

INVITATION TO SUBMIT

PROPOSAL

REQUEST FOR PROPOSAL

RFP NO. 20-0061-3

PRE-TRIAL DIVERSION SERVICES
FOR THE CHATHAM COUNTY DISTRICT ATTORNEY
ANNUAL CONTRACT

PROPOSALS DUE BY: 5:00 P.M., July 16, 2020

THE COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

ALBERT J. SCOTT, CHAIRMAN

COMMISSIONER HELEN L. STONE

COMMISSIONER TABITHA ODELL

COMMISSIONER JAMES J. HOLMES

COMMISSIONER JAMES "JAY" JONES

COMMISSIONER BOBBY LOCKETT

COMMISSIONER DEAN KICKLIGHTER

COMMISSIONER PATRICK K. FARRELL

COMMISSIONER CHESTER A. ELLIS

R. JONATHAN HART
COUNTY ATTORNEY

CHATHAM COUNTY, GEORGIA

**CHATHAM COUNTY, GEORGIA
DOCUMENT CHECK LIST**

The following documents, when marked, are contained in and made a part of this Package or are required to be submitted with the proposal. It is the responsibility of the Proposer to read, complete and sign, where indicated, and return these documents with his/her Proposal. FAILURE TO DO SO MAY BE CAUSE FOR DISQUALIFYING THE BID.

 X GENERAL INFORMATION

 X PROPOSAL

 X LEGAL NOTICE

 X COST PROPOSAL

 X ATTACHMENTS A-H

COUNTY TAX CERTIFICATE REQUIREMENT: Contractor must supply a copy of their Tax Certificate as proof of payment of the occupational tax where their office is located.

CURRENT TAX CERTIFICATE NUMBER _____

CITY _____

COUNTY _____

OTHER _____

RECEIPT IS HEREBY ACKNOWLEDGED OF ADDENDA NUMBERS _____

The undersigned bidder certifies that he/she has received the above listed and marked documents and acknowledges that his/her failure to return each, completed and signed as required, may be cause for disqualifying his/her proposal.

BY: _____
SIGNATURE:

DATE:

Chatham County has established goals to increase participation of minority and woman owned businesses. In order to accurately document participation, businesses submitting bids or proposals are encouraged to report ownership status. A minority or female business is defined as a business with 51% or greater minority or female ownership. Please check ownership status as applicable:

African-American _____ Asian-American _____ Hispanic _____ Native-American _____
Female _____

In the award of "Competitive Sealed Proposals", minority/woman-owned business participation may be one of several evaluation criteria used in the award process when specified as such in the Request for Proposal.

**CHATHAM COUNTY, GEORGIA
OFFICE OF THE PURCHASING AGENT
1117 EISENHOWER DRIVE SUITE C
SAVANNAH, GEORGIA 31406
(912) 790-1622**

DATE: June 22, 2020

RFP NO. 20-0061-3

GENERAL INFORMATION FOR REQUEST FOR PROPOSALS

This is an invitation to submit a proposal to supply Chatham County with services as indicated herein. Sealed proposals will be received at the Office of the Purchasing Agent, **1117 EISENHOWER DRIVE, SUITE C, SAVANNAH, GEORGIA** up to **5:00 P.M. on JULY 16, 2020 for PRE-TRIAL DIVERSION SERVICES FOR CHATHAM COUNTY DISTRICT ATTORNEY.** The Purchasing Agent reserves the right to reject any and all proposals and to waive formalities. Responses must either be mailed or delivered to the Purchasing Office.

Instructions for preparation and submission of a proposal are contained in the Request for Proposal package. Please note that specific forms for submission of a proposal are required. Proposals must be typed or printed in ink.

Any changes to the conditions and specifications must be in the form of a written addendum to be valid; therefore, the Purchasing Agent will issue a written addendum to document approved changes. Generally when addenda are required, the bid opening date will be changed.

Chatham County has an equal opportunity procurement policy. Chatham County seeks to ensure that all segments of the business community have access to providing services needed by County programs. The County affirmatively works to encourage utilization of disadvantaged and minority business enterprises in our procurement activities. The County provides equal opportunity for all businesses and does not discriminate against any persons or businesses regardless of race, color, religion, age, sex, national origin or handicap. The County expects its contractors to make maximum feasible use of minority businesses and qualified minority employees. The terms "disadvantaged business", "minority business enterprise", and "minority person" are more specifically defined and explained in the Chatham County Purchasing Ordinance and Procedures Manual, Article VII - Disadvantaged Business Enterprises Program.

SECTION I INSTRUCTIONS TO PROPOSERS

1.1 Purpose: The purpose of this document is to provide general and specific information for use in submitting a proposal to supply Chatham County with services as described herein. All proposals are governed by the Code of Chatham County, Chapter 4, Article IV, and the laws of the State of Georgia.

1.2 How to Prepare Proposals: All proposals shall be:

- A. Typewritten or completed with pen and ink, signed by the business owner or authorized representative, with all erasures or corrections initialed and dated by the official signing the proposal. ALL SIGNATURE SPACES MUST BE SIGNED.

Proposers are encouraged to review carefully all provisions and attachments of this document prior to submission. Each proposal constitutes an offer and may not be withdrawn except as provided herein.

1.3 How to Submit Proposals: All proposals shall be:

- A. Submitted in sealed opaque envelopes, plainly marked with the proposal number and title, date and time for submission, and company name.
- B. Mailed or delivered as follows in sufficient time to ensure receipt by the Purchasing Agent on or before the time and date specified above.
 - a. **Mailing Address:** Purchasing Agent, 1117 Eisenhower Drive, Suite C, Savannah, Georgia.
 - b. **Hand Delivery:** Purchasing Agent, 1117 Eisenhower Drive, Suite C, Savannah, Georgia.

PROPOSALS NOT RECEIVED BY THE TIME AND DATE SPECIFIED WILL NOT BE OPENED OR CONSIDERED.

1.4 How to Submit an Objection: Objections from Proposers to this Request for Proposals and/or these specifications should be brought to the attention of the County Purchasing Agent in the following manner:

- A. When a pre-proposal conference is scheduled, the Proposer may object in writing any time prior to or at the pre-proposal conference.
- B. When a pre-proposal conference is not scheduled, the Proposer shall object in writing not less than five (5) days prior to the Date for submission.

- C. The objections contemplated must pertain both to form and substance of the Request for Proposal documents. Failure to object in accordance with the above procedure will constitute a waiver on the part of the business to protest this Request for Proposal.
- 1.5 **Vendor Registration:** Proposers who submit a proposal must be registered on the County's website at <http://purchasing.chathamcounty.org/Register>.
- 1.6 **Errors in Proposals:** Proposers or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals. Failure to do so will be at the Proposer's own risk.
- 1.7 **Standards for Acceptance of Proposers for Contract Award:** The County reserves the right to reject any or all Proposals and to waive any irregularities or technicalities in Proposals received whenever such rejection or waiver is in the best interest of the County. The County reserves the right to reject the Offer of a Proposer who has previously failed to perform properly or complete on time contracts of a similar nature, whom investigation shows is not in a position to perform the contract.
- 1.8 **Proposer:** Whenever the term "Proposer" is used it shall encompass the "person", "business", "firm", or other party submitting a proposal to Chatham County in such capacity before a contract has been entered into between such party and the County.
- 1.9 **Compliance with Laws:** The Proposer shall obtain and maintain all licenses, permits, liability insurance, workman's compensation insurance and comply with any and all other standards or regulations required by federal, state or County statute, ordinances and rules during the performance of any contract between the Proposer and the County. Any such requirement specifically set forth in any contract document between the Proposer and the County shall be supplementary to this section and not in substitution thereof.
- 1.10 **Contractor:** Contractor or subcontractor means any person, firm, or business having a contract with Chatham County. The Contractor of goods, material, equipment or services certifies that the firm will follow equal employment opportunity practices in connection with the awarded contract as more fully specified in the contract documents.
- 1.11 **Local Preference:** The Board of Commissioners has strongly expressed their desire to have as much "Local" participation as possible on County contracts. Proposers are encouraged to utilize local firms and suppliers for the work performed in Chatham County.
- 1.12 **Minority/Woman Owned Business Enterprise Participation:** It is the desire of the County Board of Commissioners to increase the participation of minority (MBE) and woman-owned (WBE) business in its contracting and procurement programs. If

bidder/proposers are considering minority or women owned enterprise participation in their proposal, those firms, and their specific duties must be identified in their proposal along with the percentage(s) and dollar amount awarded to the M/WBE firm. **MWBE participation will be considered as part of the contract award.**

If the awarded contractor/vendor is claiming minority status, the contractor/vendor shall apply for certification by Chatham County, Georgia to the Office of Minority Business Coordinator located in the Human Resources Offices. The Minority Business Coordinator will provide documentation of application status once approved or disapproved by Chatham County. Certification by any other government entity is acceptable if current copy of the certification is provided. For additional information concerning Chatham County's M/WBE program, please contact the MWBE office at (912) 652-7860.

- 1.13 Debarred Firms and Pending Litigation:** Any potential proposer/firm listed on the Federal or State of Georgia Excluded Parties Listing (Barred from doing business) **will not** be considered for contract award. Proposers **shall disclose** any record of pending criminal violations (Indictment) and/or convictions, pending lawsuits, etc., and any actions that may be a conflict of interest occurring within the past five (5) years. Any proposer/firm previously defaulting or terminating a contract with the County will not be considered.

**** All bidders or proposers are to read and complete the Disclosure of Responsibility Statement enclosed as an Attachment to be returned with response. Failure to do so may result in your solicitation response being rejected as non-responsive.**

Bidder acknowledges that in performing contract work for the Board, bidder shall not utilize any firms that have been a party to any of the above actions. If bidder has engaged any firm to work on this contract or project that is later debarred, Bidder shall sever its relationship with that firm with respect to Board contract.

- 1.14 Performance Evaluation:** On April 11, 2008, the Chatham County Board of Commissioners approved a change to the County Purchasing Ordinance requiring Contractor/Consultant Performance Evaluations, as a minimum, annually, prior to contract anniversary date.

Should Contractor/Consultant performance be unsatisfactory, the appointed County Project Manager for the contract may prepare a Contractor/Consultant Complaint Form or a Performance Evaluation to the County Purchasing Agent.

- 1.15 Basis of Award:** The procurement described herein is being conducted as a Request for Proposal. Proposals will be evaluated in accordance with the evaluation criteria listed in the RFP. A short list may be developed and interviews conducted with any or all proposers.

- 1.16 Specifications:** Any obvious error or omission in specifications shall not inure to the benefit of the bidder but shall put the Proposer on notice to inquire of or identify the same to the County.
- 1.17 Offers to be Firm:** The Proposer warrants that terms and conditions quoted in his offer will be firm for acceptance for a period of sixty (60) days from bid date submitted, unless otherwise stated in the proposal. When requested to provide a fee proposal, fees quoted must also be firm for a sixty day period.
- 1.18 Completeness:** All information required by the Request for Proposals must be completed and submitted to constitute a proper proposal.
- 1.19 Lawsuits, Bribery:** Prospective proposers shall disclose any record of pending lawsuits, criminal violations and/or convictions, etc., and shall not have conflicts of interest.
- 1.20 Liability Provisions:** Where Proposers are required to enter or go into Chatham County property to take measurements or gather other information in order to prepare the proposal as requested by the County, the Proposer shall be liable for any injury, damage or loss occasioned by negligence of the Proposer, his agent, or any person the Proposer has designated to prepare the Offer and shall indemnify and hold harmless Chatham County from any liability arising therefrom. The contract document specifies the liability provisions required of the successful Proposer in order to be awarded a contract with Chatham County.
- 1.21 Award of Contract:** The contract, if awarded, will be awarded to that responsible Proposer whose proposal will be most advantageous to Chatham County, price and other factors considered. The Board of Commissioners will make the determination as to which proposal(s) best serve the interest of Chatham County.
- 1.22 Audits and Inspections:** At any time during normal business hours and as often as the County may deem necessary, the Consultant and his subcontractors shall make available to the County and/or representatives of the Chatham County Department of Internal Audit for examination, all of its records with respect to all matters covered by this contract. It shall also permit the County and/or representatives of the Department of Internal Audit to audit, inspect, examine and make copies, excerpts or transcripts from such records of personnel, conditions of employment and other data relating to all matters covered by this Contract. All documents to be audited shall be available for inspection at all reasonable times in the main offices of the County or at the offices of the Consultant as requested by the County.
- 1.23 News Releases:** It is understood and accepted by the consultant that no news releases pertaining to this Request for Proposal or any resulting contract will be made without prior approval from Chatham County. It should also be noted that all information is to be

considered confidential and proprietary.

- 1.24 Procurement Protests:** Objections and protests to any portion of the procurement process or actions of the County staff may be filed with the Purchasing Agent for review and resolution. The Chatham County Purchasing Procedures Manual, Article IX - Appeals and Remedies shall govern the review and resolution of all protests.
- 1.25 Qualification of Business (Responsible Proposer):** A responsible Proposer is defined as one who meets, or by the date of the acceptance can meet, all requirements for licensing, insurance, and service contained within this Request for Proposals. Chatham County has the right to require any or all Proposers to submit documentation of the ability to perform the service requested.

Chatham County has the right to disqualify the proposal of any Proposer as being unresponsive or unresponsive whenever such Proposer cannot document the ability to deliver the requested service.

- 1.26 County Tax Certificate Requirement:** Contractor must supply a copy of their Tax Certificate as proof of payment of the occupational tax where their office is located. Please contact the County Building Safety & Regulatory Services Department (912) 201-4300 for additional information.

No contract shall be awarded unless all real and personal property taxes have been paid by the successful contractor and/or subcontractors as adopted by the Board of Commissioners on April 8, 1994.

- 1.27 Insurance Provisions:** The selected Proposer shall be required to procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Consultant's fee proposal.

A. Minimum Scope of Coverage

Coverage shall be at least as broad as:

1. Insurance Services Office (ISO) form CG 00 01 (Ed. 11/85) or the most recently approved Insurance Services Office forms covering Commercial General Liability.
2. Insurance Service Office form number CA 00 02 (Ed. 1.87), or most recent Insurance Services Office forms covering Automobile Liability, code 1, "any auto; and
3. Worker's Compensation and Employer's Liability as required by the State

of Georgia.

4. Professional Liability

B. Minimum Limits of Insurance

1. **Commercial General Liability:** \$1,000,000 combined single limit per occurrence for bodily injury and property damage.
2. **Automobile Liability:** \$1,000,000 combined single limit per accident for bodily injury and property damage.
3. **Worker's Compensation** covering all employees meeting Statutory Limits in compliance with the applicable state and federal laws. The coverage must include Employer's Liability with a minimum limit of \$500,000 for each accident.
4. **Professional Liability:** \$1,000,000.

1.28 Indemnification. The Proposer agrees to protect, defend, indemnify, and hold harmless Chatham County, Georgia, its commissioners, officers, agents, and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to or death of any person or persons, or damage to the property or other rights of any person or persons caused by the Proposer or its sub consultants. The Proposer's obligation to protect, defend, indemnify, and hold harmless, as set forth herein above shall include, but not be limited to, any matter arising out of any actual or alleged infringement of any patent, trademark, copyright, or service mark, or any actual or alleged unfair competition, disparagement of product or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations. Proposer further agrees to investigate, handle, respond to, provide defense for, and to protect, defend, indemnify, and hold harmless Chatham County, Georgia, at his sole expense, and agrees to bear all other costs and expenses related thereto, even if such claims, suits, etc., are groundless, false, or fraudulent, including any and all claims or liability for compensation under the Worker's Compensation Act arising out of injuries sustained by any employee of the Proposer or his sub consultants or anyone directly or indirectly employed by any of them.

The Proposer's obligation to indemnify Chatham County under this Section shall not be limited in any way by the agreed-upon contract price, or to the scope and amount of coverage provided by any insurance maintained by the Proposer.

1.29 Compliance with Specification - Terms and Conditions: The Request for Proposals, Legal Advertisement, General Conditions and Instructions to Proposers, Specifications, Special Conditions, Proposers Offer, Addendum, and/or any other pertinent documents

form a part of the Offeror's proposal and by reference are made a part hereof.

- 1.30 Signed Response Considered An Offer:** The signed Response shall be considered an offer on the part of the Proposer, which offer shall be deemed accepted upon approval by the Chatham County Board of Commissioners, Purchasing Agent or his designee. In case of a default on the part of the Proponent after such acceptance, Chatham County may take such action as it deems appropriate, including legal action for damages or lack of required performance.
- 1.31 Notice to Proceed:** The successful proposer shall not commence work under this Request for Proposal until a written contract is awarded and a Notice to Proceed is issued by the Purchasing Agent or his designee. If the successful Proposer does commence any work or deliver items prior to receiving official notification, he does so at his own risk.

SECTION II

SCOPE OF WORK **PRE-TRIAL DIVERSION SERVICES** **CHATHAM COUNTY, GEORGIA**

- 2.1 BACKGROUND:** The District Attorney of Chatham County, Georgia is seeking proposals for Pre-Trial Diversion Services. The Chatham County District Attorney's Office is creating a Pre-Trial diversion Program as an alternative to the prosecution of certain offenders in the criminal justice system. The program is designed for first time offenders who have committed crimes that did not result in injury to a victim and are otherwise non-violent and non-aggressive in nature. **This contract will be for one (1) year with the option of four (4) additional years.**

Each individual accepted to participate in the Pre-trial Diversion Program will be required to enter into a contractual agreement, and will be subject to an individualized program of supervision, which may include counseling, education, drug screening, and community service work, for a specified period of time in lieu of traditional prosecution.

- 2.2 SCOPE OF SERVICES:** The following are the services required for the Pre-Trial Diversion Program:

Monitor and collect payments for Pre-Trial Diversion: any fees, fines, administration costs, restitution, and supervision fees as ordered by participation in the Pre-Trial diversion program.

Monitor compliance with conditions placed on referred cases as ordered by the District Attorney. Pre-Trial clients shall report in person at least once a month during the period of supervision unless otherwise directed by the District Attorney. The District Attorney shall grant the authority to the successful firm to establish and tailor contact frequency based on experience and compliance with the Pre-Trial Diversion Order. The successful firm's personnel shall conduct such other contacts as may be deemed necessary or beneficial to the successful completion of the order. The successful firm may require increasing face-to-face bi-weekly or weekly contacts in an effort to correct minor delinquency. The successful firm shall provide monthly reports to the District Attorney's Office of the Client's activity including number of visits, classes attended, drug tests, etc. Any monies collected on behalf of the County shall be remitted monthly at a minimum, or at a greater frequency as agreed to by the successful firm and the County.

The successful firm shall confer with the District Attorney's staff, and all required personnel on cases as appropriate.

The successful firm shall maintain a reasonable number of staff in order to effectively

supervise the assigned caseload of Pre-Trial cases and to ensure attention to all pre-trial ordered terms and conditions of diversion. The successful firm shall have sufficient staff to supervise cases referred by the District Attorney's office.

The successful firm shall employ professional probation officers that have at a minimum completed a two-year college course of study (90 quarter hours/60 semester hours). Probation Officers employed by the successful firm shall complete 40 hours of initial orientation training and 20 hours of ongoing training annually as required by the rules the County and Municipal Probation Advisory Council (CMPAC) and meet or exceed all standards required by CMPAC. Further, all probation personnel employed by the successful firm must be cleared through criminal records checks, meet age eligibility requirements and training as to meet or exceed all initial and annual training in accordance with CMPAC rules. The successful firm shall have prior experience in maintaining a Pre-Trial Diversion Program.

The successful firm shall maintain appropriate records on Pre-Trial cases to include Pre-Trial orders, communications, copies of administrative petitions, community service records, records certifying completion of community based programs, cognitive behavioral programs and other chronological documentation of contact with Pre-Trial diversion cases.

The successful firm shall monitor community service records.

Any and all violations of Pre-Trial ordered conditions for any client who is materially in violation of such conditions shall be reported to the District Attorney.

The successful firm shall file all paperwork with the District Attorney as directed by that office. The successful firm shall coordinate with the District Attorney related to all hearings. The successful firm shall provide testimony and supporting documentation as may be required by the District Attorney.

The successful firm shall provide oversight of any offender placed on Pre-Trial supervision. The successful firm shall provide delinquent reports to the District Attorney in the event a participant is in material violation of Pre-Trial supervision conditions.

The successful firm shall submit a detailed statement to the County for the monies, costs and restitution ordered by the Pre-Trial participation and collected by the successful firm from those participants.

The successful firm shall provide Electric Monitoring (EM) services as requested by the Pre-Trial diversion program, with the expense to be paid by the client.

The successful firm shall provide programs to Clients when ordered by the District Attorney's Office.

The successful firm shall provide random drug testing when ordered by the District Attorney's Office with the expense to be paid by the participants.

The successful firm shall comply with all laws regarding confidentiality of client records.

Pre-Trial cases declared indigent by the District Attorney shall receive services at a reduced rate in keeping with indigent determination by the office.

The successful firm shall provide to clients when needed, information regarding local resources for employment and educational opportunities.

The successful firm shall maintain an office to which clients shall report. The office shall maintain flexible hours as needed to ensure that clients are able to report while maintaining employment.

The successful firm shall follow all rules, regulations and policies set forth by the County and Municipal Probation Advisory Council of Georgia.

The successful firm shall provide written reports to the county on a monthly basis. All monthly reports shall include the listing of services rendered during each month, including, but not limited to statistical reports, case load data, other records documenting the identity of the clients, the status of each clients' case, and the monies collected from each.

PAYMENTS/PRICING

Any payments for specified services will be the sole responsibility of clients unless otherwise agreed by the District Attorney.

SECTION III

PROPOSAL FORMAT

3.1 TECHNICAL PROPOSAL

Section A

1) Executive Summary: A maximum two-page summary describing the Proposer's capabilities and indicate those areas for which they have the necessary qualifications and experience to provide requested services with their own employees.

2) List of Assumptions: List any assumptions made by the Proposer in developing the proposal.

Section B Proposed Personnel Resumes – Proposer is asked to specify a team of individuals who would be providing these services. Resumes should be specific as to the expertise offered by the each individual.

Section C Table of Company References - Provide a list of agencies whom the firm has provided Pre-Trial Diversion services. Each example must include the following information.

- a. Name of agency;
- b. Contact name, telephone number, and email address;
- c. Description of relevant services provided;
- d. Performance start and end dates; and
- e. Reasons why the Offeror no longer provides the services, if applicable.

Section D State of Georgia Experience for Pre-Trial Diversion Services: The Offeror shall list all contracts it performed on, if any, within the past five years with any entity of the State of Georgia. Each instance must include the following information in order:

- a. Name of State entity;
- b. Services provided;

3.2 **RESPONSES:** To be considered, proponents must submit a complete response to the Request for Proposals.

An original and four copies shall be submitted. Consultant shall also provide an electronic

copy of their proposal on either a flash drive or CD. Proposals shall be sent to:

Robert E. Marshall
Senior Procurement Specialist
Purchasing & Contracting Department
1117 Eisenhower Drive, Suite C
Savannah, Georgia 31406
(912) 790-1624
Email: rmarshall@chathamcounty.org

Technical questions relating to the proposal shall be directed to the County in writing through the Purchasing & Contracting Division.

- 3.3 REJECTING PROPOSALS:** The County reserves the right to reject any or all proposals and is not bound to accept any proposal if that proposal is contrary to the best interest of Chatham County. Similarly, the County is not bound to accept the lowest dollar proposal if the offer is not considered in the County's best interest.
- 3.4 COSTS TO PREPARE RESPONSES:** The County assumes no responsibility or obligation to the respondents and will make no payment for any costs associated with the preparation or submission of the proposal.
- 3.5 CHANGES:** In the event a contract is awarded, the County may, at any time during the contract period, make changes within the general scope of the contract and its technical provisions. If any such change causes any increase or decrease in the proponent's cost of performing any part of the contract, whether changed or not changed by any such notice, an equitable adjustment shall be made in the contract price, or in the time of performance, or in both, and a written memorandum of such adjustment shall be made. Any claim by the proponent for an equitable adjustment shall be supported by detailed cost and pricing data, which the County shall have the right to verify by audit of the proponent's records or, at the County's selection, by other appropriate means. Any claim by the proponent for an equitable adjustment shall be made in writing and prior to proceeding with the additional services or capital investments. The County may accept and act upon claims later if, in the County's sole discretion, circumstances justify so doing. Nothing in this clause shall excuse the proponent from proceeding with performance of this contract in accordance with its original terms and conditions and any approved changes.
- 3.6 EQUAL EMPLOYMENT OPPORTUNITY:** During the performance of this contract, the SERVICE PROVIDER agrees as follows:

The Service Provider will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, national origin, place of birth, physical handicap, or marital status.

SECTION IV EVALUATION

4.1 EVALUATION: The process will be as follows:

- 1) An evaluation committee will review and score the proposals.
- 2) Interviews may be requested of any or all proposers at the County's discretion.

4.2 Factors such as proponent's overall capability, specialized experience in Pre-Trial Diversion services, reputation, past performance, technical competence, financial stability, ability to meet program goals, delivery under contract terms and fee schedule will be considered in the award decision. Commitment in the level of involvement of local and MWBE firms, and employees will also be regarded in evaluating proposals.

4.3 Proposals will be evaluated initially on the basis of the written document. Thus, the proposal must be complete, concise and clear as to the intent of the respondent. Further evaluation may include an oral presentation which will be scheduled after receipt of the written proposal. This will be at the discretion of the evaluation team.

Evaluation points will be awarded as follows:

QUALIFICATIONS OF PROPOSER: Describe the qualifications of the Proposer to perform the Pre-Trial Diversion services requested in this RFP. **(20 POINTS)**

PROPOSER'S STAFF AND ORGANIZATION: The Proposer is expected to assign to the project, professional staff who have expertise and training, as well as, experience in Pre-Trial Diversion services and specifically with respect to the tasks area. Each of the Proposer's staff members who will be assigned to the services is to be designated in the proposal. A resume which focuses on experience and training directly related to his or her task areas must be included for each individual. Description of an individual's experience is to include his or her responsibilities in previous assignments which are relevant to the scope and objectives of the consultation, whether that experience was gained during the period of employment with the proposing firm, and whether the proposal team has worked together on previous assignments, and where. These resumes should specifically include years with the firm, educational background and employment history. **(30 POINTS)**

APPROACH, PROCEDURE, METHODOLOGY: Each proposal must include a detailed description and discussion of the various areas and issues which may be examined during the consultation and the Proposer's approach to the Pre-Trial Diversion services. **(15 POINTS)**

LOCAL AND MWBE PARTICIPATION: It is the desire of the County Board of Commissioners to increase the participation of local and minority (MBE) and woman-owned (WBE) business in its contracting and procurement programs. Bidder/proposers are requested to include in their proposals a narrative describing their past accomplishment and intended actions in this area. **(15 POINTS)**

CLIENT'S FEES: Proposer shall charge reasonable fees to all clients. Proposers shall have experience and a successful record in collecting and remitting monies due in related contracts. **(20 POINTS)**

- 4.4 **INTERVIEWS.** After scoring the proposals, the County **may** conduct interviews. **Interviews will only be at the discretion of the County.** If held, interviews will be scored as part of the overall evaluation.
- 4.5 The evaluation committee will recommend to the Board of Commissioners the highest ranked firm.
- 4.6 **DISCRETION.** The County shall have sole discretion in evaluating both the responses and qualifications of the respondents.
- 4.7 **ASSIGNMENT.** The contractor shall not assign or transfer any interest in the contract without the prior written consent of the County.
- 4.8 **CONTRACT.** The successful respondent will be expected to execute a contract within 30 days of notice of award.

Upon award of the contract by the County, the selected firm shall be bound to deliver services on the terms and conditions of this document and any negotiations, which may occur.

4.9 PERFORMANCE AND APPROVAL OF SUB-CONSULTANTS. The proponent will perform the project as an independent contractor and not as an agent or employee of the County. Joint ventures and sub-consultant arrangements are not prohibited; however, the proponent shall secure written permission from the County before subcontracting any part of the project. Such permission should be obtained during the proposal evaluation stage.

4.10 LICENSES, PERMITS, TAXES. The price or prices for the work shall include full compensation for all fees that the proponent is or may be required to pay.

4.11 TERMINATION OF CONTRACT.

A. Termination for Convenience: Chatham County may terminate a contract, in whole or in part, whenever the County determines that such termination is in the best interest of the County, without showing cause, upon giving written notice to the Consultant. Chatham County shall pay all reasonable costs incurred by the Consultant up to the date of termination. However, in no event shall the Consultant be paid an amount which exceeds the price proposed for the work performed. The Consultant shall not be reimbursed for any profits which may have been anticipated but which have not been earned up to the date of termination.

B. Termination for Default: When the Consultant has not performed or has unsatisfactorily performed the contract, the County may terminate the contract for default. Upon termination for default, payment may be withheld at the discretion of Chatham County. Failure on the part of a contractor to fulfill the contractual obligations shall be considered just cause for termination of the contract. The Consultant will be paid for work satisfactorily performed prior to termination, less any excess costs incurred by the County in re-procuring and completing the work.

SECTION V
FEE PROPOSAL

CLIENT PRICING TABLE

Fill in dollar amount / rate for each of the services billed to Client.

SERVICE	PERIOD / UNIT	RATE
Diversion Supervision Fee	Monthly per Client	
Digital Photo Fee	As required	
Drug Testing - 5 Panel Lab Test	Per Test	
Drug Testing - 7 Panel Lab Test	Per Test	
GC/MS Confirmation Testing	Per drug confirmed	
Group Program or Educational Services	per session or class	
Electronic Monitoring RF	Per Day	
Alcohol breath testing on -site	Per Test	
Electronic Monitoring - GPS	Per Day	
Electronic Remote Alcohol Monitoring	Per Day	
Interstate Compact Transfer Fee	if applicable / once	

Note: Describe any other services and related fees that would be charged to the Client.

Signature

Printed Name / Company

Address

Phone / e-mail

ATTACHMENT "A"

DRUG FREE WORKPLACE CERTIFICATION

The undersigned certifies that the provisions of Code Sections 50-24-1 through 50-24-6 of the Official Code to Georgia Annotated, related to the Drug Free Workplace have been complied with in full.

1. A drug-free workplace will be provided for the employees during the performance of the contract; and;
2. Each sub-contractor under the direction of the Contractor shall secure the following written certification: _____
(Contractor) certifies to Chatham County that a Drug-free workplace will be provided for the employees during the performance of this contract

Known as Pre-Trial Diversion Services for the Chatham County District Attorney pursuant to paragraph (7), of subsection (B)

Of Code Section 50-24-3. Also, the undersigned further certifies that he/she will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of the contract.

CONTRACTOR: DATE:

NOTARY: DATE:

ATTACHMENT "B"

PROMISE OF NON-DISCRIMINATION STATEMENT

Know All Men By These Presents, that I (We), _____, _____, _____,
Name Title Name of Bidder

(Herein after "Company") in consideration of the privilege to bid/or propose on the following Chatham County project: Pre-Trial Diversion Services for the Chatham County District Attorney, hereby consent, covenant and agree as follows:

1. No person shall be excluded from participation in, denied the benefit of or otherwise discriminated against on the basis of race, color, national origin or gender in connection with the bid submitted to Chatham County or the performance of the contract resulting therefrom;
2. That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contract or otherwise interested with the Company, including those companies owned and controlled by racial minorities, and women;
3. In connection herewith, I (We) acknowledge and warrant that this Company has been made aware of, understands and agrees to take affirmative action to provide minority and women owned companies with the maximum practicable opportunities to do business with this Company on this contract;
4. That the promises of non-discrimination as made and set forth herein shall be continuing throughout the duration of this contract with Chatham County;
5. That the promises of non-discrimination as made and set forth herein shall be and are hereby deemed to be made a part of and incorporated by reference in the contract which this Company may be awarded;
6. That the failure of this Company to satisfactorily discharge any of the promises of non-discrimination as made and set forth above may constitute a material breach of contract entitling the County to declare the contract in default and to exercise appropriate remedies including but not limited to termination of the contract.

Signature

Date

ATTACHMENT C
DISCLOSURE OF RESPONSIBILITY STATEMENT

Failure to complete and return this information will result in your bid/offer/proposal being disqualified from further competition as non-responsive.

1. List any convictions of any person, subsidiary, or affiliate of the company, arising out of obtaining, or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.

2. List any indictments or convictions of any person, subsidiary, or affiliate of this company for offenses such as embezzlement, theft, fraudulent schemes, etc. or any other offenses indicating a lack of business integrity or business honesty which affects the responsibility of the contractor.

3. List any convictions or civil judgments under states or federal antitrust statutes.

4. List any violations of contract provisions such as knowingly (without good cause) to perform or unsatisfactory performance, in accordance with the specifications of a contract.

5. List any prior suspensions or debarments by any governmental agency.

6. List any contracts not completed on time.

7. List any penalties imposed for time delays and/or quality of materials and workmanship.

8. List any documented violations of federal or any state labor laws, regulations, or standards, occupational safety and health rules.

I, _____, as
Name of individual Title & Authority _____

of _____, declare under oath that
Company Name _____

the above statements, including any supplemental responses attached hereto, are true.

Signature

State of _____

County of _____

Subscribed and sworn to before me on this _____ day of _____

20__ by _____ representing him/herself to be

_____ of the company named herein.

Notary Public

My Commission expires:

Resident State: _____



ATTACHMENT D

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of CHATHAM COUNTY has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 20__ in _____(city), _____(state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20__.

NOTARY PUBLIC

My Commission Expires: _____

Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3)

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with (name of contractor) on behalf of (name of public employer) has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the undersigned subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five business days of receipt. If the undersigned subcontractor receives notice that a sub-subcontractor has received an affidavit from any other contracted sub-subcontractor, the undersigned subcontractor must forward, within five business days of receipt, a copy of the notice to the contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Subcontractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 20__ in _____(city), _____(state)_____.

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20__.

NOTARY PUBLIC

My Commission Expires:_____

ATTACHMENT E

Systematic Alien Verification for Entitlements (SAVE) Affidavit Verifying Status for Chatham County Benefit Application

By executing this affidavit under oath, as an applicant for a Chatham County, Georgia Business License or Occupation Tax Certificate, Alcohol License, Taxi Permit, Contract or other public benefit as reference in O.C.G.A. Section 50-36-1, I am stating the following with respect to my bid for a Chatham County contract for

_____. [Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

1.) _____ I am a citizen of the United States.

OR

2.) _____ I am a legal permanent resident 18 years of age or older.

OR

3.) _____ I am an otherwise qualified alien (8 § USC 1641) or non-immigrant under the Federal Immigration and Nationality Act (8 USC 1101 *et seq.*) 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant: _____ Date _____

Printed Name: _____

*

Alien Registration number for non-citizens.

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 20____

Notary Public

My Commission Expires:

ATTACHMENT F

PROPOSER'S CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

The undersigned certifies, by submission of this proposal or acceptance of this contract, that neither Contractor nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency, State of Georgia, Chatham County City of Savannah, Board of Education of local municipality. Proposer agrees that by submitting this proposal that Proposer will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where the Proposer or any lower tier participant is unable to certify to this statement, that participant shall attach an explanation to this document.

Proposer must verify Sub-Tier Consultants and Suppliers are not debarred, suspended, ineligible, pending County litigation or pending actions from any of the above government entities.

Certification – the above information is true and complete to the best of my knowledge and belief.

(Printed or typed Name of Signatory)

(Signature)

(Date)

ATTACHMENT G

**Chatham County
Minority and Women Business Enterprise Program
M/WBE Participation Report**

Name of Bidder: _____

Name of Project: _____ Bid
No: _____

M/WBE Firm	Type of Work	Contact Person/ Phone #	City, State	%	MBE or WBE

MBE Total _____% WBE Total _____% M/WBE Combined _____%

The undersigned should enter into a formal agreement with M/WBE Contractor identified herein for work listed in this schedule conditioned upon execution of contract with the Chatham County Board of Commissioners.

Signature _____ Print _____

Phone (_____) _____ Fax _____
(_____) _____

ATTACHMENT H

AFFIDAVIT REGARDING LOBBYING

Each Bidder/Proposer and all proposed team members and subcontractors must sign this affidavit and the Bidder/Proposer shall submit the affidavits with their proposal confirming that there has been no contact with public officials or management staff for the purpose of influencing award of the contract. Furthermore, each individual certifies that there will be no contact with any public official prior to contract award for the purpose of influencing contract award.

The undersigned further certifies that no team member or individual has been hired or placed on the team in order to influence award of the contract. All team members are performing a commercially useful function on the project.

Failure to provide signed affidavits from all team members with your response may be cause to consider your bid/proposal non-responsive.

BY: Authorized Officer or Agent

Date

Title of Authorized Officer or Agent

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

____ DAY OF _____, 20____.

Notary Public

My Commission Expires: _____

Resident State: _____

LEGAL NOTICE

CC NO. 167945

Chatham County, Georgia seeking proposal from responsive and qualified firms that will provide services associated with **RFP No. 20-0061-3 “PRE-TRIAL DIVERSION SERVICES FOR THE CHATHAM COUNTY DISTRICT ATTORNEY”** Proposals are due by **5:00 PM, July 16, 2020** and must be mailed or hand delivered to the Chatham County Purchasing Office, 1117 Eisenhower Drive, Suite C, Savannah, Georgia, 31406.

Specifications can be downloaded from the County’s website at <http://purchasing.chathamcounty.org> and are available in Chatham County Purchasing Office, at the address listed above. For additional information concerning specifications, please contact Robert Marshall, at (912) 790-1622. Bidders are not to contact a department directly. All firms requesting to do business with Chatham County must also register on line at <http://purchasing.chathamcounty.org>

CHATHAM COUNTY RESERVES THE RIGHT TO REJECT ANY/AND ALL BIDS AND TO WAIVE ALL FORMALITIES. “CHATHAM COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER, M/F/H, ALL BIDDERS ARE TO BE EQUAL OPPORTUNITY EMPLOYERS”.



MARGARET H. JOYNER, PURCHASING DIRECTOR
CHATHAM COUNTY, GEORGIA

Savannah News- INSERT: 6/25/2020