RFP # 735
PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

Clark County Washington
Release date: January 17, 2018

Request for Proposal for:

Animal Control Hearings Examiner

PROPOSALS DUE:  **February 16, 2018 by 3:00 p.m.**

*Proposals must be date and time stamped by Purchasing staff before 3:00 PM on due date.
There is no guarantee of overnight delivery if sent to the PO Box, always use the street address.*

Proposal(s) shall be sealed and clearly marked on the package cover with RFP #, Project Title and Company name.

**Submit one (1) original and three (3) complete copies of the Proposal to:**

Clark County
Office of Purchasing
P.O. Box 5000
1300 Franklin Street, 6th Floor, Suite 650
Vancouver, Washington  98660
(360) 397-2323

Refer Questions to:

Project Manager:
Paul Scarpelli
Manager – Clark County Animal Protection & Control
paul.scarpelli@clark.wa.gov

*LATEST REVISION: 11/21/17*
Product criteria have been established on the Green Purchasing List of products that can be recycled, reused, or composted at the end of its life cycle. Negative environmental impacts include, but are not limited to, greenhouse gases, air pollution emissions, negative impacts on human health and the environment.

Clark County has implemented an Environmentally Responsible Purchasing Policy with a goal to reduce negative impacts on human health and the environment. Negative environmental impacts include, but are not limited to, greenhouse gases, air pollution emissions, water contamination, waste from the manufacturing process and waste in packaging. This policy also seeks to increase: 1) water and energy efficiency; 2) renewable energy sources; 3) use of products with recycled content; 4) product durability; 5) use of products that can be recycled, reused, or composted at the end of its life cycle. Product criteria have been established on the Green Purchasing List.

http://www.clark.wa.gov/general-services/purchasing/erp/environmental.html

http://www.clark.wa.gov/hr/documents.html

TTY (360) 397-2445; ADA@Clark.wa.gov
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## Part I Proposal Requirements

### Section IA General Information

1. **Introduction**
   
   Clark County is seeking a qualified person to fill the position of Animal Control Hearings Examiner. Ordinances provide for the appointment of a Hearings Examiner to hear and consider civil appeals related to the enforcement of the animal control codes.

2. **Background**
   
   Approximately one to two (1 to 2) hearings are scheduled per month. Depending upon the number of appeals received, it is estimated that the performance of the position would require approximately four (4) to six (6) hours per month. Animal Control appeal hearings are currently held the second Wednesday of the month beginning at 1:30 PM in the Board of Councilors hearing chambers.

3. **Scope of Project**
   
   The Hearings Examiner shall receive and examine available information, conduct public hearings, prepare findings in accordance with adopted County and City regulations and policies, and render decisions in writing that are clear (complete and internally consistent), factually accurate and legally sufficient.

4. **Project Funding**
   
   Funding for the services described herein is budgeted with Animal Protection & Controls expense budget. The Proposer's proposal shall include the Proposer's true estimated cost to perform the work irrespective of the budgeted funds for this work.

5. **Timeline for Selection**
   
   The following dates are the intended timeline:
   
   - Proposals due: February 16, 2018
   - Proposal review/evaluation period: February 19-23, 2018
   - Interviews/demonstration: February 27-28, 2018
   - Selection committee recommendation: February 28, 2018
   - Contract negotiation/execution: March 1-2, 2018
   - Contract intended to begin: March 5, 2018

6. **Employment Verification**

   "Effective November 1st, 2010, to be considered responsive to any formal Clark County Bid/RFP or Small Works Quote, all vendors shall submit before, include with their response or within 24 hours after submittal, a recent copy of their E-Verify MOU or proof of pending enrollment. The awarded contractor shall be responsible to provide Clark County with the same E-Verify enrollment documentation for each sub-contractor ($25,000 or more) within thirty days after the sub-contractor starts work. Contractors and sub-contractors shall provide a report(s) showing status of new employee’s hired after the date of the MOU. The status report shall be directed to the county department project manager at the end of the contract, or annually, whichever comes first. E-Verify information and enrollment is available at the Department of Homeland Security web page: [www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)."

   How to submit the MOU in advance of the submittal date:
   1. Hand deliver to 1300 Franklin St, Suite 650, Vancouver, WA 98660, or;
   2. Fax to (360) 397-6027, or;
   3. E-mail: beth.balogh@clark.wa.gov or priscilla.ricci@clark.wa.gov

   **Note:** Sole Proprietors are exempt.
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Section IB  Work Requirements

1. Required Services  
The Hearings Examiner routinely hears appeals from the following decisions of the Clark County Animal Protection and Control agency:

Notice of civil violation and/or order to abate;
Dangerous and Potentially Dangerous Dog labeling;
Dangerous Dog conditions;
Amount of redemption fee;
Order to abate habitual violator;
Order to abate attacker;
Denial of redemption;
Denial, revocation or refusal to renew a “wild or exotic animal license”;
Denial, revocation or refusal to renew license for kennel, grooming parlor or pet shop.

The Hearings Examiner shall hear evidence presented by the County to sustain the decision of the Animal Protection and Control agency. The Hearings Examiner shall likewise hear evidence presented by the person appealing the decision. If the decision of the animal control agency is found to be supported by a preponderance of the evidence the decision shall be affirmed. The Hearings Examiner may amend the decision as the evidence and justice permit.

The Hearings Examiner shall reverse the decision in all other cases. Formal rules of evidence need not be followed, but witnesses shall be sworn by the Hearings Examiner and a written order issued.

The selected person must meet the following criteria:
Have education and experience in regulatory and code enforcement matters;
Have experience in administering and/or participation in administrative and quasi-judicial hearings;
Have experience in mediation, dispute, or conflict resolution techniques;
Demonstrated ability to coherently express opinions in writing.

Qualified candidates are hereby invited to submit a statement of qualifications for providing these services. Qualification statements should include the candidate’s education and experience, writing samples, a proposed hourly rate, and a list of references.

2. County Performed Work  
The County will provide facilities for the conduct of the hearings, including hearing room and recording equipment. The County will also provide staff support at the hearing, will carry out all public notice requirements, record keeping, and will provide clerical services for typing the decisions and correspondence.

3. Deliverables & Schedule  
As Animal Protection & Control proceedings often include live animals and their owners/victims, priority should be given by the Hearings Examiner to conclude their analysis and present their finding no more than five (5) business days from date of hearing. Owners and victims prefer same-day judgments.

4. Place of Performance  
Animal Control appeal hearings are currently held the second Wednesday of the month beginning at 1:30 PM in the Board of Councilors hearing chambers.

5. Period of Performance  
A contract awarded as a result of this RFP will be for a 24 month period and is intended to start February 12, 2018 and end February 11, 2020.

Clark County reserves the right to extend the contract resulting from this RFP for a period of two (2) one (1) year periods, with the same terms and conditions, by service of a written notice of its intention to do so prior to the contract termination date.
6. Insurance/Bond

**Automobile**

If the Proposer or its employees use motor vehicles in conducting activities under this Contract, liability insurance covering bodily injury and property damage shall be provided by the Proposer through a commercial automobile insurance policy. The policy shall cover all owned and non-owned vehicles. Such insurance shall have minimum limits of $500,000 per occurrence, combined single limit for bodily injury liability and property damage liability with a $1,000,000 annual aggregate limit. If the Proposer does not use motor vehicles in conducting activities under this Contract, then written confirmation to that effect on Proposer letterhead shall be submitted by the Proposer.

**Professional Liability (aka Errors and Omissions)**

The Proposer shall obtain, at Proposer's expense, and keep in force during the term of this contract Professional Liability insurance policy to protect against legal liability arising out of contract activity. Such insurance shall provide a minimum of $2,000,000 per occurrence, with a maximum deductible of $25,000. It should be an "Occurrence Form" policy. If the policy is "Claims Made", then Extended Reporting Period Coverage (Tail coverage) shall be purchased for three (3) years after the end of the contract.

**Proof of Insurance**

Proof of Insurance shall be provided prior to the starting of the contract performance. Proof will be on an ACORD Certificate(s) of Liability Insurance, which the Proposer shall provide to Clark County. Each certificate will show the coverage, deductible and policy period. Policies shall be endorsed to state that coverage will not be suspended, voided, canceled or reduced without a 30 day written notice by mail. It is the Proposer's responsibility to provide evidence of continuing coverage during the overlap periods of the policy and the contract.

All policies must have a Best's Rating of A-VII or better.

7. Plan Holders List

All proposers are required to be listed on the plan holders list.

✔ Prior to submission of proposal, please confirm your organization is on the Plan Holders List below:

To view the Plan Holders List, please click on the link below or copy and paste into your browser.

Clark County RFP site:

[http://www.clark.wa.gov/general-services/purchasing/rgfp.html](http://www.clark.wa.gov/general-services/purchasing/rgfp.html)

If your organization is NOT listed, submit the "Letter of Interest" to ensure your inclusion. See Attachment B.

Proposals received by Clark County by proposers not included on the Plan Holders List may be considered non-responsive.
Part II Proposal Preparation and Submittal

Section IIA Pre-Submittal Meeting / Clarification

1. Pre-Submittal Meeting

Should Proposers wish to meet with Animal Protection & Control prior to their submittal, they should contact us the week of February 5th, by use of email.

See cover page for contact information.

2. Proposal Clarification

Questions and Requests for Clarification regarding this Request for Proposal must be directed in writing, via email, to the person listed on the cover page. The deadline for submitting such questions/clarifications is February 7, 2018.

An addendum will be issued no later than February 9, 2018 to all recorded holders of the RFP if a substantive clarification is in order.

The Questions & Answers/Clarifications are available for review at the link below. Each proposer is strongly encouraged to review this document prior to submitting their proposal.

Clark County RFP site:
http://www.clark.wa.gov/general-services/purchasing/rfp.html

Section IIB Proposal Submission

1. Proposals Due

Sealed proposals must be received no later than the date, time and location specified on the cover of this document.

The outside of the envelope/package shall clearly identify:
1. RFP Number and;
2. TITLE and;
3. Name and address of the proposer.

Responses received after submittal time will not be considered and will be returned to the Proposer - unopened.

Proposals received with insufficient copies (as noted on the cover of this document) cannot be properly disseminated to the Review Committee and other reviewers for necessary action, therefore, may not be accepted.

2. Proposal

Proposals must be clear, succinct.

For purposes of review and in the interest of the County, the County encourages the use of submittal materials (i.e. paper, dividers, binders, brochures, etc.) that contain post-consumer recycled content and are readily recyclable.

The County discourages the use of materials that cannot be readily recycled such as PVC (vinyl) binders, spiral bindings, and plastic or glossy covers or dividers. Alternative bindings such as reusable/recyclable binding posts, reusable binder clips or binder rings, and recyclable cardboard/paperboard binders are examples of preferable submittal materials.

Proposer’s are encouraged to print/copy on both sides of a single sheet of paper wherever applicable; if sheets are printed on both sides, it is considered to be two pages. Color is acceptable, but content should not be lost by black-and-white printing or copying.

All submittals will be evaluated on the completeness and quality of the content. Only those Proposers providing complete information as required will be considered for evaluation. The
ability to follow these instructions demonstrates attention to detail.

Additional support documents, such as sales brochures, should be included with each copy unless otherwise specified.

Section IIC Proposal Content

1. Cover Sheet
   This form is to be used as your proposal Cover Sheet
   See Cover Sheet - Attachment A

2. Project Team
   If not a sole proprietorship, what resources do you have available in managing these cases?

3. Management Approach
   Define how you propose to conduct a hearing, televised on CVTV, often with hostile witnesses and appellants.

4. Respondent's Capabilities
   Show your capability i.e. Resume/previous work history/samples etc.

5. Project Approach and Understanding
   What examples can you provide to show your understanding of the work of a Hearings Examiner, and your approach to completing the work defined here?

6. Proposed Cost
   An hourly rate should be shown, split out if the rate varies for time during hearing versus preparatory and report writing of findings.

7. Employment Verification
   Please refer to section 1A.6. – e-Verify
   IMPORTANT NOTE: Include this portion of the response immediately AFTER the cover page, if not already on file with Clark County. Current vendors on file can be viewed at:
   https://www.clark.wa.gov/general-services/purchasing-overview
Part III  Proposal Evaluation & Contract Award

Section IIIA  Proposal Review and Selection

1. Evaluation and Selection: Proposals received in response to this RFP will be evaluated by a Review Committee. Committee review results and recommendations may be presented to an appropriate advisory board prior to the consent process with the Clark County Board of Councilors.

2. Evaluation Criteria Scoring Each proposal received in response to the RFP will be objectively evaluated and rated according to a specified point system.

   A one hundred (100) point system will be used, weighted against the following criteria:

   Define how you will evaluate each proposal and the point allocation per section.

   Consider:

   | Proposal approach/quality | 10 |
   | Work history / Examples   | 30 |
   | Cost                      | 25 |
   | Interview                 | 30 |
   | References                |  5 |
   | Total Points              |100 |

Section IIIB  Contract Award

1. Consultant Selection The County will award a contract to the highest scoring Proposer. Should the County not reach a favorable agreement with the highest scoring Proposer, the County shall suspend or terminate negotiations and commence negotiations with the second highest scoring Proposer and so on until a favorable agreement is reached.

2. Contract Development The proposal and all responses provided by the successful Proposer may become a part of the final contract.

   The form of contract shall be the County’s Contract for Profession Services.

   Contract sample found at: http://intranet/Genserv/Purchasing/resources.html

3. Award Review The public may view proposal documents after contract execution. However, any proprietary information so designated by the Proposer as a ‘trade secret’ will not be disclosed unless the Clark County Prosecuting Attorney determines that disclosure is required. At this time, Proposers not awarded the contract, may seek additional clarification or debriefing, request time to review the selection procedures or discuss the scoring methods utilized by the evaluation committee.

4. Orientation/Kick-off Meeting Contract negotiations will be completed following the in-person interview on February 2, 2018. Following County Manager’s authorization of the contract, a kick-off meeting with Animal Control management will be scheduled.
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Attachment A            COVER SHEET

General Information:

Legal Name of Applicant/Company/Agency

Street Address        City        State          Zip

Contact Person          Title

Phone         Fax

Program Location (if different than above)         Email address

Tax Identification Number

→ Does the proposal comply with the requirements contained within the RFP?
   A "No" response may disqualify the proposal from further consideration.

   ☐ Yes      ☐ No

→ Did outside individuals or agencies assist with preparation of this proposal?

   ☐ Yes      ☐ No (if yes, describe.)**

Proposed Hourly Rate   $____________

I certify that to the best of my knowledge the information contained in this proposal is accurate and complete and that I have
the legal authority to commit this agency to a contractual agreement. I realize the final funding for any service is based upon
funding levels, and the approval of the Clark County Board of Councilors.

Signature, Administrator of Applicant Agency*      Date
(*Enter the appropriate signature title)

Vendor/Contractor:

To comply with RCW 41.32.765, are any of the employees who will be providing services under this contract, retired from a Washington State Retirement System using the 2008 Early Retirement Factor?

☐ Yes      ☐ No

If yes, please provide the name and social security number for each retiree to Clark County Purchasing.
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Attachment B    LETTER OF INTEREST

Legal Name of Applicant Agency

Street Address

City                      State                Zip

Contact Person          Title

Phone                     Fax

Program Location (if different than above) 

Email address

➢ All proposer’s are required to be included on the plan holders list. If your organization is NOT listed, submit the ‘Letter of Interest’ to ensure your inclusion.

In the body of your email, request acknowledgement of receipt.

Email Attachment B to: Beth.Balogh@clark.wa.gov or Koni.Odell@clark.wa.gov

Clark County web link:
http://www.clark.wa.gov/general-services/purchasing/rfp.html

This document will only be used to add a proposer to the plan holders list. Submitting this document does not commit proposer to provide services to Clark County, nor is it required to be submitted with proposal.

Proposals may be considered non-responsive if the Proposer is not listed on the plan holders list.