

## **PUBLIC NOTICE**

### **Request for Qualifications**

Notice hereby given that the County of Webb is currently accepting Request for Qualifications from qualified attorney(s), law firms for Delinquent Tax Collection as authorized by Section 6.30, Texas Tax Code.

Interested parties must submit One (1) original and Eight (8) copies, One (1) (CD Rom, PDF) of their qualifications statements to the Office of the Webb County Clerk. Seal statements must be marked with RFQ number and title on front of the envelope.

#### **RFQ-2011-02“Delinquent Tax Collection Attorney”**

RFQ-2011-02 must either hand delivered or mailed to the following address:

**Honorable Margie Ramirez Ibarra  
Webb County Clerk  
Webb County Justice Center  
1110 Victoria St., Suite 201  
Laredo, Texas 78042**

Request for Qualifications must be delivered no later than **2:00 P.M., Tuesday, August 16, 2011**. RFQ's received after the time specified will remain sealed and will have no consideration.

Copies of the Request for Qualifications may be obtained at [www.webbcountytexas.gov](http://www.webbcountytexas.gov) under Purchasing Agent/ Public Notice and RFP's.

If any additional information is required please contact Leticia Gutierrez, Administrative Assistant, Purchasing Department, 1110 Washington St. Suite 101, Laredo, Texas, (956)523-4125.

The County of Webb Reserves the right to reject any and all RFQ's that is in the best interest of Webb County.

Dr. Cecilia May Moreno  
Purchasing Agent

Publish: Monday August 1, 2011  
Monday August 8, 2011

# **Request for Qualifications**

## **RFQ–2011-02”DELINQUENT TAX COLLECTION ATTORNEY”**

Webb County desires to retain legal counsel to collect taxes for all years. The County is seeking qualification proposal from firms or individuals experienced in delinquent tax collection.

### **Introduction & Background**

Webb County is a political subdivision of the State of Texas and is governed by a Commissioners Court comprised of a County Judge and four (4) County Commissioners.

### **Scope of Work**

At minimum, the delinquent tax collection attorney will be responsible for providing the following duties and service:

1. Prepare delinquent tax reports to inform the Commissioners Court and Administration of the status of the collection efforts according to county policy. “Administration” refers, collectively to the Tax Assessor-Collector, County Attorney and County Auditor.
2. Prepare and send such notices to delinquent taxpayers in English and Spanish as may be required by law or as may be advisable for the purpose of expediting collections.
3. File suit and reduce to judgment and sell any property located within Webb County against which a tax lien would prevail.
4. Intervene on behalf of Webb County in all delinquent tax suits filed by any other taxing unit on property located with Webb County.
5. Perform all procedural steps pursuant to the Tax Code during the course of foreclosing a tax lien on delinquent property.
6. Issue and process tax warrants on delinquent personal property tax accounts.
7. Represent Webb County, Texas in United States Bankruptcy Court when necessary, in cases in which a taxpayer has filed a petition for bankruptcy and in which Webb County is a creditor for delinquent taxes. The attorney shall file all necessary Claims, Motions for Lift From Stay and any other pertinent pleadings and motions pursuant to the U.S. Bankruptcy Code.

8. File suit or issue tax warrant where applicable, on any tax account for personal property and mobile homes prior to being more than four (4) years delinquent and prior to any account for real property being more than 20 years delinquent.
9. Collect, notify and file suit to recover delinquent hotel-motel occupancy taxes due to Webb County at no additional cost to Webb County. If attorney fees and costs are authorized by the court or state law and collected from the delinquent tax payers, Attorney will be entitled to same.
10. Advise and represent the County on legal issues that arise in the process of delinquent tax collection, including but not limited to, Appeals of Tax Judgments; Bills of Review; Lawsuits or Motions to Set Aside Tax Sales; preparation of Release of Tax Liens; Writs of Possession; and Motions to Vacate Judgments.
11. Give written notice, to the Tax Assessor-Collector and/or the Webb County Appraisal District, of any errors, double assessment or other discrepancies coming under observation during the progress of work.
12. Advise and give written notice to Tax Assessor-Collector, Commissioners Court and Administration of any legislative updates or changes in property tax law.
13. Prepare and submit to Webb County Commissioners Court and Administration by April 1<sup>st</sup> of each year a report showing the status of each delinquent account owing more than \$500.00 or involving three year or more of delinquent property taxes.
14. Prepare and submit a report to the Tax Assessor-Collector and Auditor on any County money held in an escrow or trustee account by the tax collection and a report of all money held at the end of each month firm for more than 30 days. The report will be in the format acceptable to the County Auditor.
15. Submit a monthly progress report to the Commissioners Court and Administration and hold quarterly meetings with Administration as well as any other progress reports that may be requested by Commissioners Court and/or Administration.
16. Provide annual accredited training to the Webb county Tax Assessor-Collector's Office.
17. Attend Commissioners Court Meeting as necessary or as requested by the Commissioners Court or Administration.

## **To be Considered**

Interested parties must submit **One (1) original and Eight (8) copies, One (1) in (CD Rom), PDF** of their proposal statements that address all information outlined in this Request for Proposal – RFQ. The original should be marked “Original” and the copies should be marked “Copies”. Proposal statements must be submitted **no later than 2:00 Tuesday, August 16, 2011.**

**Honorable Margie Ibarra Ramirez  
Webb County Clerk  
Webb County Justice Center  
1110 Victoria, Suite 201  
Laredo, Texas 78042**

The contents of all proposal statements will remain confidential and are not subject to disclose to the public until the County Commissioners Court negotiates and approves a final contract with a qualified service provider. RFQ's not received by the time set forth in this document will not be considered. Providers wanting to participate will be responsible for insuring the delivery of his/her respective statements.

### **THE PROPOSAL SHALL INCLUDE AND BE FORMATED AS FOLLOWS:**

- A. Cover Letter and Cover Page**
- B. Executive Summary**
- C. Management Component - 50%**

1. Firm name, Address, phone number and person to contact in reference to the statement of proposal. If firm has more than one office, state the location of the firm's office that will be responsible for these services. Describe the composition and legal form/status of the providers.

2. Provide evidence that the respondent has experience in delinquent tax collection services to counties/government entities. Include a two (2) year history record of percentage of collections of delinquent tax roll turned over to firm. Also, provide a list of current and past clients to include contact person, telephone number and number of years providing service.

3. Provide evidence of firm's ability to communicate and send correspondence in English and Spanish.

4. Provide the name(s) and qualifications of the attorneys who will be primarily responsible for delivery of the required services. Describe how the firm will

communicate with and deliver services to the County. If the firm is located outside of Webb County, include details on how and quality services will be delivered in a timely manner.

5. Describe technology support available to the firm that will assist in providing quality, timely and efficient service. Describe the firm's computer hardware and software used to collect delinquent taxes and how the software will interact with the County's computer system.

6. Describe library holdings, periodicals, etc. available to the firm that may assist in the successful delivery of services.

7. Provide any additional data that you wish the County to consider.

8. Provide a copy of your errors and omissions policy and professional liability insurance policy; a copy of your commercial general liability insurance and a copy of your automobile liability insurance (1,000,000.00 coverage).

9. Insurance policy on employee dishonesty in the amount of \$1,000,000.00.

10. List the names of any persons employed by or engaged in the management or governing body of Webb County related to you [and identify that degree of relationship] by consanguinity or affinity. Prospective provider will be required to execute notarized affidavits denying influence to Webb County's governing body as promulgated by the Texas Attorney General for bidders.

11. List all current and past claims brought against your firms and/or persons to be providing services.

**D. Technical Component – 50%**

The proposer will provide a **work breakdown statement** that conveys his/her understanding of the work to be done by describing and explaining the scope of services to be provided to Webb County. Prepare a summary report on your approach and aspects you shall consider in accomplishing the service. **Include information on the following:**

1. Proposed measurable objectives that identify the specific results that you will accomplish;
2. Proposed overall monthly and yearly work plan;
3. Proposed delinquent taxpayer communication and notification work plan;
4. Proposed bankruptcy collection work plan;
5. Proposed delinquent tax pre-suit process work plan and post filing suit process work plan;

6. Proposed procedures and collection work plan for delinquent taxes via Sheriff tax foreclosure sales;
7. Proposed procedures and collection work plan for delinquent taxes via tax warrant seizures process.
8. Proposed procedures and work plan to utilize payment contracts for collection of delinquent taxes;
9. Proposed procedures and work plan for collection of delinquent hotel-motel occupancy taxes;
10. Proposed financial procedure handbook/manual for handling of Webb County tax monies coming into your possession, including but not limited to cash, checks, money orders, payments by credit card, etc.

### **Evaluations**

The Commissioners Court/Administration will evaluate the proposals and judge which are most qualified. The County may call for interviews to discuss or clarify information received in the proposal statements. Participating firms are cautioned that the County is not required to enter into discussions, and may award a contract on the basis of information received in the original proposal statements, without call for interviews or discussions.

### **Award of Contract**

Selection of Delinquent Tax Collection Attorney will be made by the Commissioners Court at a public meeting posted in conformity with the Texas Open Meetings Act.

### **Term of Delinquent Tax Collection Services Agreement**

The County will enter into a three (3) year agreement with the successful firm that may be renewed annually by the Commissioners Court based on performance. Either party shall have the option of terminating the agreement with a least 30 days written notice to the other party.

### **Miscellaneous**

1. Successful firm/individual must provide a final copy of the firm's financial procedure handbook/manual for its handling of Webb County tax monies to the County Auditor and shall be subject to audits of the firm's collection and disbursements of tax monies by the Webb County Auditor's Office. Firm/individual will provide criminal background checks on all employees and on any additional employees assigned to work on the collection of delinquent tax contract and forward results to the County prior to award of the contract.
2. Compensation for the services to be provided as specified herein shall be according to Texas State Property Tax Code, Section 33.07, fifteen percent (15%) of all delinquent taxes, penalties and interest collected on accounts turned over to Attorney for

collection and actually received by Webb County, provided that the amount of Attorney's fees payable to Attorney shall not exceed the amount actually received by Webb County as Attorney collection costs from delinquent taxpayers pursuant to Section 33.07 of the Texas Property Tax Code, or received pursuant to Texas State Property Tax Code, Section 33.48, upon the institution of legal action for the collection of delinquent taxes. **The amount of attorney fees payable on delinquent accounts that are resolved in Bankruptcy Court will be negotiated prior to the final version of the agreement is approved by Commissioners Court.**

3. The County Attorney will assist in the negotiation and must approve the final version of the agreement before its recommendation to the Commissioners Court. The final agreement must comport substantially to the form and content of the agreement endorsed with this package.

4. Proposers are discouraged from lobbying members of the Commissioners Court during the proposal process.

5. No assignment of any portion of the contract or any of the legal services may be made.

**Questions regarding the request for proposal statements should be directed to County Purchasing Agent, Dr. Cecilia May Moreno at (956)523-4125.**

Webb County will not be liable for any costs incurred in the preparation of proposals nor for costs incurred if the County requires an oral interview with respondents. Webb County reserves the right to reject any or all proposals received.

Sincerely,

ATTCHMENTS A  
FELONY AND/OR CRIME OF MORAL TURPITYDE  
INVOLVING THEFT, DISHONESTY, FRAUD, DECEIT OR MISPRESENTATION,  
CONVICTION NOTIFICATION

**Webb County**

TO BE SUBMITTED WITH BID/STATEMENT/QUOTE

FELONY CONVICTION NOTIFICATION

PLEASE CHECK OFF ONE BOX AND SIGN THE FORM IN THE APPROPRIATE SPACE(S):

*I, the undersigned agent for the firm named below, certify that the information concerning **notification** of felony **convictions** has been reviewed by me and the information furnished is true to the best of my knowledge.*

VENDOR'S NAME: \_\_\_\_\_

AUTHORIZED COMPANY OFFICIAL'S NAME (PRINTED): \_\_\_\_\_

A. My firm is a publicly-held corporation therefore this reporting requirement is not applicable.

Signature of Company Official: \_\_\_\_\_

B. My firm is not owned not operated by anyone who has been convicted of a felony or crime of moral turpitude involving theft dishonesty, fraud, deceit or misrepresentation.

Signature of Company Official: \_\_\_\_\_

C. My firm is owned and operated by the following individuals(s) who has/have been convicted of a felony:

Name of Felony(s): \_\_\_\_\_

Detail of Conviction(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of Company Official: \_\_\_\_\_

**ATTACHMENT B**

**W-9- REQUEST FOR TAXPAYERS IDENTIFICATION NUMBER AND CERTIFICATION**