



☒ AMENDMENT OF SOLICITATION
☐ MODIFICATION OF CONTRACT

City of New Braunfels
Purchasing
550 Landa Street
New Braunfels, Texas 78130

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1. Solicitation No. RFP 24-011 Legal Services - Case Resolution and Delinquent Case Collections		2. Contract No.		3a. Amendment No. 1		4. Effective Date of this Action 4-Mar-24	
				3b. Modification No.			
5. Name and Address of Offeror or Contractor				6. For Information Call: Barbara Coleman Purchasing Manager Phone No.: 830-221-4389 Email: bcoleman@newbraunfels.gov		7. Amount of Contract/Order is: Increased by: _____ Decreased by: \$ _____ New Total: <input type="checkbox"/> Unchanged	
8. THIS BLOCK APPLIES TO AMENDMENTS OF SOLICITATIONS ONLY: The above numbered solicitation is amended as set forth in Block 10 below. <input checked="" type="checkbox"/> The date and time specified for receipt of offers IS NOT extended. <input type="checkbox"/> THE DATE AND TIME SPECIFIED FOR RECEIPT OF OFFERS IS CHANGED TO: Offerors must acknowledge receipt of this amendment prior to the date and time specified in the solicitation or as amended by one of the following methods: (i) By completing Blocks 5 and 11 and returning this Amendment in the number of copies specified for the solicitation; (ii) By acknowledging receipt of this Amendment on each copy of the bid submitted; or, (iii) By separate letter, telegram, or fax referencing the solicitation and amendment. If by virtue of this Amendment offeror desires to change an offer already submitted, such change may be made by letter or email, provided each such notice makes reference to the solicitation AND this Amendment and is received prior to the date and time specified. NOTICE: NON-RECEIPT OF YOUR OFFER AND THIS AMENDMENT AT THE DESIGNATED PLACE WITHIN THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.							
9. THIS BLOCK APPLIES TO MODIFICATIONS TO CONTRACTS, DELIVERY OR PURCHASE ORDERS ONLY. The above numbered Contract, Delivery, or Purchase order is modified as set forth in block 10 below. <input type="checkbox"/> This Change Order is issued in accordance with authority granted by instrument referenced in block 2. <input type="checkbox"/> The instrument in Block 2 is modified to reflect administrative changes. <input type="checkbox"/> This Supplemental Agreement is entered into pursuant to the Authority of: General Provision #2 Changes. <input type="checkbox"/> Other (Specify type of modification and authority): _____ <input type="checkbox"/> CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT. <input type="checkbox"/> Contractor is not required to sign this document but is requested to acknowledge receipt.							
10. DESCRIPTION OF CHANGES: a. This addendum is issued to provide answers to questions received before the close of the discovery period of March 1, 2024. - Attached are the questions and answers received from all requests.							
Except as provided herein, all terms and conditions of the document referenced above remain unchanged and in full force and effect.							
11a. SIGNATURE OF OFFEROR OR CONTRACTOR				CITY OF NEW BRAUNFELS, TEXAS <i>Barbara Coleman</i>			
11b. PRINTED NAME AND TITLE		11c. DATE		SIGNED Barbara Coleman Purchasing Manager		Date 4-Mar-24	

Questions were received prior to March 1, 2024. The following questions were received during the discovery period.

1. Please reconfirm the due date for this procurement by providing it in response to answers to questions.

[Answer: Responses are due March 12, 2024 3:00 CST](#)

2. What is the date by which you will answer these questions?

[Answer: Questions are accepted up to 3-1-2024 at 5:00 pm CST](#)

3. Can you please provide greater explanation of your expectations related to any required subcontracting to minority-owned, women-owned, or other types or categories of small or disadvantaged businesses? For example, what is required with the proposal, and what is required to comply during the term of the contract?

[Answer: As identified in "4.3.4 Contractor must identify any subcontractor and how that subcontractor will be used. Any subcontracting will be reviewed to determine the responsibility of the bidder." The City has no additional requirements regarding subcontracting.](#)

4. Are bidders permitted to deviate in any way from any manner of quoting fees you may be expecting? For example, if there is a pricing page in the RFP, can bidders submit an alternate fee structure? If there is no pricing page in the RFP, do you have any preference for how bidders should quote fees or can bidders create their own pricing categories?

[Answer: Collection of court fines, fees & costs are defined in the Texas Code of Criminal Procedures §45.0491. There is no preference for the presentation of other fees.](#)

5. Please describe your level of satisfaction with your current or recent vendor(s) for the same purchasing activity, if applicable.

[Answer: The City does not have a contract for these services at this time.](#)

6. Has the current contract gone full term?

[Answer: Not Applicable](#)

7. Have all options to extend the current contract been exercised?

[Answer: NA](#)

8. Who is the incumbent, and how long has the incumbent been providing the requested services?

[Answer: NA](#)

9. To what extent will the location of the bidder's proposed location or headquarters have a bearing on any award?

[Answer: The geographic location of the available contractor representatives to make frequent on-site visits will be a consideration.](#)

10. How are fees currently being billed by any incumbent(s), by category, and at what rates?

Answer: NA

11. What estimated or actual dollars were paid last year, last month, or last quarter to any incumbent(s)?

Answer: NA

12. To how many vendors are you seeking to award a contract?

Answer: It is the City's intent to award to only one vendor.

13. To what extent are these accounts owed by private consumers versus commercial businesses?

Answer: Court filings are made against individuals including "registered agents" and business owners.

14. Will accounts be primary placements, not having been serviced by any other outside collection agency, and/or will you also be referring secondary placements? If so, should bidders provide proposed fees for secondary placements also?

Answer: No prior outside collections.

15. What collection attempts are performed or will be performed internally prior to placement?

Answer: Noticed mailed to available addresses, calls made to available phone numbers and emails sent to available email addresses known to be associated with the defendant.

16. Will the selected vendor be allowed to litigate balances exceeding a certain dollar amount on your behalf, with your explicit approval?

Answer: No

17. What is the total dollar value of accounts available for placement now by category, including any backlog?

Answer: Refer to section 4.3.1 of the solicitation.

18. What is the total number of accounts available for placement now by category, including any backlog?

Answer: Refer to section 4.3.1 of the solicitation.

19. What is the average balance of accounts by category?

Answer: Refer to section 4.3.1 of the solicitation.

20. What is the average age of accounts at placement (at time of award and/or on a going-forward basis), by category?

Answer: Refer to section 4.3.1 of the solicitation.

21. What is the monthly or quarterly number of accounts expected to be placed with the vendor(s) by category?

Answer: unknown

22. What is the monthly or quarterly dollar value of accounts expected to be placed with the vendor(s) by category?

Answer: Unknown

23. What has been the historical rate of return or liquidation rate provided by any incumbent(s), and/or what is anticipated or expected as a result of this procurement?

Answer: NA

24. What billing servicer do you utilize?

Answer: NA

25. Have all cases been fully adjudicated by the time of placement?

Answer: No

26. If applicable, will accounts held by any incumbent(s) or any backlog be moved to any new vendor(s) as a one-time placement at contract start up?

Answer: No

27. What is your case management/accounting software system of record?

Answer: Refer to section 4.3.1 of the solicitation.

28. Who is your electronic payment/credit card processing vendor?

Answer: Open Edge

29. What process should a vendor follow, or which individual(s) should a vendor contact, to discuss budget-neutral services outside of the scope of this procurement, but related to it, designed to recover more debt prior to outside placement and lower collection costs?

Answer: Court Administrator

30. How do your current processes and/or vendor relationship(s) systematically determine if the death of a responsible party has occurred?

Answer: A death certificate.

31. How do your current processes and/or vendor relationship(s) handle the death of a responsible party?

Answer: Once death is confirmed, the case can be considered for dismissal.

32. Do you have a designated process or policies around deceased accounts today, and what is envisioned in the future?

If a death certificate or other approved form of proof that the defendant is deceased, the case will be closed with fees and fines dismissed.

33. Do you currently search and file probated estate claims? Have you considered an automated tool to identify and file probated estate claims?

Answer: No, the city does not currently search and file probated estate claims and this is not planned for the foreseeable future.

34. Can you please indicate what inbound and outbound contact methods, beyond phone calls or letters (such as email and text), would be permitted by the scope of work?

Answer: Texts; additional methods can be offered for consideration.

35. Is experience working with Tyler Technologies' Municipal Justice (formerly InCode) software, version 9 mandatory if a proposer can show sufficient experience working with other city municipal courts and interfacing with their various case management systems?

Answer: It is not mandatory but is preferred. The proposer should provide a timeline detailing when and how it will interface with Municipal Justice.

36. Is text messaging with case holders a requirement? Would the City find telephone and letter contacting sufficient?

Answer: Not a requirement, but Yes the city does prefer.

37. Does the City have any preference between an electronic or hard copy submission?

Answer: There is not preference between electronic or hard copy submission as long as the process in the solicitation is followed.

38. Please provide the name of the incumbent firm and the contingency fee(s) or price charged by said firm.

Answer: There is no incumbent firm and therefore no fee or price.

39. Please provide the compensation paid to the incumbent firm last year or last quarter.

Answer: There is no incumbent.

40. Please provide the dollar value of the 5,000 to 7,000 accounts that the City expects to refer for collections in the first year of this contract.

Answer: \$2,574,358.50 (30% of which is \$772,307.55)

41. If the 5,000 to 7,000 accounts that the City expects to refer for collections in the first year of this contract includes a backlog of accounts, would the City kindly provide information on the anticipated value and volume of referrals in years 2-4 (assuming the City exercises its extension options).

Answer: Unknown

42. Does the location of a proposer's headquarters have any bearing on the award of a contract? Answer: The geographic location of available contractor representatives to make frequent on-site visits will be a consideration.

43. The City refers to this RFP as a request for legal services. Is the City seeking litigation services to collect accounts or specifically the services of an attorney or law firm?

Answer: The City is not seeking litigation services but is seeking the services of an attorney or law firm in collection of these accounts.

44. We do not see a specific space on the Cost Proposal Form upon which to type our proposed fee(s). May we attach a cost proposal sheet of our design to the Cost Proposal Form?

Answer: Your fees for services should be attached to the proposal form. There is no specific item outline.

45. The RFP refers to the possible inclusion of miscellaneous collection opportunities, such as short-term rental fees. Is the City requesting that vendors respond with additional services outside of fines and fees collected for the Municipal Court? If so, please provide a list of the types of fees the City is interested in having a vendor collect.

Answer: The city has identified a potential need for collection of short-term rental fees. No other services have been identified at this time.

46. On page 14 of the RFP in section 5.2.5 it indicates that up to 15 points will be awarded for Fee Structure. Regarding the inclusion of and points available for cost/fee structure, since the collection rate is set by statute at 30%, will all vendors receive the 15 available points as listed? If not, what factors would reduce the number of points awarded?

Answer: The Fee Structure will be ranked on methodology and the points referenced in 5.2.5.

The collection rate is set at 30% for COURT collections. Vendor should provide a fee structure/methodology for *other services* that may be provided.

47. The use of letter vendors (print and mail) and skip-tracing vendors is commonplace in the collection industry. For this procurement, does the City consider these vendors to be subcontractors?

Answer: No

48. Page 13 of the RFP, Section 5.2.1, last bullet point: Please clarify if the request is for information about experience and performance with other non-court collection receivables or if it is a request for client references for non-court collections receivables and if they must be different from the three previous references.

The city is wanting to know if you have the ability to support other collection services that are not court related and the experience and qualifications for such including references.

49. What is the historical liquidation rate of collection activity?

Answer: There is not history

50. Do you require bi-lingual staff to work accounts?

Answer: PREFERRED

51. Page 11 states the City can recall accounts from the Contractor at any time. Is there a specific duration for how long each account will be placed with the Contractor? If so, please provide the duration.

Answer: No.

52. Is there a strict minimum requirement of five (5) years of experience in collecting within the Municipal Court Service industry?

Answer: The City will accept less; however, the score will reflect the years of experience.

53. Page 14, Section 5.2.5, fourth bullet point: Please clarify what constitutes as Alternative Resources Offered.

Answer: The City does not have other services identified at this time and is seeking to know if other collection services are offered and their associated fees in the event that the city has a need for those collection services.

54. Who will be serving on the evaluation committee for RFP 24-011 Case Resolution and Delinquent Account Collections?

Answer: City Staff.

55. How will the City determine procedure methods for cases that are not resolved after one (1) year or referral by the City? Would the City want the firm to continue working on those cases?

Answer: TBD

56. Will points be deducted if more than three (3) references are provided?

Answer: No

57. Please provide all collection reports, statistical or otherwise, either completed by the court or current collection vendor for the last five years.

Answer: No current vendor/contract

58. Please provide the total amount of fees paid annually to your current collection vendor for 2021, 2022 and 2023.

Answer: No current vendor/contract

59. Please provide the total monetary amount outstanding for the court.

Answer: Value of outstanding cases to be referred in the 1st year: \$2,574,358.50 (30% of which is \$772,307.55).

60. Please provide the collection rate for the current vendor.

Answer: No current vendor/contract no collection rate.

61. Do you have a current vendor? If so, please answer: Name of agency.

Answer: No current vendor/contract