



REQUEST FOR PROPOSAL

Debt Collection Services

City of St. Louis Forestry Division

1415 N. 13th Street

St. Louis, Missouri 63106

Phone: 314-613-7200

Request for Proposal

Debt Collection Services

1.0. INFORMATION FOR RESPONDENTS.

1.1. Purpose and Intent.

This Request for Proposal (“RFP”) for Debt Collection Services is issued on behalf of The City of St. Louis, Missouri (the “City”).

The purpose of this RFP is to solicit sealed proposals for the purpose of hiring a qualified firm or organization (e.g. sole practitioner, law firm, or debt collection agency) to provide debt collection services for delinquent accounts receivable. The City of St. Louis Forestry and Water Divisions will be using the services provided by the selected contractor(s).

The intent of this RFP is to award a contract to the respondent whose proposal, conforming to this RFP, is most advantageous to the City with price and other factors considered. The City reserves the right to award the contract(s) resulting from this RFP to one or more respondents, as required and appropriate to meet the needs of the City.

1.2. Background.

The services requested under this RFP are to be provided to the City of St. Louis Forestry and Water Divisions who will be using the services provided by the selected contractor(s). These City divisions conduct separate billing and collections activity for various charges, fees, and fines.

1.3. RFP Timeline.

1.3.1. Question and Answer Period.

It is the policy of the City to accept questions and inquiries regarding this RFP only via U.S. mail. Written questions shall be mailed to the attention of the following individual:

Mr. Greg Hayes
Commissioner of Forestry
1415 N. 13th Street
St. Louis, Missouri 63106
Tel: 314-613-7205

Questions must be received no later than Friday, September 23, 2011, at 4:00 p.m. CST. The City will maintain a list of all entities requesting copies of the RFP and shall ensure that copies

of all questions and responses hereto shall be made available to each entity on such list. Contact with committee members other than Greg Hayes is strictly prohibited.

Questions should be asked in consecutive order, from beginning to end, following the organization of the RFP. Each question should begin by referencing the RFP page number and section number to which it relates. The City will respond in writing to each contact and/or question. Short *procedural* inquiries may be accepted by telephone by the City; however, oral explanations or instructions given over the telephone shall not be binding upon the City. Other than short procedural inquiries made by telephone, respondents shall **not** contact the City directly, in person, by telephone, facsimile, or by e-mail, concerning this RFP.

After the submission of proposals, unless requested by the City, contact with the City is limited to status inquiries only and such inquiries are only to be directed to the above-named individual. Any further contact or information about the proposal to the City or any other City official connected with this RFP will be considered an impermissible supplementation of the respondent's proposal.

1.3.2. Submission of Proposal.

In order to be considered by the Selection Committee, a respondent's proposal must be received by the City at the appropriate location by the required time. Proposals received after this deadline will not be accepted. **THE DATE, TIME AND LOCATION ARE:**

<u>Date:</u>	FRIDAY, OCTOBER 7, 2011
<u>Time:</u>	4:00 P.M. CST
<u>Location:</u>	Mr. Greg Hayes Commissioner of Forestry 1415 N. 13th Street St. Louis, Missouri 63106

Proposals must be labeled on the outside of the package to clearly indicate that they are in response to the **PROPOSAL FOR DEBT COLLECTION SERVICES**. Proposals submitted via e-mail or facsimile will not be accepted. Joint proposals will not be accepted.

Each respondent must submit **one (1) sealed, complete, ORIGINAL proposal**. Each respondent must also submit **seven (7) sealed, full, complete and exact copies** of the original. It is suggested that the respondent make and retain a copy of its proposal.

Proposals provided in any other manner are not valid and will not be considered. Proposals may be mailed or delivered personally but must be received by the point of contact listed in this Section of this RFP by the deadline listed in this Section. Proposals received late will be returned

unopened. Respondents shall assume full responsibility for timely delivery of proposals at the designated location.

1.4 Representations of Respondents

In submitting a proposal, each respondent represents that:

- 1) he or she has read and understands the RFP and that the proposal is submitted in accordance therewith;
- 2) the costs have been arrived at independently without collusion with any other person or firm for the purpose of restricting competition;
- 3) he or she has not employed or retained, paid or agreed to pay any fee, commission or percentage to any person or firm (other than a full time employee working solely for the respondent) to solicit or secure this contract.

2.0. **SCOPE OF WORK.**

2.1 Background.

The City is interested in receiving sealed proposals for the purpose of hiring a qualified firm or organization to provide debt collection services for delinquent accounts receivables for the City of St. Louis Forestry and Water Divisions who will be using the services provided by the selected contractor(s).

2.2. Goals and Objectives.

- To increase revenue to the City, with no additional costs incurred by the City.
- To retain a qualified firm or organization to pursue debt collection on accounts on an as needed basis as determined by the City.
- To find solutions that meets the different needs for different case types. The City of St. Louis Forestry and Water Divisions will be using the services provided by the selected contractor(s).
- To allow all qualified firms interested in providing these consulting services an equal opportunity to do so.

2.3. Scope of Services.

The City seeks to enter into a contract with a qualified firm or organization to perform the following services:

- Examine all delinquent accounts referred to the qualified firm by The City of St. Louis Forestry and Water Divisions.
- Determine ways to enhance debt collections on referred accounts.
- Provide the City with notice of all legal actions considered and obtain prior approval from the City before settling or reconciling any account. Collections shall be subject to all applicable federal, state and local laws, rules and regulations including but not limited to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692 et seq.

- Maintain all correspondence and financial records for audit purposes.
- The firm or organization shall obtain prior written approval from the City for any subcontractors, who shall be considered any legal entity supplying services or work under subcontract to the firm or organization.

2.4. Reports.

The selected contractor shall provide the City with quarterly debt collection reports showing debt collected, percentage of debt collection, outstanding debts, and any other information that the City may require during the contract. The report may be submitted to City in electronic format or paper format, provided the electronic format can be printed in a legible, convenient manner for processing by accounting offices.

2.5. Pricing Provision.

The respondent's proposal must contain specific and detailed pricing and cost information.

3.0. **PROPOSAL EVALUATION.**

3.1. Proposal Selection Committee.

The evaluation of proposals will be performed by a Selection Committee composed of representatives of the Mayor's Office, Comptroller's Office, the Aldermanic President's Office, and the division issuing this RFP (in this case, the Forestry Division). The guidelines for the selection process are in accordance with Ordinance No. 64102 and the Regulations established by the Board of Public Service.

3.2. Selection Criteria.

The following statements should be addressed in full in preparing any response to the RFP. Each statement should be restated in bold with a detailed response immediately following, unless inclusion in an appendix is more practical. Proposals are limited to ten (10) double-spaced pages, excluding the cover letter and Appendices.

The Selection Committee will review proposals using the following criteria as a guide to determine which, if any, proposals are the most advantageous to the City's needs and which respondent is most qualified to provide the requested services:

- A. The firm's willingness and ability to represent a municipality of the size and nature of the City of St. Louis.
- B. The qualifications and experience of the firm and its personnel to perform the requested services, as requested in this RFP.

- C. How the firm will address the stated goals and objectives (Section 2.2) and the specific items identified in the scope of services (Section 2.3). Include the work plan and technical approach, as well as the ability of your firm to provide innovative solutions.
- D. The firm's familiarity and experience working with all applicable federal, state and local laws that affect the collection of debts.
- E. The firm's collection philosophy, techniques and use of available technology, including locating debtors by tracking unknown ownership and/or addresses, and the time necessary to process and remit receipts to the City.
- F. The firm's experiences and successes with similar debt collection services for other municipalities. Provide detailed descriptions of three (3) or more collection efforts, include services provided, methodology, chronologies, expenditures, compensation, and documented results (include a point of contact).
- G. The firm's proposal to handle expenses associated with the processing of accounts, and what costs, if any, will be passed on to the City.
- H. The firm's proximity to the City.
- I. The firm's submittal of a minimum of three (3) references from other public entities for which similar work has been performed within the last five (5) years.
- J. The firm's level of Minority and Women's Business Enterprise (MBE/WBE) participation. The City of St. Louis is fully committed to involving M/WBE firms in meaningful roles on all consultant contracts. To that end, the City, acting through its Disadvantaged Business Enterprise (DBE) Program Office, has established a goal of 25% MBE and 5% WBE participation in connection with the contract resulting from this RFP. A copy of the City's Directory of Certified M/WBE's is available on the DBE Office website: www.mwdbe.org or by contacting the DBE Office at 314-551-5000. A M/WBE Utilization Plan form is attached to this RFP (Appendix 1).

In addition to addressing items A. through J., above, the Selection Committee requires that the following be included as part of the respondent's submitted proposal:

- K. Completed Minority and Women's Business Enterprise form (Appendix 1).
- L. Statement of the firm's ability to meet all requirements of the Americans with Disability Act (ADA).
- M. Statement of the firm's ability to meet all Living Wage Ordinance (Ordinance 65597) requirements.

- N. Statement of the firm's ability to meet all audit requirements.
- O. Statement of the firm's ability to meet all non-discrimination requirements.
- P. Statement of the firm's fee/pricing structure for full completion of the requirements stated in this RFP.
- Q. Statement of the firm's ability to comply with the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692 et seq.
- R. Statement or report of violations of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692 et seq., made by consumers to the Federal Trade Commission.

3.3. Reservation.

The Selection Committee reserves the right to interview, or call for a presentation from, any respondent submitting a response, as well as form additional evaluation criteria for the presentations. The Selection Committee also reserves the right to discuss the proposals with any or all respondents. Nothing in this RFP is intended to be, nor should anything herein be construed as, an offer of engagement. A selection or designation of a successful respondent shall not be construed as an offer of engagement until and unless a contract is fully negotiated. For the contract to take effect, all applicable parties with the authority to bind the respective entity must sign the agreement.

The Selection Committee reserves the right to: 1) reject any and/or all proposals with or without cause, 2) request additional information from respondents as the City may deem necessary, 3) waive any and/or all non-material irregularities pertaining to this selection and/or the submission of responses, 4) disqualify any and/or all firms or respondents and reject any and/or all proposals for failure to comply with this RFP or to promptly provide additional requested materials or information, and 5) cancel this RFP.

After the selection of a respondent to provide debt collection services, the City and such respondent will endeavor to finalize a contract. If a mutually satisfactory contract is not arrived at within a reasonable period as determined by the City, in its sole discretion, the City reserves the right to terminate the selection process with that respondent and proceed to contract discussions with another respondent, or terminate the process altogether. This list of the City's rights is not all-inclusive.

4.0. **ADDITIONAL INFORMATION.**

4.1. Amended Proposals.

A respondent may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The City will not merge, collate or assemble proposal materials.

4.2. Right to Withdraw Proposal.

Respondents will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The respondent must submit a written withdrawal request signed by the respondent's duly authorized representative(s) addressed to the City.

4.3. Revisions to this RFP.

In the event that it becomes necessary to clarify or revise this RFP, such clarification or revision will be by addendum.

There are no designated dates for release of addenda. Therefore, interested respondents should check the City website on a daily basis from time of RFP issuance through RFP deadline date. It is the sole responsibility of the respondent to be knowledgeable of all addenda related to this RFP.

4.4. Respondent Responsibility.

The respondent assumes sole responsibility for the complete effort required in this RFP. No special consideration shall be given after proposals are opened because of a respondent's failure to be knowledgeable of all the requirements of this RFP. By submitting a proposal in response to this RFP, the respondent represents that it has satisfied itself, from its own investigation, of all the requirements of this RFP.

4.5. Cost Liability.

Any cost incurred by the respondent in preparation, transmittal, or presentation of any proposal or material submitted in response to this RFP, including oral presentation and demonstration if required, shall be borne solely by the respondent.

4.6. Audits.

The City of St. Louis and the City's auditors and accountants shall be afforded access during the term of any contract adopted pursuant to this RFP, and for five (5) years following termination, to all of the firm's books and records without limitation whatsoever for the purpose of conducting audits. All books and records shall be open to inspection and/or reproduction to the extent necessary to adequately permit evaluation and verification of the firm's full compliance with contract documents. In those situations where the firm's records have been generated from computerized data or records, in addition to hard copy (reports), contractor shall provide such information on disk or in a suitable alternative electronic format.

4.7. Contents of Proposals.

All materials submitted in accordance with this RFP will become and remain the property of the City and will not be returned.

All Proposals shall be considered public records, but may be deemed and treated as “closed” or “exempt” by the City, at the sole discretion of the City, pursuant to the City’s understanding and interpretation of the laws of the State of Missouri. All Proposal material may be treated as open records. The City cannot guarantee confidentiality of any materials during the evaluation process or at any other time. Thus, Proposals and communications exchanged in response to this RFP should be assumed to be subject to public disclosure.

4.8. No Obligation.

This RFP in no manner obligates the City to the eventual purchase of services offered until confirmed by a fully executed written contract properly approved by the City. Progress toward this end is solely at the discretion of the City and may be terminated at any time prior to obtaining a fully executed written contract.

4.9. Termination.

This RFP may be canceled at any time and any and all proposals may be rejected, in whole or in part, when the City determines it is in its best interest.

4.10. Governing Law.

This RFP, and any contract with a respondent that may result, shall be governed by the laws of the State of Missouri.

4.11. Nondiscrimination.

In connection with the contract resulting from this RFP, the firm agrees that in performing any services resulting from this RFP, neither the firm nor anyone under the firm’s control will permit discrimination against any business, employee, applicant, client or subscriber because of race, creed, color, disability, religion, sexual orientation, national ancestry or origin.

4.12. Living Wage & Minority Participation.

The selected contractor will be expected to comply with the City’s Living Wage Ordinance No. 65597, and all respondents are encouraged to review this ordinance prior to making their submissions. The City is actively seeking participation by MBE and WBE firms and encourages those firms to submit proposals. The selected contractor shall make a good faith effort to maximize utilization of women and minority-owned businesses (W/MBE) in all of its activities under the resulting contract and shall comply with the Mayor’s Executive Order No. 28, as or any subsequent order, ordinances, or any City Rules and/or Regulations with respect to W/MBE participation.

4.13. Americans with Disabilities Act (ADA).

In connection with the furnishing of goods and services under any contract resulting from this RFP, the firm shall comply with all applicable requirements and provisions of the Americans with Disabilities Act (ADA).

4.14. Unauthorized Alien Employees.

As a condition for the award of the resulting contract, the selected contractor, shall, pursuant to the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, by sworn affidavit (attached hereto as Appendix 2) and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the resulting contract. The selected contractor shall also sign an affidavit (attached hereto as Appendix 2) affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the resulting contract pursuant to the above-stated Statutes.

4.15. Subject to Appropriation.

Any contract that results from this RFP is subject to annual appropriation by the City. Any contract that results from this RFP is voidable at any time by the City if appropriation by the City for the services under the contract or agreement is not made.

4.16. Indemnification.

Each respondent, in seeking, receiving or possessing this RFP and/or in submitting a response, does release, indemnify, and hold the City and its various employees, representative and agents harmless from and against all claims and demands of any and all loss, cost, damage, or liability of whatever nature, which may be asserted against or imposed against the City as a result of issuing this RFP, making any revisions thereto, conducting this selection process and subsequent negotiations, and making a final recommendation and/or entering into a contract.

**CITY OF ST. LOUIS
 MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES (M/WBE) UTILIZATION PLAN**

CONTRACTING AGENCY:

PROJECT NAME:

NAME OF PRIME CONSULTANT:

PROJECT GOAL: _____% MBE; _____% WBE

The prime consultant shall utilize and require all subconsultants to utilize the maximum number of certified minority and women-owned business enterprises possible and will purchase materials and supplies from minority and women-owned business enterprises to the maximum extent feasible, and to this end, the prime consultant will inform each subconsultant of this requirement, The prime consultant shall utilize the services and/or supplies to be provided by the following certified minority and women-owned business enterprises in the execution of this contract.

FIRM NAME ADDRESS PHONE NUMBER CONTACT PERSON	CERTIFYING AGENCY CERTIFICATION DATE CATEGORY CERTIFICATION NO.	WORK TO BE PERFORMED	M/WBE PERCENT

 PRIME CONSULTANT AUTHORIZED SIGNATURE

 DATE

