

LACKAWANNA COUNTY BOARD of COMMISSIONERS
REQUEST FOR PROPOSAL
FOR GUARDIANS AD LITEM FOR DEPENDENCY MATTERS

December 2, 2011

NOTICE IS HEREBY GIVEN that pursuant to a fair and open process, sealed submissions will be received and reviewed by the County of Lackawanna (the "County") Board of Commissioners ("Board of Commissioners") for Guardians *Ad Litem* for Dependency Matters.

Respondents must submit their written submission by **4:00 p.m.** prevailing time on **December 16, 2011**.

County management personnel will be available by telephone (on an appointment basis) to answer the questions of potential respondents. Respondents desiring to schedule a telephone conference should contact Maria Elkins, Lackawanna County Chief of Staff at 570-963-6800.

Submissions received will be reviewed and evaluated by the Board, based upon such criteria as the Board, in its sole discretion, deems appropriate. The Board reserves the right to request clarification or additional information from any respondent. The Board, in its sole discretion, may accept the proposal of a respondent, may choose a respondent with which the Board will enter into negotiations, or may reject all proposals.

The Board reserves the opportunity to modify this Request for Qualifications at its own discretion and without prior notice, and to waive any immaterial defect or informality in any proposal as may be permitted by law.

PURPOSE:

Lackawanna County Children and Youth is requesting proposals for Request for Qualifications is to solicit submissions from qualified practitioners to provide professional services in connection with Guardians *Ad Litem* (GAL) for Dependency Matters. Such services shall include all activities mandated in the Rules of Juvenile Court Procedure, Dependency Matters, including but not limited to the following:

- 1) Meet with the child as soon as possible following assignment pursuant to Rule 1151 and on a regular basis thereafter in a manner appropriate to the child's age and maturity;
- 2) On a timely basis, be given access to relevant court and county agency records, reports of examination of the guardians or the child, and medical, psychological, and school records;

- 3) Participate in all proceedings, including hearings for dependent and delinquent children before masters, and administrative hearings and reviews to the degree necessary to adequately represent the child;
- 4) Conduct such further investigation necessary to ascertain the facts;
- 5) Interview potential witnesses, including the child's guardians, caretakers, and foster parents, examine and cross-examine witnesses, and present witnesses and evidence necessary to protect the best interests of the child;
- 6) At the earliest possible date, be advised by the county agency having legal custody of the child of:
 - a) any plan to relocate the child or modify custody or visitation arrangements, including the reasons, prior to the relocation or change in custody or visitation; and
 - b) any proceeding, investigation, or hearing under the Child Protective Services Law, 23 Pa.C.S. § 6301 *et seq.* or the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, directly affecting the child;
- 7) Make any specific recommendations to the court relating to the appropriateness and safety of the child's placement and services necessary to address the child's needs and safety;
- 8) Explain the proceedings to the child to the extent appropriate given the child's age, mental condition, and emotional condition; and
- 9) Advise the court of the child's wishes to the extent that they can be ascertained and present to the court whatever evidence exists to support the child's wishes. When appropriate because of the age or mental and emotional condition of the child, determine to the fullest extent possible the wishes of the child and communicate this information to the court.

In addition to the above responsibilities mandated by the Rules of Juvenile Court Procedure, the following activities are required to promote best practice.

- (1) Supporting and promoting alternate dispute resolution in dependency matters such as pre-trial conferencing and mediation.
- (2) Participate in the Problem Solving Courts as required.
- (3) Participate in Quarterly Legal Meetings at Children and Youth Services to problem solve and discuss systemic issues along with relevant changes in current legislation.
- (4) Participate in Statewide forums sponsored by the AOPC as their schedule permits upon request of Children and Youth Services.

PROCEDURES FOR RESPONDING TO REQUEST FOR QUALIFICATIONS:

1. Four (4) copies of the proposal must be provided. Qualifications must be submitted to the Board of Commissioners, c/o Maria Elkins, Chief of Staff, 200 Adams Avenue, 6th Floor, Scranton, Pennsylvania 18503. Qualifications must be submitted in a sealed envelope with the name of the firm submitting clearly marked on the outside of the envelope. The County assumes no responsibility for delays in any form of carrier, mail, or delivery service causing the submission to be received after the above-referenced due date and time. Submissions by fax, telephone, or email is not permitted. The final selection will be made in the sole discretion of the Board.
2. All questions regarding this Request for Qualifications should be made in writing to the Board of Commissioners, c/o Maria Elkins, Chief of Staff, 200 Adams Avenue, 6th Floor, Scranton, Pennsylvania 18503.

CRITERIA FOR EVALUATION OF PROPOSAL:

The Board will independently evaluate each submission and selection will be made upon the following criteria:

1. Experience and reputation in the field. All GAL's must be admitted to the Pennsylvania Bar and free of any pending, past or current PA Supreme Court Disciplinary Board proceedings;
2. All GAL's must have training relative to child development, family dynamics, domestic violence, child abuse and neglect and cultural competence as required by the Administrative Office of the Pennsylvania Courts (AOPC);
3. All GAL's must maintain liability insurance consistent with the PA Rules of Professional Conduct under Rule 1.4(c)¹ that each attorney is to maintain liability insurance of at least \$100,000 per occurrence and \$300,000 in aggregate per year. This insurance must be maintained as a lawyer in private practice independent of any County liability coverage.
4. Availability to meet the Court's needs for timeliness regarding Court appointments, meetings and reports.
5. Availability to meet all services outlined in the Purposes section of this RFQ.

¹ (c) A lawyer in private practice shall inform a new client in writing if the lawyer does not have professional liability insurance of at least \$100,000 per occurrence and \$300,000 in the aggregate per year, subject to commercially reasonable deductibles, retention or co-insurance, and shall inform existing clients in writing at any time the lawyer's professional liability insurance drops below either of those amounts or the lawyer's professional liability insurance is terminated. A lawyer shall maintain a record of these disclosures for six years after the termination of the representation of a client.

6. Other factors determined to be in best interest of the Court and in the Court's discretion, and approved at a Board of Commissioners' Meeting.

PROPOSAL

Each submittal must be in sufficient detail to permit evaluation, at a minimum, with respect to the following issues. Submittals must include the information that is specifically requested herein as well as such additional information as a respondent deems relevant to the process. Each respondent agrees that the submission constitutes a firm offer to the County that cannot be withdrawn for ninety (90) days from the proposal due date.

1. **Scope of Services/Prior Experience** - All submittals must detail the services proposed to be provided and the firm's experience in providing such services.
2. **Personnel** – All submissions to the County must include the following:
 - a. Name, address, and brief description of your firm;
 - b. The names, experience, and qualifications of the individual(s) who would be primarily responsible for performing services on behalf of the County;
 - c. A statement of assurance that your firm is not currently in violation of any regulatory rules and regulations that may have any impact on your firm's operations; and
 - d. A statement that your firm is not involved in any current litigation with the County.
3. **Conflict of Interest** - All submittals must state that there are no conflicts of interest to which the firm would be subject if it were to provide the requested services for the County.

CONFIDENTIALITY:

This Request for Qualifications, and all submissions received in response, will remain confidential (with the exception of information that was previously public information), and will not be used for any purpose other than the evaluation of the proposals received by the Board. Each respondent, by responding to this Request, acknowledges the terms expressed above and agrees to safeguard the details of this process and the contents of this document. If your organization does not agree to these conditions concerning confidentiality, or if you elect not to respond to this Request for Qualifications, please return this Request to the Board and retain no copies thereof.

Lackawanna County
Qualification Base Selection Process

The statement of qualifications will be evaluated in accordance with the County's Qualifications Base Selection Process. Anyone submitting a statement of qualifications is advised to review that process, which is set forth on the County's website.