
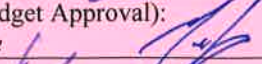



**REQUEST FOR LEGISLATIVE ACTION**

Completed by County Counselor's Office:

Res/Ord. No.: 20149  
 Sponsor(s): Crystal Williams  
 Date: April 29, 2019

SUBJECT	Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance  Project/Title: <u>Awarding a Six-Month Term and Supply Contract for the furnishing of Title Services for Jackson County, Missouri from Clear Title Nationwide, Inc. of Overland Park, Kansas under the terms and conditions of Request for Proposal No. 14-19.</u>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="329 558 1461 747"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></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></td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></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> OTHER FINANCIAL INFORMATION:  <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: Collections Department Estimated Use of County funds: \$47,400  Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):	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:	
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:											
PRIOR LEGISLATION	Prior ordinances and (date): Ordinance 5206 (3/11/19) Prior resolutions and (date): Resolution 19915 (7/23/18)										
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Barbara Casamento, Purchasing Administrator, 881-3253										
REQUEST SUMMARY	Pursuant to a Cooperative Agreement with the City of Kansas City, Missouri, authorized under Ordinance 5206 concerning a tax foreclosure sale pilot project, Jackson County, Missouri solicited bids for a Term and Supply Contract for Title Services to include title searches and issuance of title commitments in Request for Proposal No. 14-19.  Seven notifications were distributed and one response was received and evaluated as follows: Clear Title Nationwide, Inc. of Overland Park, Kansas.  <table border="1" data-bbox="329 1419 1339 1455"> <tr> <td>Per Parcel Fee</td> <td>\$237.46</td> </tr> </table> Pursuant to Section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommend the Award of a Six Month Term and Supply Contract for Title Services to Clear Title Nationwide, Inc. of Overland Park, Kansas as the lowest and best proposal received.	Per Parcel Fee	\$237.46								
Per Parcel Fee	\$237.46										
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)										
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals No Goals Established for this Contract										
ATTACHMENTS	The Abstract of Bids, a Recommendation Memorandum and the pertinent pages of Clear Title's proposal.										

REVIEW	Department Director: 	Date: 4-24-2019
	Finance (Budget Approval): <i>If applicable</i> 	Date: 4/24/19
	Division Manager: 	Date: 4/24/19
	County Counselor's Office:	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.

ABSTRACT OF BIDS

RFP No: 14-19							
Date: 4/17/19							
COMMODITY: Title Services							
NO	DESCRIPTION	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT

1.0 Title Services per RFP 14-19

*See Bid*

*Title Services -  
Clean Title  
FMS*

CERTIFICATION OF BID OPENING  
BIDS WERE PUBLICLY  
OPENED AND RECORDED

ON: April 17 2019, BY  
Heidi H. Rowland  
CLERK OF THE LEGISLATURE

PURCHASING



**V. EDWIN STOLL**

**CHIEF ADMINISTRATIVE OFFICER**

415 East 12<sup>th</sup> Street, Suite 200

Kansas City, Missouri 64106

(816) 881-3064

Fax: (816) 881-3133

www.jacksongov.org

FROM: V. Edwin Stoll, Chief Administrative Officer *VES*

TO: Barbara Casamento, Purchasing Administrator

DATE: April 24, 2019

RE: Title Services RFP No. 14-19

Pursuant to a Cooperative Agreement with the City of Kansas City, Missouri, authorized under Ordinance 5206 concerning a tax foreclosure sale pilot project, Jackson County, Missouri solicited bids for a Term and Supply Contract for Title Services to include title searches and issuance of title commitments in Request for Proposal No. 14-19. The sole response, from Clear Title Nationwide, Inc., was evaluated and is recommended for award as the lowest and best proposal received.

Research and Certification Fee \$237.46 (up to an amount equal to Clear Title's cost of per Parcel search fee)

Clear Title's price for a lender that would like to acquire a Lender's Title Policy on a Parcel searched through this Pilot Program will be as follows:

Closing and Disbursement Fee \$245

Lender's Title Insurance Fee \$350

MO Closing Protection Letter Fee \$25

Research and Certification Fee \$237.46 (up to an amount equal to Clear Title's cost of per Parcel search fee)

PLEASE NOTE: The Research and Certification Fee will be made payable to the County for an "Affidavit of Certification," For this fee, the County and the City will provide the following services to Clear Title: A signed and notarized "Affidavit of Certification," copy of Title Commitment used in determining the Scope of Notice Action, copies of supporting documents, and any and all communications in determining "good service" laid out in Section 3.2 Schedule A.

PLEASE NOTE: If an Owner's and Lender's Title Policy is issued in the same transaction, only one "Research and Certification Fee" will be charged.

4. Clear Title accepts and agrees to the PROPOSED FORMAT requirements listed below.
  - 4.1. Clear Title has provided an original plus five copies.
  - 4.2. All proposals and copies are double sided and minimize the use of binders and plastic covers, binder clips are the preferred way to separate copies.
  - 4.3. Proposals and copies shall be in an opaque envelope or box with this Request for Proposal name and number and the Respondent's name and address on the front.
  - 4.4. Request for Proposal Response Deadline and Delivery Instructions are on Page 1 of this Request for Proposal.
  - 4.5. Expenses and cost incurred in the preparation of proposals in response to this Request for Proposal are the sole responsibility of the Respondent and shall not be reimbursed by Jackson County, Missouri.
  - 4.6. All proposals received in response to this Request for Proposal becomes the property of Jackson County, Missouri.
  - 4.7. To facilitate the evaluation of proposals, proposals and copies shall be organized in the following manner:
    - 4.7.1. Clear Title has provided a Cover Letter as required
    - 4.7.2. All forms contained in the Request for Proposal, filled out, signed and notarized where necessary.
    - 4.7.3. The remainder of this Request for Proposal package for evaluation purposes.
    - 4.7.4. Brief description of Clear Title's General Background
      - 4.7.4.1. CLEAR TITLE'S GENERAL BACKGROUND Year of inception and history: Clear Title, Inc. ("Clear Title") was incorporated in the State of Missouri in 2003. In 2004 Clear Title expanded its transaction footprint and

became licensed to issue title insurance in the State of Kansas. In 2006 Clear Title opened its first office in the State of Kansas in the City of Overland Park. Clear Title, Inc. changed its name to Clear Title Nationwide, Inc. in 2007 with the intention to open offices in multiple states. Clear Title consolidated its offices into one location and moved to the current office on Foster Street in Overland Park, Kansas in 2010.

- 4.7.4.2. Ownership Structure: Clear Title is a Woman Owned Business owned by a husband and wife: Brett and Tiffany Hart. Tiffany Hart is the CFO and majority shareholder at 60% of the stock and Brett Hart is the CEO and owns 40% of the stock.
- 4.7.4.3. Number of associates: Clear Title currently employees 9 employees and unitizes 3 contractors on an as needed basis.
- 4.7.4.4. Ability to provide services required: Clear Title has spent the last 4 years with a major focus on trying to bridge the gap between title insurance underwriters and their acceptance of the tax foreclosure process used in tax foreclosure process used by government entities.
- 4.7.4.5. **References:** Please find five (5) references of similar projects with municipal /local government clients that Clear Title has completed in the last five (5) years:

**Reference #1 Beacon Hill search for Housing Authority**

Clear Title was contacted to search this project as supplemental search for First American.

Point of contact with contact information: Stuart Bullington,  
Stuart.bullington@kcmo.org

Completion time of project: 2 weeks

**Reference #2 Kansas City Land Bank Property Reports**

Clear Title has worked with the Kansas City Land Bank for over 2 years by providing roughly 150-200 Title Reports to aid in informing prospective purchasers. Clear Title also works with those who wish to purchase title insurance through the different options available to them.

Point of contact with contact information: Michael Patillo, Interim  
Director of Land Bank Michael.Patillo@kcmo.org, 816-513-9023

Completion time of project: ongoing

**Reference #3 Wyandotte County Land Bank**

Clear Title has provided Title Commitments to purchasers from the Wyandotte County Land Bank for over a year. We have been successful with roughly 50-75 Parcels to get their properties insurable.

Point of contact with contact information: Chris Slaughter, Director of  
Land Bank, CSlaughter@wycokck.org 913-573-5730

Completion time of project: ongoing

**Reference #4**

**Kansas City Land Bank to NACCC**

Clear Title is working on facilitating searches, closings, and disbursing a section of 50 Parcels of land currently owned by the Kansas City Land Bank that The National Association of Construction Contractors Cooperation (NACCC) has identified as potential Parcels for future projects.

Point of contact on projects with contact information: Sarah Johnson sarah.johnson@kcmo.org, 816-513-3130

Completion time of project: ongoing

#### **Reference #5**

##### **Kansas City Land Bank -UMKC Quiet Title Clinic**

Clear Title was contracted to perform title searches to be used as references for the UMKC Quiet Title Clinic.

Point of contact with contact information: Michael Patillo, Interim Director of Land Bank Michael.Patillo@kcmo.org, 816-513-9023 and Sarah Johnson sarah.johnson@kcmo.org, 816-513-3130

Completion time of project: ongoing

#### **Please note for consideration:**

##### **Consideration #1 Clay County 2018 Tax Sale Notification Searches**

Clear Title was contracted to conduct searches for Parcels sold in the 2018 Clay County Tax Sale. Clay County, uses Section 140 RSMo to sale tax liens, unlike Jackson County that uses Section 141 RSMo. Clay County has contracted, Civic Source, a third party to conduct their Tax Sales. Civic Source contracted Clear Title to complete a Parcel by utilizing a Title Plant along with the Clay County Register of Deeds's Database, CaseNet, and other public records to identify each owner and any party that may have a legal or equitable interest in each Parcel of land. Clear Title provided the vendor with a Title Report, copies of all supporting documents, including Deeds (various Warranty Deeds, Quit Claim Deeds, and other transfer Deeds), Deeds of Trust, and Court Order(s). The total scoop of the project was 72 Parcels. These documents were uploaded into a proprietary shared filing system.

Point of Contact: Beau @ Civic Source

Completion Time: 3 weeks

##### **Please Note for consideration #2 Legal Aid of Western Missouri**

Clear Title provides Title Commitments for Legal Aid of Western Missouri as reference for their Abandoned Housing Act Quiet Title cases. After the completion of the case Clear Title issues Title Insurance to the clients that request.

Point of Contact: Dennis Chanay, dchanay@lawmo.org

Completion Time: ongoing

- 4.7.4.6. Clear Title has provided a detailed, written response to Section 3.0 of this Request.
- 4.7.4.7. Clear Title is located in Greater Kansas City Metropolitan Area.
- 4.7.4.8. Clear Title will meet the Contractor's Utilization Plan.
- 4.7.4.9. Certification: Attached is a copy of Clear Title's State of Missouri license as detailed in Section 2 .1 herein.
- 4.7.4.10. Quotation: Clear Title's Price per Parcel will be \$237.46. For this fee Clear Title will provide to Jackson County, a Title Commitment, Ownership and Encumbrance Report, electronic copies of all documents filed of record and referenced therein, including, without limitation, Deeds, Certificates of Dangerous Building, Deeds of Trust, Mortgages, and Court Orders.  
Other fees as detailed in Section 3.3 will be as follows:  
Clear Title's prices for a Title Policy that a purchaser would like to acquire an Owner's Policy.  
Closing and Disbursement Fee \$245  
Owner's Title Insurance Fee \$350  
MO Closing Protection Letter Fee \$25  
\*Research and Certification Fee \$237.46

Clear Title's price for a lender that would like to acquire a Lender's Title Policy on a Parcel searched through this Pilot Program will be as follows:  
Closing and Disbursement Fee \$245  
Lender's Title Insurance Fee \$350  
MO Closing Protection Letter Fee \$25  
\*Research and Certification Fee \$237.46

\*(The Research and Certification Fee will be made payable to the County and City. For this fee, the County and the City will provide Clear Title: Signed and notarized "Affidavit of Certification," copy of Title Commitment used in determining the Scope of Notice Action, copies of supporting documents, and any and all communications in determining "good service" )

- 4.8. Clear Title understands failure to provide this information, organized in this manner with the appropriate number of copies shall be grounds for REJECTION of your proposal or a reduction of Evaluation Criteria.
- 5. Clear Title understands and agrees with the EVALUATION CRITERIA



## Clear Title Clarifications

- **1.5 -- The number of Parcels referenced in 1.5 is now anticipated to range from 350 to 400. Please indicate how, if at all, any aspect of your proposal is revised in light of that revised anticipated range.**

This revision will not have an impact on our proposal.

- **3.1.1- Please state whether the Title Commitment referenced in your answer to 3.1.1 is to contain the same commitments as the Title Commitment that is referenced in your answer to 3.1.3**

The Title Commitment referenced in 3.1.1 is a pre-foreclosure Title Commitment and will reflect all requirements and exceptions of all outstanding interests, liens, and deeds of record at that time. The Title Commitment in 3.1.3 will be issued if a purchaser, lender, or any entity requests a Title Policy. This will be an updated (run to date) version of the Title Commitment reference in 3.1.1 of all activity on the Parcel, including but not limited to: new liens filed of record, need deeds filed of record, and removal of all requirements and exceptions satisfied by the county's notice and foreclosure process.

- **3.1.2 -- Please specify the amount of the per parcel fee to be paid for the deliverables described in your answer to 3.1.2**

The amount per Parcel will be \$237.46

- **3.1.3 - Please state the charge, if any, for the Title Commitment referenced in your answer to 3.1.3**

The charge for the updated Title Commitment will be \$50 due from the requesting the purchaser or Lender of the purchaser. This fee will be applied to the Closing and Disbursement fee at the time of issuance of policy.

- **3.2.1.3 - Please clarify the statutory section reference in your answer to 3.2.1.3**

The statutory section was a typographical error. The correct statute should be 141.540 RSMo.

- **3.2.1.6 - Please state whether the Title Commitment referenced in your answer to 3.2.1.6 is the same Title Commitment referenced in your answer to 3.1.1**

Yes, the Title Commitment referenced in 3.2.1.6 will be the pre-foreclosure Title Commitment referenced in 3.1.1.

- **3.3 - Please complete the sentence that currently ends with "purchaser"**

"Clear Title's prices for a Title Policy [for] a purchaser *that would like to acquire an Owner's Title Insurance Policy on a Parcel searched through this Pilot Program will be as follow:*"

- **6.6.1- A Certificate of Insurance will not be required under Exhibit A. Please indicate how, if at all, any aspect of your proposal is revised in light of that.**

In light of this revision, Clear Title will not seek payment from the county for a certificate of insurance.