

Public Notice

Notice is 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 2014-007 "Delinquent Tax Collection Attorney"

Request for Qualifications will be either hand delivered or mailed to the following location:

Webb County Clerk
Webb County Justice Center
1110 Victoria St., Suite 201
Laredo, Texas 78042-0029

Request for Qualifications must be delivered no later than **2:00p.m. Thursday, September 04, 2014**, at which time all RFQ's received will be opened and read to the public. Late RFQs will have no consideration and will be returned un-open to respective bidder.

Plans and specifications may also be viewed at web-site www.webbcountytexas.gov under Purchasing Agent, Public notices. The County of Webb reserves the right to reject any or all proposals.

If any additional information is required please contact, Leticia Gutierrez, Webb County Purchasing Department, 1110 Washington, Suite 101, (956) 523-4125, Laredo, Texas 78042. If you have any questions please sent to lgutierrez@webbcountytexas.gov deadline for questions is August 25 2014.

Dr. Cecilia May Moreno
Purchasing Agent

Publish: Wednesday, August 20, 2014

Wednesday, August 27, 2014

THIS FORM MUST BE INCLUDED WITH RFQ-PACKAGE; PLEASE CHECK OFF EACH ITEM AND SIGN

“Sealed RFQ”

RFQ-2014-007 “Delinquent Tax Collection Attorney”

- Public Notice
- Scope of Work
- Conflict of Interest Forms (required)
- Certification Regarding Debarment (Form H2048) (required)
- Certification Regarding Federal Lobbying (Form 2049) (required)
- Qualifier Information Form (required)
- Proof of No Delinquent Tax Owed to Webb County (required)
- References (required)

Signature

Request for Qualifications

RFQ-2014-007"DELINQUENT TAX COLLECTION ATTORNEY"

Webb County desires to retain legal counsel to collect delinquent 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. Promptly respond to written and oral communication received from owner of record in response to notice of delinquent taxes and maintain an adequate record of such responses.
4. File suit and reduce to judgment and sell any property located within Webb County against which a tax lien would prevail.
5. Intervene on behalf of Webb County in all delinquent tax suits filed by any other taxing unit on property located with Webb County.
6. Perform all procedural steps pursuant to the Tax Code during the course of foreclosing a tax lien on delinquent property.
7. Issue and process tax warrants on delinquent personal property tax accounts.
8. 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. Advise and give written notice to Tax Assessor-Collector, Commissioners Court and Administration of any legislative updates or changes in property tax law.
14. Prepare and submit to Webb County Commissioners Court and Administration by April 1st 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.
15. 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.
16. 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.
17. Provide annual accredited training to the Webb county Tax Assessor-Collector's Office.

18. 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, September 04, 2014.**

**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**

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 –

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 cmaymoreno@webbcountytx.gov

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

Webb County

Conflict of Interest Disclosure

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of Webb County no later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. The questionnaire may be viewed and printed by following the link before:

By submitting a response to this request, the vendor represents that it is in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

The Webb County Officials who come within Chapter 176 of the Local Government Code relating to filing of Conflict of Interest Questionnaire (Form CIQ) include:

1. Webb County Judge Danny Valdez
2. Commissioner Linda Ramirez
3. Commissioner Rosaura "Wawi" Tijerina
4. Commissioner John Galo
5. Commissioner Jaime Canales
6. Judge Joe Lopez, Chairman, 49th Judicial District
7. Judge Becky Palomo, 341st Judicial District
8. Judge Monica Notzon, 111th Judicial District

Please send completed forms to the Webb County Clerk's Office located at 1110 Victoria, Suite 201, Laredo, Texas 78040.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1481, 80th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (Item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

Signature of person doing business with the governmental entity

Date

CERTIFICATION
REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY
EXCLUSION FOR COVERED CONTRACTS

PART A.

Federal Executive Orders 12549 and 12689 require the Texas Department of Agriculture (TDA) to screen each covered potential contractor to determine whether each has a right to obtain a contract in accordance with federal regulations on debarment, suspension, ineligibility, and voluntary exclusion. Each covered contractor must also screen each of its covered subcontractors.

In this certification "contractor" refers to both contractor and subcontractor; "contract" refers to both contract and subcontract.

By signing and submitting this certification the potential contractor accepts the following terms:

1. The certification herein below is a material representation of fact upon which reliance was placed when this contract was entered into. If it is later determined that the potential contractor knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, or the TDA may pursue available remedies, including suspension and/or debarment.
2. The potential contractor will provide immediate written notice to the person to which this certification is submitted if at any time the potential contractor learns that the certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
3. The words "covered contract", "debarred", "suspended", "ineligible", "participant", "person", "principal", "proposal", and "voluntarily excluded", as used in this certification have meanings based upon materials in the Definitions and Coverage sections of federal rules implementing Executive Order 12549. Usage is as defined in the attachment.
4. The potential contractor agrees by submitting this certification that, should the proposed covered contract be entered into, it will not knowingly enter into any subcontract with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, and/or the TDA, as applicable.

Do you have or do you anticipate having subcontractors under this proposed contract?

Yes

No

5. The potential contractor further agrees by submitting this certification that it will include this certification titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion for Covered Contracts" without modification, in all covered subcontracts and in solicitations for all covered subcontracts.
6. A contractor may rely upon a certification of a potential subcontractor that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered contract, unless it knows that the certification is erroneous. A contractor must, at a minimum, obtain certifications from its covered subcontractors upon each subcontract's initiation and upon each renewal.
7. Nothing contained in all the foregoing will be construed to require establishment of a system of records in order to render in good faith the certification required by this certification document. The knowledge and information of a contractor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for contracts authorized under paragraph 4 of these terms, if a contractor in a covered contract knowingly enters into a covered subcontract with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, Department of Health and Human Services, United States Department of Agriculture, or other federal department or agency, as applicable, and/or the TDA may pursue available remedies, including suspension and/or debarment.

PART B. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR COVERED CONTRACTS

Indicate in the appropriate box which statement applies to the covered potential contractor:

- The potential contractor certifies, by submission of this certification, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this contract by any federal department or agency or by the State of Texas.
- The potential contractor is unable to certify to one or more of the terms in this certification. In this instance, the potential contractor must attach an explanation for each of the above terms to which he is unable to make certification. Attach the explanation(s) to this certification.

Name of Contractor	Vendor ID No. or Social Security No.	Program No.

Signature of Authorized Representative

Date

Printed/Typed Name and Title of
Authorized Representative

CERTIFICATION REGARDING FEDERAL LOBBYING
(Certification for Contracts, Grants, Loans, and Cooperative Agreements)

PART A. PREAMBLE

Federal legislation, Section 319 of Public Law 101-121 generally prohibits entities from using federally appropriated funds to lobby the executive or legislative branches of the federal government. Section 319 specifically requires disclosure of certain lobbying activities. A federal government-wide rule, "New Restrictions on Lobbying", published in the Federal Register, February 26, 1990, requires certification and disclosure in specific instances.

PART B. CERTIFICATION

This certification applies only to the instant federal action for which the certification is being obtained and is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with these federally funded contract, subcontract, subgrant, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions. (If needed, contact the Texas Department of Agriculture to obtain a copy of Standard Form-LLL.)

3. The undersigned shall require that the language of this certification be included in the award documents for all covered subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all covered subrecipients will certify and disclose accordingly.

Do you have or do you anticipate having covered subawards under this transaction?

- Yes
- No

Name of Contractor/Potential Contractor	Vendor ID No. or Social Security No.	Program No.
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Name of Authorized Representative	Title
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Signature – Authorized Representative

Date

PROOF OF NO DELINQUENT TAXES OWED TO WEBB COUNTY

Name _____ owes no delinquent property taxes to Webb County.

_____ owes no property taxes as a business in Webb County.
(Business Name)

_____ owes no property taxes as a resident of Webb County.
(Business Owner)

Person who can attest to the above information

*** SIGNED NOTORIZED DOCUMENT AND PROOF OF NO DELINQUENT TAXES TO WEBB COUNTY.**

The State of Texas
County of Webb

Before me, a Notary Public, on this day personally appeared _____, know to me (or proved to me on the oath of _____ to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____ 2014.

Notary Public, State of Texas

(Print name of Notary Public here)

My commission expires the ____ day of _____ 20__.

Qualifier Information

Name of Qualifier: _____

Address: _____

Phone: _____

Email Address: _____

Signature of Person Authorized to Sign Qualifier:

Signature

Print Name

Title

Indicate status as to "Partnership", "Corporation", "Land Owner", etc.

(Date)

Note:

All submissions relative to these RFQ shall become the property of Webb County and are nonreturnable.

If any further information is required please call the Webb County Purchasing Agent, Dr. Cecilia May Moreno, at (956)523-5224 or Administrative Assistant, Leticia Gutierrez, at (956)-523-4127.

References

Name of Firm	Address	Phone	Name of Contact