To Three Court.

Under the provisions of the Child Protective Act, HRS Chapter 587A, a guardian ad litem shall be appointed for children and 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, 2015 through June 30, 2017, with the option that the contract may be extended for two (2) additional twelve (12) month periods from July 1, 2017 through June 30, 2019. 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 and legal counsel for mothers and legal fathers (depending on their eligibility for such services). 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 29, 2015 |
| CONTRACT TO BE AWARDED: | June 20, 2015 |
| COMMENCEMENT OF WORK: | July 1, 2015 |

End of Section

SECTION TWO - SCOPE OF WORK

2.1. OBJECTIVES

The objective is to provide the Judiciary with guardian ad litem services for each client and 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 and other parties for whom a Guardian Ad Litem has been appointed.

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 client's situation.
- b. Ascertain the needs and the views of the client, including maintaining a trusting relationship with the client via face-to-face contact in the client's family or resource family home at least once every three months.
- c. Advocate for the best interests of the client, and for the prompt resolution of the client's situation.
- d. Seek cooperative resolutions in the client's best interest.
- e. If the client 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 client's, perceived interests if they differ from those being advocated by the client's guardian ad litem.
- g. Promptly provide a written report to the court if services are not being made available to the client and/or family or if the client 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 objectives.
- i. Encourage and prepare the client to attend and participate in their court hearings unless not in their best interest. Explain the outcome of the proceeding to the client in developmentally appropriate language. Accept service and notice of hearings on behalf of the client and youth and promptly discuss/explain the outcome with the client in developmentally appropriate language.

- j. Attend all pertinent hearings.
- k. 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.
- l. 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 all the above in 2.1.1 as well as but not limited to the following:

- a. 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.
- b. 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.

2.2. DEFINITIONS

Contractor – Any individual firm, or corporation, entering into a contract with the Judiciary, as party or parties of the second part of his or their legal representatives.

Independent Provider(s) - Individual(s) providing GAL services under the auspices of the contractor.

Offeror – Any individual, partnership, firm, corporation, joint venture or other legal entity, Submitting directly or through a duly authorized representative or agent, an offer for the work or services contemplated in response to a solicitation.

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

Young Adult – Person who has attained the age of eighteen or older, but is less than twenty-one years of age.

2.3. QUALIFICATIONS

Family Court is seeking offerors who will have a pool of qualified staff to provide guardian ad litem services.

Offeror shall:

- a. Have adequate and properly trained staff available to provide guardian ad litem services 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.

Independent provider shall have, at minimum, the following qualifications:

- a. Possess an Associate's degree in education, social science, nursing, social work, psychology, or related field, 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 client.
- d. Ability to create and maintain accurate records.
- e. Ability to communicate clearly and concisely to clients, 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/or the GAL will be available by telephone at the court's request.
- g. Ability to relate civilly and professionally with clients, families, attorneys and representatives from other agencies.
- h. Has completed 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, independent provider must have:

- 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.

2.4. SUMMARY OF SERVICE ACTIVITY

Total cost proposal amount shall not exceed \$1,742,700.00 per fiscal year. Funding amount may change and are subject to legislative appropriation and availability of funds.

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:

- 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 940+ 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 two (2) 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 and Zero To Three cases will include all of the aforementioned as well as but not limited to the following:

- 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.

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. 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.
- c. 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.hawaii.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 will 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.
- d. A confirmed report of abuse or neglect will disqualify a guardian ad litem from performing services under the contract. Disqualification may also occur for "unconfirmed" reports or reports under investigation. The guardian ad litem 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 include in the proposal a written quality assurance plan to evaluate the performance of the guardians ad litem. The contractor must commence implementation of the quality assurance plan at the beginning of the contract term.
- b. If selected, the Contractor shall provide the Judiciary with a monthly written 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 29, 2015**, 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 and Family Drug Court First Judicial Circuit.

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) **Tax Clearance.** HRS Chapter 237 Tax Clearance requirements for award. Pursuant to §103D-328, HRS, prior to the execution of the contract, the

successful Offeror shall be required to submit a tax clearance certificate issued by the Hawaii

State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). The certificate is valid for six (6) months from the most recent approval stamp date on the certificate and must be valid on the date received by the Judiciary.

The Contractor is required to submit a tax clearance certificate, not over two (2) months old, with an original green certified copy stamp, upon completion of the contract.

The tax clearance certificate may be obtained from the following site: <http://www.state.hi.us/tax/2005/a6.pdf> or by Fax/Mail at (808) 587-7522 or 1-800-222-7572.

- b) **Certificate of Compliance.** HRS Chapters 383 (Unemployment Insurance), 386 Workers' Compensation), 392 (Temporary Disability Insurance), and 393 (oprepaid Health Care) requirements for award.

Pursuant to §103D-310(c), HRS, prior to the execution of the contract, the CONTRACTOR shall be required to submit an approved certificate of compliance issued by the Hawaii State Department of Labor and Industrial Relations (DLIR). The certificate is valid for six (6) months from the date of issue and must be valid on the date it is received by the Judiciary.

The certificate of compliance shall be obtained on the State of Hawaii, DLIR *APPLICATION FOR CERTIFICATE OF COMPLIANCE WITH SECTION 103D-310(c), HRS, Form LIR#27* which is available at <http://hawaii.gov/labor/forms/DCD-:OR27/pdf><http://www.dlir.state.hi.us>, or at the neighbor island DLIR offices. The DLIR will return the form to the CONTRACTOR which in turn shall submit it to the Contracts & Purchasing Office at 1111 Alakea Street, 6th Floor.

The application for the certificate is the responsibility of the CONTRACTOR, and must be submitted directly to the DLIR and not the Judiciary.

- c) **Certificate in Good Standing.** Compliance with 103D-310(c), HRS, for an entity doing business in the State.

Successful Offerors shall be required to submit a CERTIFICATE OF GOOD STANDING issued by the Department of Commerce and Consumer Affairs, Business Registration Division (BREG). The "*CERTIFICATE OF GOOD STANDING*" is valid for six months from date of issue and must be valid on the date it is received by the Judiciary.

To obtain the Certificate, the Offeror must first be registered with BREG. A sole proprietorship, however, is not required to register with BREG, and therefore not required to submit a certificate. An Offeror's status as sole proprietor or other business entity and its business street address indicated on the Application Form will be used to confirm that the Offeror is a Hawaii business.

To obtain a *CERTIFICATE OF GOOD STANDING* go online to: www.BusinessRegistrations.com and follow the prompt instructions. To register or obtain a “*CERTIFICATE OF GOOD STANDING*” by phone, call (808) 586-2727 (M-F 7:45 to 4:30 HST). Offerors are advised that there are costs associated with registering and obtaining a “*CERTIFICATE OF GOOD STANDING*” from DCCA.

- d) **Hawaii Compliance Express.** Alternatively, instead of separately applying for the above certificates at the various state agencies, offerors may choose to use Hawaii Compliance Express (HCE) which allows businesses to register online through a wizard interface. The following website Hawaii Compliance Express (HCE), <http://vendors.ehawaii.gov/hce/splash/welcome.html> expedites the process in applying for and furnishing proof of compliance with the requirements of 103D-310(c), HRS. Offerors are advised that there is an annual fee associated with HCE. Offerors choosing not to participate in the HCE program will be required to provide paper certificates as instructed in the sections previous to this one.

Timely Submission of all Certificates. The above certificates should be applied for and submitted to the Judiciary prior to award of contract. If a valid certificate is not submitted on a timely basis for award of a contract, an offer otherwise responsive and responsible may not receive the award.

Final Payment Requirements. In addition to a tax clearance certificate an original *CERTIFICATE OF GOOD STANDING* for FINAL PAYMENT (SPO Form 22) 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. **Insurance.** The CONTRACTOR shall at his own expense maintain insurance in full force and effect during the life of this contract. The policy or policies of insurance maintained by Contractor shall provide the following limits and coverage:
- a) Commercial General Liability Insurance (occurrence form) of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate.
 - b) Automobile Insurance in the amount of \$1,000,000.00 bodily injury per person, \$1,000,000 bodily injury per accident, and \$1,000,000.00 property damage per accident.
 - c) Workers’ Compensation and Employer’s Liability. Part A – Statutory. Part B, Employers Liability \$100,000.00 each accident/\$100,000.00 disease each employee/\$500,000.00 disease policy limit.
 - d) Professional Liability Insurance (Errors and Omission) in the minimum amount of \$1,000,000 per claim.

The Contractor will immediately provide written notice to the contracting department or agency should any of the insurance policies evidenced on its Certificate of Insurance form be cancelled, limited in scope, or not renewed upon expiration. Furthermore, The Judiciary shall be added as an additional insured as respects to operations performed for The Judiciary, State of Hawaii,

and it is agreed that any insurance maintained by The Judiciary, State of Hawaii will apply in excess of, and not contribute with, insurance provided by this policy.

Failure of the contractor to provide and keep in force such insurance shall be regarded as material default under this contract, entitling the Judiciary to exercise any or all of the remedies provided in this contract for a default of the contractor.

Prior to execution of the contract, the successful offeror shall provide proof of coverage of insurance requirements set forth under this section.

- 3.1.4. 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 the Evaluation Committee using the following criteria pursuant to Section 4.2 of the Procedural Requirements. The recommendation for contract award will be made to the responsible Offerors whose proposal is determined in writing to provide the best value to the Judiciary, based on the criteria below, by the appropriate evaluation committee within the Family Court. 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.

An in-depth analysis and review of all offers will be based on the criteria below and their associated points. The total number of points used to score the proposal shall be 100.

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

Description of organization and staffing plan, related education and licenses; related experience, background and qualifications; quality of service, date of completion of CASA training program or a program deemed comparable by the CASA program manager, have an understanding of strengths based practices, and writing sample. (30 points)

3.2.2. Scope of Services to be provided.

Description of how services will be provided, resources committed to the work; how cases will be managed/assigned (firms/organizations) addressing issues of conflict interest; inappropriate sharing of case information including collecting data; quality assurance – how applicant will ensure that quality service is provided; timely reporting and objective decision making. (30 points)

3.2.3 Cost Formula.

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. (20 points)

3.2.4 Cost of Service.

An itemized budget which includes administrative costs (i.e., overhead, office, space, General Excise Tax, insurance, rent and reasonable cost, travel, reimbursement), and cost per case pursuant to Hawaii Administrative Rule § 3-122-52. (10 points)

3.2.5. Completeness of Proposal and Conformance to Specifications Required Documents and Information Submitted.

Substance of proposal, required documentations, Professional Errors and Omissions, Tax Clearance and Certificate of Compliance. (10 points)

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 MILLION DOLLARS (\$1,000,000.00) 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. COST PROPOSALS

Total cost proposals amount shall not exceed \$1,792,700.00 per fiscal year. Funding amounts may change and are subject to legislative appropriation and availability of funds.

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 its 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, FIRST JUDICIAL CIRCUIT
 REQUEST FOR PROPOSAL NO. J16006**

**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 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 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. |
|----|----|----|

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.