



# **ERIE COUNTY**

## **REQUEST FOR PROPOSAL**

### **COLLECTION OF DELINQUENT REAL ESTATE TAXES DUE TO ERIE COUNTY**

**April 15, 2008**

**REQUEST FOR PROPOSALS  
(RFP) #08086VF**

**I. General Background**

The County of Erie, Department of Real Property Tax Services (“Erie County”) prepared this Request for Proposals (RFP) for the collection of delinquent property taxes due and outstanding to the County of Erie. The County is seeking proposals through this RFP to perform such collection from qualified collection firms with demonstrated experience in representing governmental bodies in the collection of delinquent ad valorem taxes, penalties and interest.

This RFP is made subject to correction of errors, omissions or withdrawal without notice. Proposals will be accepted from individuals, firms or groups having the requisite expertise and/or experience.

**II. Scope of Services**

The specific scope of services will require vendor to utilize information provided by Erie County to identify and locate the owner(s) of real property located in Erie County, New York on which taxes have been levied and are delinquent and then to utilize the best practices to collect payment of the delinquent taxes in compliance with all Federal, State and local laws regulating debt collection practices and methods. In furtherance of this purpose, the following shall be included in any final negotiated agreement between the vendor/provider and the County of Erie:

1. Vendor/provider shall work in cooperation with all Erie County departments that are involved with the levy and collection of real estate property taxes;
2. Vendor/provider shall exchange information developed about property owners, the property and any other information that may assist Erie County in collection and foreclosure on property with delinquent taxes;
3. Vendor/provider shall obtain or be responsible to obtain independent legal advice as to compliance with laws regulating the manner, extent, methods and practices of debt collection in New York State and in any other State where their collection activities may occur;
4. Vendor shall provide Erie County with a policy of insurance, bond, surety or cash escrow in an amount sufficient to indemnify and hold Erie County harmless from any liability whatsoever, including attorney fees, for the actions or failure to act on the part of vendor/provider, its agents, representatives, employees, subcontractors or any other person acting at their direction;
5. Vendor/provider shall not perform any legal services or engage in the practice of law on behalf of Erie County and shall specifically not engage in judicial foreclosure action except as to providing information and cooperation as may be requested;

6. Vendor/provider shall prepare and disseminate staged dunning letters to the owners of record of the identified properties with delinquent ad valorem taxes due and outstanding to Erie County, ensuring that such preparation and dissemination is in full compliance with all applicable Federal, State and local laws, including, without limitation, such laws relative to debt collection activities and notice requirements for seizure and sale of property by Erie County in satisfaction of delinquent taxes, if necessary;
7. Vendor/provider shall make staged follow-up calls in coordination with the dissemination of dunning letters to the owners of record of the identified properties with delinquent ad valorem taxes due and outstanding to Erie County, ensuring that such preparation and dissemination is in full compliance with all applicable Federal, State and local laws, including, without limitation, such laws relative to debt collection activities;
8. Promptly and appropriately respond to written and/or oral communications received from owners of record in response to such dunning letters or follow-up calls and maintain adequate records of such responses;
9. Maintain complete and accurate records of all correspondence, telephone calls and/or other communications relative to the services provided pursuant to this RFP, subject to inspection by Erie County during normal business hours;
10. Prepare and disseminate detailed monthly written reports to the Director of Real Property Tax Services and the County Attorney, in a form acceptable to Erie County, setting forth a quantitative and qualitative analysis of the month's and year-to-date activity, including, without limitation, the percentage of resolved delinquencies, projected collections for the next month and actual collections for the reported month;
11. Meet, as requested, with County representatives in connection with the services provided pursuant to this RFP.
12. This scope of services may be changed, altered or amended based upon the specific proposals received as determined necessary by Erie County.

### **III. Requirements**

The contractor will be required to provide the following deliverables:

1. Comply with Erie County's objective to maintain a professional and constructive environment and communication while pursuing the collection of unpaid real estate taxes.
2. Maintain good standing with all Federal, State and local regulatory agencies.
3. Maintain good standing with the ACA International (Association of Credit and Collection Professionals).
4. Follow FDCPA (Fair Debt Collection Practices Act), FCRA (Fair Credit Reporting Act) and any applicable New York State statutes.

5. Pursue recovery of all Erie County items forwarded for collection through a series of collection letters and telephone calls.
6. Provide skip-tracing or equal and approved method with documentation providing number of resources and credit bureaus.
  - Address and contact information may be requested by Erie County when debt notices are sent and returned undeliverable for any reason.
  - Address and contact information obtained for collection purposes shall be used by the collection agency to pursue unpaid items.
  - All information obtained through skip tracing and other approved methods shall be provided to Erie County.
7. Contact debtors by mail, telephone, telegram or fax. A collector shall not contact a debtor before 7:00 a.m. or after 9:00 p.m. EST. Maintain an automated record of phone calls and log of all correspondence with debtors.
8. Contractor must maintain a toll free number for customer service and include the number on all correspondence to debtors.
9. Not use any false statement during the collection process.
10. The contractor shall submit reports as requested by Erie County. The reports and format standards will be approved by Erie County and be delivered to the County authorized representative. Reports shall include but not be limited to the following.
  - Daily Transmittal report.
  - Summary reports.
  - Account analysis reports and statements; number of accounts collected, pending accounts, returned uncollected accounts, dollar amount collected.
11. Erie County must have access to contractor's database for real time viewing of collection status.

#### **IV. Proposal Format, Due Date and Questions**

**ALL PROPOSALS MUST BE SEALED AND PLAINLY MARKED ON THE OUTSIDE OF EACH SEALED ENVELOPE:**

**Proposal – RFP # 08086VF Collection of Delinquent Real Estate Taxes**

**Five (5) copies and Two (2) originals of your proposal and supplementary material should be submitted to:**

**County of Erie  
Department of Real Property Tax Services  
95 Franklin Street  
Room 100  
Buffalo, New York 14202**

All proposals must be received by Erie County no later than 3:00 p.m. on Friday, May 16, 2008, at the address noted above. The submission deadline for proposals is firm for date, hour and location. In the interest of fairness to all competing proposers, Erie County will treat as ineligible for consideration any application that is received after the application deadline or that is not delivered to the specified address.

All questions regarding this RFP can be directed to Joseph L. Maciejewski, Erie County Director of Real Property Tax Services at (716)858-8320 or via email at [maciejew@erie.gov](mailto:maciejew@erie.gov).

## **V. RESPONSE SUBMISSION REQUIREMENTS**

The following must be provided in all proposals:

1. A description of how the proposer will deliver the services, including how the proposer will ensure that deadlines are met. This description must be detailed and address all aspects of the scope of services specified in the RFP.
2. Name, title, address, phone and fax numbers of the firm's principal contact person and proposed engagement person.
3. A description of firm size, history, and other pertinent information, including identification and resumes of all personnel, consultants and subcontractors who will participate if a contract is offered by the County.
4. A description of two or more assignments, which best illustrate the proposer's current qualifications relevant to the areas requested in this RFP, including samples of work product (opinions/analysis) and/or testimony.
5. Three professional client references including names/titles, phone numbers and addresses.
6. Any additional information or description of resources and experience that, in the opinion of the proposer, supports its qualifications.
7. Summary documentation or matrix of staffing level and projected hours for each project task.
8. Copy of the RFP.

Proposers to this RFP are expected to demonstrate an understanding of the services requested, the ability and experience necessary to perform such tasks, and a plan for providing the services within the estimated budget and work schedule.

The County of Erie reserves the right to require additional information and/or clarification of any information submitted from any of the applicants.

**VI. EVALUATION CRITERIA AND WEIGHTING**

Upon receipt by the due date of responses to this RFP by qualified proposers, Erie County will evaluate same for completeness and adherence to the provisions of the RFP.

A County selection review group will evaluate all proposals submitted in response to this RFP based on the following areas and weighting, and the Director of Real Property Tax shall give consideration to the review group’s evaluation in selecting a contractor:

<b>Area</b>	<b>Area Weighting</b>
1. Specialized experience and technical competence;	25%
2. Proposal quality and ability to meet schedules and deadlines;	25%
3. Fee quotation;	50%

**VII. INCURRED COSTS**

All Costs incurred by the proposers responding to this Request for Proposal are those of the proposer and shall not be reimbursed by Erie County.

**VIII. PROPOSAL POSTPONEMENT AND AMENDMENT**

The County reserves the right, upon timely notice (of not less than three (3) days from the proposal deadline) to amend the instructions, general conditions, special conditions, plans, scope of work and/or specifications of this Request for Proposal. The proposal deadline may be extended, solely at the discretion of Erie County.

**IX. CANCELLATION**

The County of Erie reserves the right to cancel this Request for Proposals in whole or in part.

**X. PROPOSAL ACCEPTANCE AND REJECTION**

The County of Erie reserves the right to (i) waive any irregularities in any proposal, (ii) reject any and all proposals, (iii) negotiate for the modification of any proposal with the consent of the proposed, (iv) re-advertise for proposals and (v) accept the proposal that, in the judgment of the County, is deemed to be the most advantageous for the public and the County.

Each proposal shall be submitted with the understanding that the acceptance in writing by Erie County of the proposers offer to furnish required services shall constitute a contract between Erie County and the proposed. A formal contract between Erie County and the successful bidder is expected to be executed before work commences. In the event of default by the selected proposed, or the selected proposers refusal or inability to enter into a contract with the County, the County reserves the right to accept the proposal of any other applicant without the necessity of re-advertisement of the Request for Proposals.

## **XI. TERMS AND CONDITIONS**

Any contract(s) awarded as a result of this RFP will include the contents of this document and the selected proposed(s)' proposal. The provisions and requirements of the RFP and contract shall take precedence in the event of any conflict in language between the RFP and a proposed(s)' proposal.

The RFP, any amendments thereto and the response of the selected contractor(s) will become a substantive part of any contract(s).

Any contract(s) awarded as a result of this RFP shall be governed by and construed within the laws of the United States of America, State of New York and the County of Erie. Proposers shall comply with Federal law, New York State law, the Home Rule Charter of the County of Erie and all applicable County of Erie ordinances.

Proposers shall not offer any gratuities, favors or anything of monetary value to any official or employee of the County of Erie or their respective advisors for the purpose of influencing the consideration or evaluation of a proposal submitted in response to this Request for Proposal.