

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 19733

Sponsor(s): Alfred Jordan

Date: February 12, 2018

SUBJECT	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Awarding a Twenty-Four Month Term & Supply Contract with Three Twelve Month Options to Extend for the furnishing of Legal Process Services for use by the Prosecuting Attorney's Family Support Division to D&B Legal Services of Prairie Village, Kansas under the Terms and Conditions of Request for Proposal No. 99-17.</u></p>															
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Amount authorized by this legislation this fiscal year:</td><td style="width: 20%; text-align: right;">\$</td></tr> <tr> <td>Amount previously authorized this fiscal year:</td><td></td></tr> <tr> <td>Total amount authorized after this legislative action:</td><td style="text-align: right;">\$</td></tr> <tr> <td>Amount budgeted for this item * (including transfers):</td><td style="text-align: right;">\$</td></tr> <tr> <td>Source of funding (name of fund) and account code number:</td><td></td></tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input checked="" type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: Prosecuting Attorney – Family Support \$55,000</p> <p>The RLA only approves the Term and Supply Contract and does not obligate the County to spend any certain amount. The funds were appropriated through the annual budget adoption.</p> <p>Prior Year Budget (if applicable): \$65,000 Prior Year Actual Amount Spent (if applicable): \$54,539</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:						
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PRIOR LEGISLATION	<p>Prior ordinances and (date): Prior resolutions and (date): 18707, 2/2/15</p>															
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Kyle Brack, Sr. Buyer, 881-3265</p>															
REQUEST SUMMARY	<p>The Prosecuting Attorney's Family Support Division requires a Term and Supply Contract for the furnishing of Legal Process Services. The Purchasing Department issued Request for Proposal No. 99-17 in response to the department need.</p> <p>A total of twenty-nine notifications were distributed and two responses were received and evaluated as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Respondent</th><th style="width: 20%;">Qualifications and Experience (45 points)</th><th style="width: 15%;">References (10 points)</th><th style="width: 15%;">Pricing (45 points)</th><th style="width: 25%;">Total Score (100 possible)</th></tr> </thead> <tbody> <tr> <td>D&B Legal Services Prairie Village, KS</td><td style="text-align: center;">44</td><td style="text-align: center;">10</td><td style="text-align: center;">39</td><td style="text-align: center;">93</td></tr> <tr> <td>Action Legal Process Kansas City, MO</td><td style="text-align: center;">22</td><td style="text-align: center;">6</td><td style="text-align: center;">39</td><td style="text-align: center;">67</td></tr> </tbody> </table> <p>*The above totals are a combined average based on individual scores from the five members of the Evaluation Committee.</p>	Respondent	Qualifications and Experience (45 points)	References (10 points)	Pricing (45 points)	Total Score (100 possible)	D&B Legal Services Prairie Village, KS	44	10	39	93	Action Legal Process Kansas City, MO	22	6	39	67
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D&B Legal Services Prairie Village, KS	44	10	39	93												
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	<p>Legal Process Service is critical to the success of the Prosecutor's Office Family Support Division to obtain service of process in the large volume of administrative and legal documents prepared by that office upon all of the adverse parties in actions to establish paternity, obtain child support and medical support orders, and to enforce child support and medical support orders for children.</p> <p>Pursuant to Section 1054.6 of the Jackson County Code, the Acting Director of Finance and Purchasing recommends the award of a Term and Supply Contract for the furnishing of Legal Process Services to D&B Legal Services of Prairie Village, Kansas as the best overall proposal evaluated.</p> <p>This award is made on an "as needed" basis and does not obligate Jackson County to pay any specific amount. The availability of funds for any specific purchase is subject to annual appropriations.</p>	
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input checked="" type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office) N/A	
COMPLIANCE	<input type="checkbox"/> MBE Goals N/A <input type="checkbox"/> WBE Goals N/A <input type="checkbox"/> VBE Goals N/A	
ATTACHMENTS	Family Support's recommendation letter, evaluation scoring matrix, and pertinent pages of D&B Legal Services proposal	
REVIEW	Department Director: <i>[Signature]</i> Finance (Budget Approval): <i>[Signature]</i> <i>If applicable</i> Division Manager: <i>[Signature]</i> County Counselor's Office: <i>[Signature]</i>	Date: 2-5-19 Date: 2/5/18 Date: 2/7/18 Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- ☐ This expenditure was included in the annual budget.
- ☐ Funds for this were encumbered from the _____ Fund in ____.
- ☐ There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- ☐ Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- ☐ Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- ☒ This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- ☐ This legislative action does not impact the County financially and does not require Finance/Budget approval.



JEAN PETERS BAKER
Jackson County Prosecuting Attorney

MEMORANDUM

Date: January 31, 2018

To: Kyle Brack, Senior Buyer, Finance/Purchasing Department

From: Melissa Mauer-Smith, Director, Prosecutor's Office - Family Support Division

Re: **Evaluation of Request for Proposal No. 99-17 (Process Service)**

Jackson County Prosecutor's Office - Family Support Division formed an evaluation committee consisting of 5 members, including Attorneys and Technical staff that heavily utilize the services of Process Servers in their daily work.

Each member of the Committee thoroughly reviewed the RFP and the two responses. The committee met together to review each factor of the submitted bids. References were checked for each responding company by asking each reference the same questions for each bidding company. That information was also provided to the evaluation team for review. Each member of the evaluation committee completed their individual Request for Proposal 99-17 Evaluation Matrix based on the each of the Respondent's Qualifications and Experience, References and Pricing. Those individual forms were provided to you for review and calculate the score of each Respondent. You provided me the following scoring results: D&B Legal Services received a score of 93 and Action Legal Process received a score of 67.

Based on the 93 points independently awarded by the five members of the Committee to D&B Legal Services, the Prosecutor's Office Family Support Division Evaluation Committee recommends the bid be awarded to D&B Legal Services.

In particular, the committee felt that the proposal from D&B was the best proposal to meet the needs of the Prosecutor's Office Family Support Division, the following reasons were highlighted by members of the committee:

- Adequate Number of Process Servers and staff to meet our volume needs
- More years of Experience
- A minimum number of 3-4 service attempts on each person to be served
- Additional resource is provided in a Field Sheet that can be provided to the Court
- References gave higher recommendations regarding the service provided

D&B lists their staff as containing 14 Process Servers, 5 Couriers, 5 office employees, and an additional 60 contract process servers that are registered and approved with the 16th Judicial Circuit Court (Jackson County) available to serve process immediately. In contrast, Action Legal Process reported that they have only 8 employees, but would add staff. It meets the needs of the the

Family Support Division 324 East 11th Street, Suite 1100 Kansas City, Missouri 64106-2421
Office: 816-881-3171 **FAX:** 816-881-3184

Prosecutor's Office Family Support Division to have more dedicated process servers and dedicated office staff to meet the needs of our large operation. D&B Legal Services has three times more employee's in their local office than Action Legal Process has total employees, that is a critical advantage for our process server needs.

D&B Legal Services stated in the response that the principals of the business have over 30 years combined experience. Action Legal Process states that the owner has 24 years experience. The Evaluation Committee felt that the Company with the most years of experience in the field would be an asset to this office, which is D&B Legal Services.

Additionally in the business plan and approach provided by D&B Legal Services was more advantageous to the Prosecutor's Office Family Support Division, specifically because D&B Legal Services states they will attempt service a minimum of 3-4 times on each person, which is critically important in the diverse and mobile population our office is required to have served with legal process. D&B Legal Services further indicated they would provide a Field Sheet containing information that the attorneys have utilized in Court many times to uphold service. These two items are not addressed in the bid submitted by Action Legal Process.

Phone calls were made to four references for each Respondent, two responses were received for each Respondent. The same set of questions were asked of each reference. D&B Legal Services has excellent references from both letters and phone interviews were given grades of A by both firms interviewed and very strong endorsements. Action Legal Process reference endorsements were slightly less glowing, and they were given a grade of A by one firm and a grade of B by the other firm. It was concluded by the Evaluation Committee that D&B Legal Service should be given slight preference in the evaluation factor of references due to the slightly better rating from clients.



REQUEST FOR PROPOSAL 99-17 Evaluation Matrix

RFP: Legal Process Services

DEPARTMENT: Family Support

No	Respondent	Qualifications and Experience (45 points possible)	References (10 points possible)	Pricing (45 points possible)	Total Score
1	D&B Legal Services	44	10	39	93
2	Action Legal Process	22	6	39	67
3					0
4					0
5					0

Evaluation Committee Comments:

Scoring Matrix Notes:

1. Assign scores from 1 (**do not use "0"**) to the maximum possible points for each category.
2. Each member of the Evaluation Committee votes individually - do not combine scores onto one score sheet.
3. Purchasing will compile and calculate final scores.

D&B Legal Services

Investigations / Courier / Service of Process - One Number

913-362-8110 - Phone

913-362-8118 - Fax

www.DandBLegalServices.com

6.6.4.1

D&B Legal Services, Inc., a full service investigative agency, was incorporated in the state of Kansas on May 14, 2003. The owners Bill and Dee Powell, have a combined total of 30 plus years of high quality service and experience in providing legal support services. While working for local law firms in Kansas City, Missouri, this dynamic husband / wife team were able to identify the need for a good and quality support service to the legal community. They both recognized there were many needs not effectively being met in the surrounding metropolitan area, and they set out in early 2000 to assist in meeting those critical needs by providing very specialized and focused services.

We at D&B Legal Services, Inc. are extremely proud of our reputation, knowledge and support services provided to our clients. We consistently strive to provide the most professional service available while meeting our own high standards and best practices for conducting business. In addition to meeting our high standards of professional business ethics, our services are in accordance with the Code of Ethics of National Association of Legal Investigators. D&B Legal Services, Inc. is an S. Corp. and owned by Dee Powell with 51% controlling shares and Bill Powell with 49% controlling shares, respectively.

6.6.4.2

As a full service investigative agency and legal service company, we handle criminal backgrounds, white and blue collar, corporate, personal injury and work comp investigations, vehicle repossession, court research, document retrieval, courier service, skip tracing, digital document scanning and process serving.

6.6.4.3

D&B Legal Services, Inc. employs a total number of 5 individuals for office duties, 14 process servers and 5 couriers are contracted by D&B Legal Services, Inc. We also contract and register with Jackson County Circuit Court over 60 process servers that are located all over the United States to help us provide nationwide service to our client. We also have access to a nationwide network of process servers in the event we do not have a contractor in a given area.

6.5.5

Our process server's follow industry standards and court rules. Our process servers make a minimum of 3-4 attempts that should include a Morning, Afternoon, Evening and Weekend attempt. When service is successful our process servers are instructed to do their best to obtain a signature of the person receiving the service of process, record their description and their full name and relationship to the subject.

When service is not obtained, our process servers are instructed to gain as much information as possible before departing the residence in the event the address is not valid for the subject; information that may be obtained by questioning the current resident on the whereabouts of the

6.5.5 cont.

subject, questioning the neighbors, obtaining license plates of vehicles in the driveway, notating any names listed on the outside of a mailbox or any other personal fixture at the residence such as a door knocker or welcome matt. If the address is determined not valid by the process server, we contact the client within a reasonable amount of time to obtain more information. Our office also performs skip tracing.

6.5.6

D&B Legal Services, Inc. strives to stay on top of the latest advancements in the area of service of process. Over the past year we have made numerous improvements to our services. A few key defining features we are able to provide are:

- ❖ GPS Data
- ❖ Photographic proof of attempt
 - Photos of vehicles and the license plates (when possible)
 - Photos of the address attempted
- ❖ A website available 24/7 for the client to log in to and view status of any current job or review notes and information from completed jobs.
- ❖ Online Updates – Reviewed daily
 - Our process servers, located in the Kansas City Metro area only, are equipped with smart phones. This allows them to run an App on their phone giving them access to our database. They are able to upload photos, record their current GPS location and provide status update pertaining to the job all from the field. All of which is available online for the client after it is reviewed in our office, usually within 12-24 hrs. GPS information must be requested from our office as it is not available online at this time.

Along with the keeping notes electronically our process servers are also provided a field sheet to record certain information manually. Information such as the description of the individual served, the signature of said individual, dates and times of attempts and the service date and time. This field sheet is also available online for review.

Every document D&B Legal Services, Inc. receives to serve is entered into our database, scanned and is assigned a job number for tracking. The service packet and all other documents are available online to view by the client.

Our website features search functions allowing you to search for jobs by your reference number, defendant name or court date to list a few. There is also a Calendar which keeps track of court dates and how many jobs there are for a specific docket.

6.5.7

Please see attachments A, B, C and D.

D&B Legal Services

Investigations / Courier / Service of Process - One Number

913.362.8116 - Phone

913.362.8116 - Fax

www.DandBLegalServices.com

6.5.8

6.5.8.1

There are no legal actions pending against D&B Legal Services, Inc. or the individuals working under it in regards to the service of process or any other matter regarding the services the business provides.

6.5.8.2

D&B Legal Services, Inc. and its process servers do not have any unresolved disputes regarding the service of process or any services the business provides.

6.5.8.3

D&B Legal Services, Inc. has never been disqualified from working for any County or Public Entity.

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6.5.9

Jackson County, MO

\$40.00 Service Fee and \$10.00 Non-Est Fee

Cass, Clay and Platte Counties

\$45.00 Service Fee and \$15.00 Non-Est Fee

Buchanan, Johnson and Lafayette Counties

\$75.00 Service Fee and \$25.00 Non-Est Fee

Johnson County and Wyandotte County, KS

\$45.00 Service Fee and \$15.00 Non-Est Fee