

New Hampshire Judicial Council

Request for Proposals for

Guardian Ad Litem Services

Pursuant to

RSA 169-C:10; 169-C:24-a; RSA 170-C;  
Appeals under 169-C:28 and Supreme Court  
Appeals from these Referenced Statutes

February 22, 2019

**Issued by:**

New Hampshire Judicial Council  
25 Capitol Street, Room 424  
Concord, New Hampshire 03301

**Contact:**

Sarah T. Blodgett, Executive Director  
Telephone: 603-271-3592  
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Email: Sarah.Blodgett@jc.nh.gov

## **1.0 OVERVIEW**

### **1.1 Introduction**

Pursuant to authority granted by RSA 490:26-f, the State of New Hampshire, acting through the New Hampshire Judicial Council, (hereinafter “the Council”), and with the approval of Governor and Executive Council, may contract with any organization or group of guardians ad litem, (hereinafter “GALs”), if approved by the Council, and certified by the rules adopted by the Supreme Court or rules promulgated by the Guardian ad Litem Certification Board pursuant to RSA 490-C:5, to operate a program to provide GAL services pursuant to RSA 169-C:10; RSA 169-C:24-a; RSA 170-C; appeals under RSA 169-C:28 or directly on issues of law to the Supreme Court.

Said contractor would be appointed by the New Hampshire courts having jurisdiction in matters relating to children as specifically described in this Request for Proposals (RFP) and where advocacy is to be provided by a GAL. Such representation shall specifically relate to cases of alleged abuse and neglect, cases involving the termination of parental rights deriving from an underlying abuse and neglect case, and such other matters related to the above when an appeal is pending.

When its GALs are appointed in individual cases, said contractor shall be responsible for ensuring that the GALs under the contractor’s supervision meet with the child as necessary, provide the court with information concerning the child’s status; monitor court orders; work with various professional service providers; attend court proceedings; and ensure that the best interests of the child are advanced and protected.

These services are to be provided in accordance with all state and national standards to include standards regarding selection of individuals to serve as GALs, training, support and administrative staffing and supervision of all contracting parties.

### **1.2 Background**

The need for and duties of GALs are set forth in RSA 169-C:10 and related statutes, and in rules adopted by the New Hampshire Supreme Court governing GALs and in administrative rules promulgated by the GAL Board pursuant to RSA 490-C:5.

### **1.3 Communication**

This Request for Proposals (RFP) is issued by the State of New Hampshire, acting through the Council. From the issue date of this RFP until a contractor is selected and approved by the Governor and Executive Council, Bidders shall not communicate with any Council staff, volunteers or elected officials, other than the identified contact person, or his or her designee as it relates to this RFP process.

Bidders may send written questions to the contact person by mail, e-mail or FAX no later than March 22, 2019. Failure to comply with this communication restriction may result in a Bidder being deemed non-compliant with the RFP.

Bidders should submit all communication to the designated contact person: Sarah T. Blodgett, Executive Director, New Hampshire Judicial Council, 25 Capitol Street, Room 424, Concord, New Hampshire 03301.

#### **1.4 RFP Time Schedule**

The procurement schedule is as follows:

RFP Release:	February 22, 2019
Question Submission Close Date:	March 22, 2019
Proposal Receipt Date:	April 5, 2019 by 5:00 P.M.
Evaluation Completion Date:	No later than April 26, 2019
Contractor Selection:	No later than April 30, 2019
Contract Start Date:	July 1, 2019*

\* or the date of approval of the Governor & Council, whichever is later

### **2.0 STATEMENT OF THE WORK**

#### **2.1 Scope of Services**

These services for children shall be provided statewide in all Family, District, Superior and Supreme Courts as necessary. Provision should be made by the Bidder for locations at which meetings can be held, which would enable and encourage the necessary oversight of GALs throughout the state. The location of such offices shall not be modified without the written approval of the Council. Adequate resources should be provided to enable GALs to visit children at their homes, in foster care and in other settings as each case shall require. Details of travel reimbursement should be documented.

#### **2.2 Specifications**

A contract will be awarded to the Bidder deemed to be the most capable, reliable and cost effective means of providing to the State an efficient system for the delivery of GAL services, and to assist the State in meeting the provisions of RSA 169-C:10 and the related statutes covered by this RFP, and any subsequent orders of the various courts appointing GALs who operate under the terms of this contract.

The successful Bidder will be responsible for communication with the Council in a timely fashion and to provide the Council with quarterly and annual reports, including caseload and declination data. The successful Bidder must provide answers to inquiries by the Council and provide additional information in such form as the Council shall from

time to time require. The successful Bidder will meet semi-annually, or more frequently if requested, with the Child Protection Subcommittee of the Council. The purpose of these meetings will be to discuss potential statutory, rule, procedure or practice changes that could assist the Bidder in providing services on behalf of children more effectively and more efficiently.

The Bidder must provide detailed plans and assurances in the written proposal addressing the following:

- A. **The Plan** The Bidder must describe its plan to provide statewide Guardian Ad Litem Services pursuant to RSA 169-C:10; 169-C:24-a; RSA 170-C; appeals under 169-C:28 and appeals to the Supreme Court from cases filed under these referenced statutes. The Bidder must provide its plan for the number of Guardians ad Litem it will recruit and deploy statewide; the allocation and assignment of cases to its individual GALs; and the number of cases it can accept under the plan.
- B. **The Scope of Services** The plan must specify the Bidder's capacity to accept all cases offered for appointment statewide, except those cases in which a professional or personal conflict of interest would bar the Bidder from advocating on behalf of the recipient of services. The Bidder must detail its guidelines for determining conflicts of interest and must detail the circumstances in which it will decline acceptance of appointment as GAL.
- C. **Implementation, Oversight and Supervision** The Bidder shall provide a description of the experience and education of the principal person in charge of the overall execution of the plan. The Bidder must describe the number of management staff, supervisory personnel and legal counsel it will employ to ensure that the plan is carried out.
- D. **Standards** The Bidder must explain the extent to which the Bidder's plan conforms to national standards for caseload management and supervision.
- E. **Capability** The Bidder must describe its capacity to be in a position on the first day of the contract to assume responsibility for accepting all new cases, which shall be available for assignment as specified in this RFP. In addition, the Bidder shall provide a timetable showing the schedule for securing the necessary locations throughout the state from which the services required can be delivered.
- F. **Background Checks** The Bidder must provide assurances that no person employed or whose service is otherwise offered, shall serve as a GAL unless the individual has undergone a criminal records check through the Department of Safety and a Sex Offender Records check through the Department of Health and Human Services. The Bidder must provide assurances that any prospective GAL will be required to provide references, that those references will be verified by the

Bidder, and that the Bidder will retain written records of the details of the reference checks.

**G. Acknowledgements** The Bidder must acknowledge that no portion of this contract may be subcontracted, except as specifically authorized or noted in the original agreement, without the specific approval of the Judicial Council by and through the Executive Director. The Bidder must acknowledge that the Bidder will receive no payment nor case credit for cases taken before the effective date of this contract, which shall be July 1, 2019 or upon approval of Governor and Council, whichever date is later.

**H. Liability Insurance** The contractor shall submit proof of Comprehensive General Liability insurance prior to performing any services for the State. The coverage shall have appropriate riders against all claims of bodily injury, death or property damage, in amounts of not less than \$250,000 per claim and \$2,000,000 per incident or \$1,000,000 per occurrence and \$1,000,000 umbrella.

## **2.3 Terms**

**2.3.1 Effective Dates:** The Contract resulting from the successful award of this RFP shall become effective on July 1, 2019, or on the date of Governor and Council approval, whichever is later, and will run through June 30, 2021, subject to the availability of appropriated funds. The Council and the State shall be under no obligation to reimburse the Bidder for any work undertaken before the award of the contract.

**2.3.2 Payments:** In no event shall the State be obligated to make any payments in excess of the actual costs of administering Guardian ad Litem services under the contract over the 2020-2021 biennium and in no event shall the total of payments hereunder exceed the amounts appropriated by the State for Fiscal Years 2020 and 2021. The payment schedule shall be in accordance with state practices or as directed in the budget process.

**2.3.3 Compliance with Law:** The contractor agrees to comply with all statutes, laws, regulations and orders of Federal, State, County or municipal authorities that impose any obligation or duty upon a contractor.

**2.3.4 Executed Documents:** In addition to any other requirements in this RFP, the Bidder shall provide all documents that are part of this proposal with original signatures, signed by the corporate officers duly authorized to execute said documents.

**2.3.5 Cancellation of Procurement:** The Council reserves the right to cancel this RFP at any time.

**2.3.6 Governing Law:** Any legal proceedings against the State of New Hampshire regarding this RFP or any resultant contract shall be brought in State administrative or judicial forums. Venue shall be Merrimack County, New Hampshire.

**2.3.7 Conflict of Interest:** The Bidder represents and covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with performance of its services hereunder.

**2.3.8 Offer of Gratuities or Kickbacks:** It is a breach of ethical standards for a payment, gratuity, or offer of employment to be made by or on behalf of a contractor. The State of New Hampshire may terminate any contract if it is determined that gratuities of any kind were offered by and/or received by any official, employees or agent of the contractor.

### **3.0 REQUEST FOR PROPOSAL GUIDELINES**

#### **3.1 Proposal Format**

The Bidder's Proposal shall contain the following contents in the following order:

1. A Cover Sheet
2. A Transmittal Letter
3. An Executive Summary of the Proposal
4. The Bidder's Profile
5. The Bidder's Financial Statements
6. Subcontractor Profiles, (if applicable)
7. The Bidder's Background and Experience
8. The Resumes of Key Personnel
9. A Detailed Response and Scope of Work
10. Letters of Reference
11. The Cost of the Proposal in Each Year of the Biennium

Specific Proposal Requirements by Section:

1. **The Cover Sheet** will identify the Bidder's name, address, phone and FAX numbers and email address.
2. **The Transmittal Letter** shall be signed in ink by an official of the bidding entity who is authorized to bind the Bidder to the provisions of the proposal. The letter shall identify an authorized representative of the Bidder who is responsible for all matters relating to the RFP. The letter shall include the following statement:

“The Bidder acknowledges that the Bidder has read the N.H. Standard Form Contract (Form P-37 1/2009) and all applicable exhibits and forms for a contract resulting from this RFP, understands them, agrees to all terms and conditions (unless otherwise mutually agreed upon terms supersede them), and if selected will provide all applicable exhibits and forms required to execute a contract with original signatures.”

3. **The Executive Summary** The Bidder shall include a summary of the proposed services to be performed by the Bidder and the methods and technology it will employ to deliver this service.
4. **The Bidder Profile** The Bidder shall provide a general organization overview, number of employees, number of volunteers and an organization chart, if applicable, or a description of the consulting services and work of the Bidder, if the Bidder is not a company or organization.
5. **An Annual Financial Report** The Bidder shall provide an annual financial report of each of the Bidder's last two fiscal years if the Bidder is a corporate or partnership entity, or a copy of Schedule C of a Bidder's last two tax returns if the Bidder is a sole proprietor.
6. **Subcontractor Profiles** If the Bidder proposes to employ a subcontractor or subcontractors to perform part of the work specified in the RFP, the Bidder shall provide a profile identifying the subcontractor(s) and describe their background and experience in providing the specific part of the work the subcontractor will be employed to perform. The subcontractor profile shall also include a general organization overview, number of employees and an organization chart.
7. **The Bidder's Background and Experience** The Bidder Background and Experience shall describe the Bidder's specific background and experience in providing GAL services. It shall include evidence of the Bidder's capability, including the identification of similar projects, to carry out the performance required by the State of New Hampshire. It shall include evidence of financial ability of the Bidder and any parent organization to perform contracted services. Proposals shall include evidence of the Bidder's experience in working with government agencies, the courts, or other nonprofit or educational organizations relevant to the tasks required by the RFP. The proposal shall specifically address the following questions:
  - What knowledge and experience does the Bidder have specifically regarding providing guardian ad litem related services or representation in all levels of case type and complexity as detailed in this RFP?
  - What knowledge and experience does the Bidder have specifically regarding the training, on-going supervision and development of quality control for staff required to provide services within the scope of the RFP?
  - What knowledge and experience does the Bidder have related to identifying and calculating the cost-effectiveness of guardian ad litem services?
  - Explain the process your organization has in place for dealing with complaints regarding GAL professional misconduct.

- For the last five years, please describe each complaint, claim or case in which your organization was involved. Please state the outcome of the matter.
  - Explain the process for assigning GALs to a particular case, including action taken to ensure adequate GAL coverage for the increasing abuse and neglect caseload. Please state the steps that are taken to determine that your organization cannot accept an appointment.
8. **Resumes of the Key Personnel** The Bidder should provide resumes of its personnel having primary responsibility for the delivery of contracted services, for the oversight of day-to-day operations and for contract administration.
  9. **The Detailed Response and Scope of Work** The Bidder should provide its response to this Request for Proposals and include the specifications, plans, descriptions and requirements contained Section 2.1, above.
  10. **Three Letters of Reference** The Bidder must provide three letters of reference which include the name, address and phone number of the individual providing the reference. References should include government agencies including the courts, businesses, or nonprofit or educational organizations currently receiving the services of the Bidder. The Council may contact the references directly when evaluating the Proposals.
  11. **Cost Proposal** The Bidder must set a firm fixed price for the services provided up to the completion of the contract on an annualized basis. The Cost Proposal should also specify the portion of the firm fixed price to be billed each agreed-upon period for the services specified in the RFP. Failure to submit a Cost Proposal shall disqualify the Bidder.

#### **4.0 Proposal Evaluation**

##### **4.1 Evaluation of Proposals**

The Council shall conduct a comprehensive, fair and impartial evaluation of proposals received in response to this RFP, conducted by the Council through its Child Protection Subcommittee and in concert with the Executive Director.

The total price of the proposal shall not be the sole determinate factor for the selection of the contractor. Completeness and thoroughness of the proposal, the Bidder Background and Experience and the Detailed Response and Scope of Work offered by the Bidder shall be given appropriate weight as determined by the Council. In addition, demonstrated experience and knowledge in the provision of guardian ad litem services in cases brought under RSA 169-C:10 and other relevant statutes covered by this RFP shall be given appropriate weight, as determined by the Council.

**End of document**

