



Office of the Administrative Director – Financial Services Department

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November 10, 2020

MEMORANDUM

TO WHOM IT MAY CONCERN:

FROM: Terri Gearon, Financial Services Director /s/ Terri Gearon

SUBJECT: **ADDENDUM NO. 1, REQUEST FOR PROPOSALS NO. J21186
ONLINE BAIL PAYMENT SYSTEM FOR DEFENDANTS IN THE CUSTODY OF
THE DEPARTMENT OF PUBLIC SAFETY,
STATE OF HAWAII**

Transmitted herewith for your review is one copy of Addendum No. 1, and is hereby made a part of Request for Proposals J21186 for the above-mentioned solicitation, and shall govern the work taking precedence over previously issued specifications governing the items mentioned.

Should you have any technical questions regarding this addendum, please contact Ms. Terri Gearon, telephone (808) 538-5800 or e-mail at: Terri.L.Gearon@courts.hawaii.gov. Other questions regarding the Request for Proposal may be directed to Ms. Tritia Cruz in the Judiciary Contracts & Purchasing Office at (808) 538-5805 or email Tritia.L.Cruz@courts.hawaii.gov

**ADDENDUM NO. 1
REQUEST FOR PROPOSALS NO. J21186
ONLINE BAIL PAYMENT SYSTEM FOR DEFENDANTS IN THE
CUSTODY OF THE DEPARTMENT OF PUBLIC SAFETY,
STATE OF HAWAII**

The items listed hereunder are hereby made a part of Request for Proposals No. J21186 for the above-mentioned solicitation, and shall govern the work taking precedence over previously issued specifications governing the items mentioned.

1. Add to the Table of Contents, Attachments, the following:
Exhibit A – BBRA
A copy of Exhibit A – BBRA is included in this addendum.

Questions submitted relating to RFP J21286, with the Judiciary Responses:

1. Please provide further clarification on Section 3.3, System Requirements bullet #3:

“Contractor shall provide a user-friendly website that permits a payor to submit a request to pay bail based on the defendant’s name. Other appropriate identifiers that can be entered by the payor may be added features.”
 - A1. This provision requires that the Offeror’s system is able to process bail payments when the payor enters the defendant’s name on the website. Offeror may provide a system that can accept other identifiers, such as the court case number (e.g., 1DTC-1-23456).
2. Will the Public Safety Department be available 24/7 to respond to requests for bail?
 - A2. Yes.
3. Is there an on-site bail payment process in place?
 - A3. Yes.
4. Will there be a future need for on-site bail payments using a credit and/or debit card?
 - A4. At this time, the Judiciary is not considering the need for on-site bail payments using a credit and/or debit card.

5. Does the State of Hawaii want the ability for the detainee to self-bail utilizing a credit and/or debit card?

A5. Yes, the system should be usable by any person, including the defendant, who wants to use the online bail payment system.

6. Please provide further clarification to Section 5, Evaluation Criteria and Contractor Selection, System Requirements, bullet #7:

“Demonstrated capability to collaborate with the Judiciary and PSD to develop an efficient method of determining whether a defendant has outstanding warrants at the time a payor submits a request to pay bail for the defendant.”

A6. It is our understanding that other states also prohibit defendants from being released on bail if they have outstanding warrants. Checking for outstanding warrants may be a time-consuming process. Offeror should describe any past experiences working with government agencies to efficiently determine whether there are outstanding warrants against a defendant before accepting bail.

7. Please provide further clarification to Section 5, Evaluation Criteria and Contractor Selection, System Requirements, bullet #8:

“Demonstrated capability when a request for payment is approved, the system is able to validate that the correct amount of bail is collected. Additionally, the system’s capability to produce and transmit a printable receipt in the form of the BBRA to the payor, the Judiciary, and PSD. A copy of the BBRA is attached as Exhibit “A.””

A7. Offeror must show that its system is accurate and does not collect payments of bail that are higher or lower than the actual amount set by the court. Accuracy is especially critical for defendants who may have several pending cases with multiple bail amounts ordered by the court.

8. Please provide further clarification to Section 5, Evaluation Criteria and Contractor Selection, System Requirements, bullet #11:

“Demonstrated capability of Offeror’s website’s compliance with accessibility requirements. A telephone number shall be available every day from 7:45 am to 4:30 pm for payors to contact the Offeror.”

A8. Offeror must show that its website can be used by persons with disabilities and that it has staff who are able to answer calls in Hawaii from 7:45 a.m. to 4:30 p.m., Hawaii standard time, notwithstanding any time differences with off-site call centers.

9. How are you accepting payments now for the same bonding and other services or court fees?
- A9. Refer to Section Three, Scope of Work of the RFP, specifically, section 3.2.
10. What is the total revenue for bonding and other services or court fees?
- A.10. Cash bail collected by the Judiciary for Fiscal Year 2019 was \$3,379,477.50.
11. Will there be an email address used for to the Department of Public Safety to inform them of services paid for the release of inmate?
- A11. An email address will be obtained after the project begins and discussions with the Department of Public Safety take place.
12. We are a payment processor not a web developer so we will have to Sub out the Website if that works?
- A12. Per Section 4.3.7 of the RFP, the Offeror shall provide a list of subcontractors who will perform any portion of the services.
13. Page 9 – 3.3: *“The system must be able to notify the payor via an email, and as an option a text message, whether the request for payment has been approved or denied. If the request is denied, an explanation must be provided to the payor.”*

Please offer examples of “explanation must be provide to the payor”. Are these required explanations to be tied to the payor’s credit/debit funds available only, or other State of Hawaii reasons of denial? If other State of Hawaii denial reasons, please offer those reasons.

- A13. One reason for the denial of a request to make bail payment is that the defendant has outstanding warrants and is therefore ineligible for release. Another reason is that the defendant is being held in custody in multiple cases with multiple bail orders, but the payor is not willing to post bail for all cases.
14. Would the State’s PSD like to offer defendants/detainees an opportunity to “self-bail” (bail themselves out, once a bail amount has been established using one of their own credit/debit cards) by calling a toll-free number to a PCI compliant, 24/7/365 payment Call Center?
- A14. The Judiciary is charged with administering this program. At this time, there are no plans to offer services for payment by phone.

15. Please provide the total cash bail revenue the State received with cash, cashier's check and/or money orders for 2019.

A15. Cash bail collected by the Judiciary for Fiscal Year 2019 was \$3,379,477.50.

16. Is there a need for on-site credit/debit bail payments at the court facilities?

A16. No.

17. PCI requirements which normally pertains to credit card transaction security. Will you be collecting payment via credit and debit card? If so will that fee be passed along to the cardholder?

A17. Refer to Section 3.1, Scope and Section 3.3, System Requirements which states that the online payment system shall accept all major credit and debit cards. The offeror is responsible for passing on fees to users

HAWAII RULES OF PENAL PROCEDURE

Form J

(Page 1 of Form J)

BAIL/BOND RECEIPT, ACKNOWLEDGMENT, AND NOTICE TO APPEAR

BBRA No.
Case No.

Arresting Agency:	State ID (SID)/Booking No. (if applicable):	Date:			
Charge(s)/Statutory Section(s):	Arrest Report/Citation No(s):	Amount	Charge(s)/Statutory Section(s):	Arrest Report/Citation No(s):	Amount
_____	_____	\$ _____	_____	_____	\$ _____
_____	_____	\$ _____	_____	_____	\$ _____
_____	_____	\$ _____	_____	_____	\$ _____
_____	_____	\$ _____	_____	_____	\$ _____
_____	_____	\$ _____	_____	_____	\$ _____

Release Based On: <input type="checkbox"/> ROR <input type="checkbox"/> CASH deposited by DEFENDANT <input type="checkbox"/> CASH deposited by THIRD PARTY SURETY <input type="checkbox"/> PAPER BOND posted by LICENSED SURETY INSURANCE COMPANY/AGENT (Attach Copy of Paper Bond and Copy of Agent's Power of Attorney)	(For Judiciary Use Only)
BAIL/BOND FOR (Defendant's Name) _____ DOB: _____ LAST 4 DIGITS OF SSN: XXX-XX- _____ PHONE: _____ ADDRESS: _____ AMOUNT RECEIVED: \$ _____ <input type="checkbox"/> ROR CERTIFIED/CASHIER'S CHECK NO. OR POWER OF ATTORNEY NO. _____	
APPEARANCE INFORMATION: YOU ARE TO APPEAR IN THE FOLLOWING COURT CHECKED BELOW (address on back): COURT DATE AND TIME: _____ / _____ AM/PM (circle one)	

DEFENDANT'S ACKNOWLEDGMENT OF TERMS AND CONDITIONS FOR RELEASE ON BAIL OR RECOGNIZANCE

In order to be admitted to bail and released from custody or released on recognizance, I agree to comply with the terms and conditions of release on bail or recognizance set forth herein, all conditions imposed by law, and any additional conditions that a court may later impose on me. I specifically understand and agree that:

- I must appear in person for all court hearings, including the hearing set forth above. If I fail to appear, my release will be revoked, a bench warrant will be issued for my arrest, and I may be charged for bail jumping or contempt of court.
- I will remain in the State of Hawaii unless I obtain court approval to leave the jurisdiction.
- I will not commit a federal, state or local offense during the period of release.
- The court may **REVOKE MY RELEASE** if any term or condition of release is violated.
- If, at any time, I fail to appear in court on the day and at the time indicated on this Receipt, Acknowledgment, and Notice to Appear Form or any other day and time ordered by the court, any cash or bond posted for my release **WILL BE FORFEITED** to the State and **NOT RETURNED**.
I have personally deposited as security for this bond shall

Date	Print Name of Defendant	Defendant's Signature
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NOTIFICATION TO THIRD-PARTY SURETY OF BAIL BOND CONDITIONS/OBLIGATIONS

I have read and understand the terms and conditions of bail signed by defendant. I understand that this is a continuing bond that will remain in full force and effect, unless otherwise ordered by the court, until final determination of all proceedings in this case, including appeal. If I wish earlier discharge from liability on this bond, I must surrender Defendant to the custody of any sheriff, chief of police, or their authorized subordinates. I understand that if Defendant fails to appear in court on the day and at the time indicated on this Receipt, Acknowledgment, and Notice to Appear Form or any other day and time ordered by the court, judgment for the full amount of this bail bond shall be entered in favor of the State. Any request to show good cause why the court should vacate the judgment of forfeiture must be filed within thirty (30) days from the date notice of the entry of judgment in favor of the state is given via personal service or certified mail, return receipt requested.

If cash was deposited as security for the full amount of this bond, the full amount will be forfeited to the State and not returned to me.
 If a paper bond was filed, surety is required to pay the full amount of the bond to the State in execution of the judgment unless a) the court sustains the surety's motion or application submitted pursuant to HRS § 804-51 and vacates the judgment based on a showing of good cause or b) defendant is surrendered to law enforcement officials pursuant to HRS §§ 804-14, 804-41, and 804-51.

Telephone No.	Print Name of Third Party Surety or Agent	Driver License/Other ID No.
Date	Signature of Third-Party Surety or Agent	Preferred Mailing Address of Third-Party Surety

NOTE: COPY OF PAPER BOND AND COPY OF AGENT'S POWER OF ATTORNEY MUST BE ATTACHED IF PAPER BOND FILED.

LAW ENFORCEMENT OFFICER/CLERK			
Date	Print Name/ID No.	Officer/Clerk's Signature	Agency

(BAR CODE)