



LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lieutenant Governor

DAVID R. BRINKLEY
Secretary

MARC L. NICOLE
Deputy Secretary

QUESTIONS AND ANSWERS #1
Solicitation Number F10B8400033
Process Server IFB
February 6, 2018

Ladies/Gentlemen:

This list of Questions and Answers #1, questions #1 through #26, is being issued to clarify certain information contained in the above IFB.

In most instances the Department's response to the submitted questions merely serves to clarify the existing requirements of the IFB. Sometimes, however, in submitting questions potential Offerors may make statements or express interpretations of contract requirements that may be inconsistent with the Department's intent. To the extent that the Department recognizes such an incorrect interpretation, the provided answer will note that the interpretation is erroneous and either state that the question is moot once the correct interpretation is explained or provide the answer based upon the correct interpretation.

No provided answer to a question may in and of itself change any requirement of the IFB. If it is determined that any portion of the IFB should be changed based upon a submitted question, the actual change may only be implemented via a formal amendment to the IFB. In this situation the answer provided will reference the amendment containing the IFB change.

Questions and Answers

1. Documents being delivered are all summons and complaints?

Response: Yes, Contractor will be delivering summons and complaints.

2. Are any documents expected to be delivered on a rush or expedited basis? If so, what is the timeframe?

Response: Yes, documents may be delivered on a rush or expedited basis. If necessary for rush or expedited service, documents will be mailed via FedEx as outlined in Section 2.3.1.1 of the IFB.

3. Approximately how old are the addresses that will be provided to the Contractor?

Response: The Department has no means to track the age of the addresses on file. Addresses are provided to the Department from our state agency clients. The Department will provide the most recent addresses, on file, for documents sent for service.

4. On the Bid Form (Attachment B), should a Bidder provide a price based on a current address and also a price for an address that is skip traced and new address information is obtained?

Response: Yes, a Bidder shall provide a set price for normal perfected service [**rates A.1, B.1, C.1, D.1, E.1**] as specified on the Bid Form (Attachment B-2)(see also, Section 2.3.4.1 of the IFB). In addition, a Bidder shall provide a price for Perfected Service including Contractor Updated Address rate [**rates A.2, B.2, C.2, D.2, E.2**] as specified on the Bid Form (Attachment B-2)(see also, Section 2.3.4.2 of the IFB).

5. We understand that the potential Contractor will receive documents via pickup, mail or FedEx. However, would the State be willing to provide the data in the form of a spreadsheet? This way the data may be uploaded into our system rather than manually entering this data, which would eliminate many human errors and increase efficiency.

Response: Upon Contractor request, the Department will work with the Contractor to develop a procedure to provide data in spreadsheet format.

6. How should a Bidder acknowledge meeting the minimum qualifications?

Response: A Bidder shall acknowledge meeting the minimum qualifications, outlined in Section 1 of the IFB by completing and attesting to the statements in the **Minimum Requirements Certification Form (Appendix A.2)**.

7. If a Bidder services multiple jurisdictions, other than Maryland, may that information be included to satisfy the minimum requirement that the Bidder has maintained at least \$100,000 in aggregate business for the years 2015, 2016, and 2017?

Response: No, the State is seeking references that may attest to the Bidder's total dollar amount of billable services **only** in the State of Maryland for the years 2015, 2016 and 2017.

8. Does the State currently utilize the electronic filing (e-filing) system with the Maryland courts? Is the State willing to consider permitting the awarded Contractor electronic filing (e-filing) necessary documents with respective Maryland court?

Response: Yes, the State is willing to permit the Contractor to e-file necessary documentation as allowed by participating Maryland courts and in accordance with the Maryland Rules. (See Amendment #3, Item 1)

9. How often does the list identifying all subcontractors which the Contractor intends to use to provide this service need to be updated? On an annual basis, quarterly or monthly basis?

Response: As outlined in Section 2.3.2.1 of the IFB, an initial list identifying all subcontractors which the Contractor intends to use to provide statewide coverage must be provided to the Contract Monitor within ten (10) Business Days of the Go-Live Date. Subsequent, updates to this list must be provided to the Contract Monitor on an annual basis, prior to the Contract anniversary date. (See Amendment #3, Item 2).

10. Does "skip tracing" have to be approved by the State?

Response: Yes, the Contractor must request and obtain written approval from the Office of the Attorney General (OAG) to obtain and provide the Department with a more current address than the one provided by the OAG and/or CCU (i.e., "skip tracing"), as outlined in Section 2.3.4.2 of the IFB.

11. Will there be a CCU point person for communication purposes?

Response: Yes, the Contract Monitor is the sole point of contact on behalf of the State responsible for Contract administrative functions. All questions regarding the terms and conditions of this Contract may be directed to the Contract Monitor. The Contract Monitor is Montez Foster. Her contact information:

Montez Foster
300 W. Preston Street
Baltimore, Maryland 21201
(410) 767-1208
montez.foster@maryland.gov

12. Would the State provide statistics on what percentage of addresses are out for skip tracing?

Response: See Response to Question #3

13. Does that State have a standard for what is considered “evasive?”

Response: No, the State does not have a standard for what is considered “evasive.” The Contractor must request and obtain written approval from the OAG to prepare an Evasion of Service Affidavit, as outlined in Section 2.3.4.3 of the IFB.

14. Does the State expect a minimum number of attempts to effect service?

Response: No, the State does not require a minimum number of attempts to effect service.

15. Is this a new contract or is there currently an incumbent providing this service for the State?

Response: There is currently an incumbent providing this service for the State. You may access current contract information from the DBM website, under the Contract Library, Services Contracts. See attached link to DBM website

<http://dbm.maryland.gov/proc-contracts/Pages/contractlibrary/Services/ProcessServer2013.aspx>

16. Is the bid request of current contract available?

Response: See Response to Question #15

17. Is current contract pricing available?

Response: The total bid price for the current contract is \$332,300. See also Response to Question #15.

18. Approximately how long after Bids are opened will the State make an award?

Response: The Department intends to have a contract in place by April 1, 2018.

19. Is Contractor responsible for out-of-state service of process?

Response: No, the Contractor is only responsible for service of process within the State.

20. Is there a list of vendors for out-of-state service of process?

Response: Yes, the State does maintain a list of vendors for out-of-state service of process.

21. In regards to Attachment O-DHS Hiring Agreement, when our company has “independent Contractor/Driver” positions available, where do we post the job position?
We are always looking for drivers out in the field, but they must have a vehicle.

Response: As stated in Attachment O-DHS Hiring Agreement, Section A (1 – 5), the Contractor is responsible for (1) notifying DHS of all job openings that exists as a result of the procurement Contract, (2) declaring the Department (i.e. DHS) the “first source” in identifying and hiring Candidates for those openings, (3) working with the DHS to develop training programs that will enable Candidates to qualify for and secure employment with the Contractor, (4) giving first preference and first consideration, to the extent permitted by law and any existing labor agreements, to Candidates the Department refers for job openings that exist or result from the Procurement Contract, and (5) agreeing to give Candidates referred to the Contractor by the Department priority in the filling of a job opening so long as the Candidate meets the

qualifications of the position and the Department refers qualified Candidates within five (5) business days.

22. We hire and terminate close to 550 contractors annually and would highly recommend not submitting a report weekly/monthly on each candidate we hire/fire as this would create undue additional work for the State. Would the State consider allowing us to submit an annual report of just our existing process serves who are actively serving?

Response: See Response to Question #9

23. Would the State consider eliminating the requirement that the Contractor have a separate Crime Insurance policy?

Response: The Department declines to remove this requirement from the solicitation.

24. Would the State consider eliminating the Criminal Background Check requirement? There is a 60-day grace period for Maryland State Police/FBI background checks before someone can be hired and it would be impossible to hire the contractors the same day of their interviews. Under Maryland law, any individual over 18 years of age may serve process. Currently, our company utilizes both Google search and Maryland Judiciary case Search for background information for our applicants for a history of any criminal, drug or serious violations. In addition, applicants provide their current MVA license and registration information, we contact their previous employers/references and applicants sign an in-depth Independent Contractor Contract.

Response: The Department declines to remove this requirement from the solicitation.

25. Would the State be willing to provide a breakdown of the geographic distribution of service address? Baltimore Metropolitan area and DC suburbs is a tad vague. Would State provide a breakdown by zip code?

Response: The Department declines to provide the requested information.

26. What is the State of Maryland's definition of 'Perfected Service?' Is it the same as successful service or does it mean appropriate due diligence despite the outcome?

Response: The State's definition of 'perfected service' means successful service.