

SERIAL 04080 RFP HEARING OFFICER(S) - MERIT COMMISSION (NIGP 91866)

DATE OF LAST REVISION: June 11, 2007 CONTRACT END DATE: July 31, 2010

JULY 31, 2010
CONTRACT PERIOD THROUGH ~~JULY 31, 2007~~

TO: All Departments
FROM: Department of Materials Management
SUBJECT: Contract for **HEARING OFFICER(S) - MERIT COMMISSION (NIGP 91866)**

Attached to this letter is published an effective purchasing contract for products and/or services to be supplied to Maricopa County activities as awarded by Maricopa County on **July 22, 2004**.

All purchases of products and/or services listed on the attached pages of this letter are to be obtained from the vendor holding the contract. Individuals are responsible to the vendor for purchases made outside of contracts. The contract period is indicated above.

Wes Baysinger, Director
Materials Management

SF/ks
Attach

Copy to: Clerk of the Board
Elizabeth Yaquinto, Human Resources
Kathy Sicard, Materials Management

(Please remove Serial 99059-RFP from your contract notebooks)

SPECIFICATIONS ON REQUEST FOR PROPOSALS FOR: **HEARING OFFICER(S) – MERIT
COMMISSION (NIGP 91866)**

1.0 **INTENT:**

The intent of this request for proposals is to identify qualified, viable providers of hearing officer services for Maricopa County. Awarded providers of this service will provide hearing officer services as related to the Maricopa County Employee Merit System Commission and the Maricopa County Law Enforcement Merit System Commission. Stated services will be provided to the Maricopa County Human Relations Agency and other County agencies as required. It is the intent of Maricopa County to procure the services of the most qualified hearing officer(s). This is a requirement contract.

2.0 **SCOPE OF WORK/APPLICATION REQUIREMENTS:**

- 2.1 The Hearing Officer shall be authorized to act on behalf of the specific Merit Commissions for the purpose of conducting hearings for the Merit Commissions, ruling on motions and making recommended findings of fact, conclusions of law and orders, subject to the appropriate Rules and Resolutions of the Merit Commissions and the Arizona Revised Statutes and subject to the specific directions of the Merit Commissions
- 2.2 Hearings will be assigned to approved Hearing Officers by the Human Resources Department or by the Merit Commissions.
- 2.3 Fees/compensation are pre-determined and are not negotiable. Payment shall be made to the Hearing Officer in accordance with the following:
 - 2.3.1 Convened hearings shall be compensated at \$70.00 per hour. In appeals that have a convened hearing the guaranteed minimum payment shall be \$175.00 *or* \$70.00 per hour *whichever is greater*. The \$175.00 guaranteed minimum, for a convened hearing, is applicable *only one time* per appeal case and applies *only* when the payment for the convened hearing at the \$70.00 per hour rate totals less than \$175.00.
 - 2.3.2 Time spent on preparation shall include pre-hearing review of the file or case; any conversations with the appellant, respondent or their attorneys; review of the transcripts and exhibits; review, research and rulings on motions, preparation of the findings of fact, conclusions of law and recommended orders, and any conferences with the Merit Commissions regarding the particular case or hearing. Time spent on such preparation shall be billed at the hourly rate of \$70.00 per hour. *No compensation will be paid for travel or per diem.*
- 2.4 The Hearing Officer shall present claims for payment to the Maricopa County Human Resources Department, or other respective County Agency as directed, in accordance with prescribed procedures.
- 2.5 The Hearing Officer shall accept assignments when available, excepting an assignment where possible personal or professional conflict of interest exists. In the event that a possible conflict exists, the Hearing Officer shall notify the respective Merit Commission promptly. The Hearing Officer shall be reasonably available to hear appeals on a normal workday.
- 2.6 The Hearing Officer shall submit timely findings of fact, conclusions of law, and recommended orders after conducting an appeal hearing and shall provide any further information in accordance with the appropriate Merit Commissions' Rules, Resolutions and Statutes.
- 2.7 This contract shall become effective after award by the Maricopa County Board of Supervisors and continue for the period as stated herein with options for renewal, but the contract may be terminated upon thirty (30) days written notice of termination by either party, of the party's intention to terminate. However, the Hearing Officer shall complete any appeal assigned prior to

termination of the contract unless otherwise directed by the Merit Commissions and the Merit Commissions shall pay all proper claims submitted on such appeals.

- 2.8 The Hearing Officer is responsible for carrying out the respective policies and shall follow the directions of the Merit Commissions.
- 2.9 This contract shall be reviewed by the Merit Commissions at least ninety (90) days prior to date of expiration and the Merit Commission shall make appropriate recommendations, concerning renewal options, to the Board of Supervisors regarding the action to be taken regarding each Hearing Officer's contract.
- 2.10 Preference may be given to attorneys who are members in good standing of the State Bar of Arizona.
- 2.11 *Awards shall be made to individual respondents only, no awards shall be made to a "firm".*

2.12 **APPLICATION REQUIREMENTS:**

All proposers/applicants shall submit the following, to be considered for contract award:

- **CV or resume which includes a work history that identifies both dates and responsibilities, with emphasis on work history which is relevant to this solicitation.**
- **Copies of certifications/diplomas which illustrate the respondent's qualifications to provide services relevant to this solicitation.**
- **A writing sample, of which, the respondent has personally prepared. (finding of fact, conclusions of law, recommended actions, etc.)**
- **Letter of transmittal (see Exhibit 1)**
- **Attachment A**
- **Attachment B**
- **Attachment C**
- **Attachment D**

Failure to provide all information requested may cause any response to be deemed not susceptible for award.

2.13 DELIVERY OF SERVICES:

It shall be the Contractor's responsibility to meet the County's service requirements, as called for in the Scope of Work. Maricopa County reserves the right to obtain services on the open market in the event the Contractor fails to make delivery and any price differential will be charged against the Contractor.

3.0 **SPECIAL TERMS & CONDITIONS:**

3.1 CONTRACT LENGTH:

This Request for Proposal is for awarding a firm, fixed price purchasing contract to cover a three (3) year period.

3.2 OPTION TO EXTEND:

The County may, at their option and with the approval of the Contractor, extend the period of this Contract up to a maximum of three (3), one (1) year options. The Contractor shall be notified in writing by the Materials Management Department of the County’s intention to extend the contract period at least thirty (30) calendar days prior to the expiration of the original contract period.

3.3 SCHEDULE OF EVENTS

Request for Proposals Issued: 5/7/04

Deadline for submission of proposals is 2:00 P.M., MST, on **JUNE 9, 2004**. All proposals must be received before 2:00 P.M. on the above date at Maricopa County Materials Management Department, 320 West Lincoln Street, Phoenix, AZ 85003.

Dates listed below are tentative dates.

Proposed review of Proposals and short list decision: 6/16/04

Proposed interviews if required): 6/23/04

Proposed selection: 6/30/04

Proposed award of contract: 8/18/04

All responses to this proposal become the property of Maricopa County and (other than pricing) will be held confidential, to the extent permissible by law. The County will not be held accountable if material from proposal responses is obtained without the written consent of the Proposer by parties other than the County.

3.4 INQUIRIES AND NOTICES:

All inquiries concerning information herein shall be addressed to:

MARICOPA COUNTY
DEPARTMENT OF MATERIALS MANAGEMENT
ATTN: CONTRACT ADMINISTRATION
320 W. LINCOLN ST.
PHOENIX, AZ 85003

Administrative telephone inquiries shall be addressed to:

STAN FISHER, SENIOR PROCUREMENT CONSULTANT, 602-506-3274
(sfisher@mail.maricopa.gov)

Technical telephone inquiries shall be addressed to:

Janice Stratton
Merit Systems Administrator
301 W. Jefferson, Suite 219
Phoenix, AZ 85003
602 506-5007

Inquiries may be submitted by telephone but must be followed up in writing. No oral communication is binding on Maricopa County.

3.5 INSTRUCTIONS FOR PREPARING AND SUBMITTING PROPOSALS:

Proposers are to provide one (1) original (labeled) and four (4) copies of their proposal. Proposers are to address proposals identified with return address, serial number and title in the following manner:

**Maricopa County Department of Materials Management
320 W. Lincoln St.
Phoenix, AZ 85003**

SERIAL 04080 – RFP

HEARING OFFICER(S) – MERIT COMMISSION (NIGP 91866)

Proposals must be signed by a the individual submitting the proposal. Proposer/applicant shall agree to hold their offer to provide services for a period of one hundred twenty (120) days after the RFP closing date.

3.6 GENERAL CONTENT:

The Proposal submitted should be specific and complete in every detail. It should be practical and should be prepared simply and economically, providing a straightforward, concise delineation of capabilities to satisfactorily perform the Contract being sought.

3.7 FORMAT AND CONTENT:

To aid in the evaluation, it is desired that all proposals follow the same general format. The proposals are to be submitted in binders and have sections tabbed as below:

- 3.7.1 Letter of Transmittal (Exhibit 1)
- 3.7.2 CV or resume.
- 3.7.3 Copies of certifications/diplomas.
- 3.7.4 Writing sample.
- 3.7.5 Pricing (Attachment A).
- 3.7.6 Agreement (Attachment B).
- 3.7.7 References (Attachment C).
- 3.7.8 Vendor Information (Attachment D).

3.8 EVALUATION OF PROPOSAL – SELECTION FACTORS:

A Proposal Analysis Committee shall be appointed, chaired by the Materials Management Department, to evaluate each Proposal and prepare a scoring of each Proposal to the responses as solicited in the original request. At the County's option, proposing individuals may be invited for interviews with the Evaluation Committee. Proposals will be evaluated on the following criteria which are listed RANK order.

- 3.8.1 Education.
- 3.8.2 Experience.
- 3.8.3 Writing Sample(s).

3.8.4 Interview(s) (if deemed necessary).

3.9 **TERMINATION:**

County may unconditionally terminate this Contract for convenience by providing thirty (30) calendar days advance notice to the Contractor.

County may terminate this Contract if Contractor fails to pay any charge when due or fails to perform or observe any other material term or condition of the Contract, and such failure continues for more than ten (10) days after receipt of written notice of such failure from County, or if Contractor becomes insolvent or generally fails to pay its debts as they mature.

3.10 **POST AWARD MEETING:**

The successful Proposer(s) may be required to attend a post-award meeting with the Using Agency to discuss the terms and conditions of this Contract. This meeting will be coordinated by the Procurement Consultant of the Contract.

DOUGLAS C ERICKSON, 6125 E WILSHIRE DR., SCOTTSDALE, AZ 85257-1959

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET P081102/B0603765 NIGP 91866

1.0 FEES/COMPENSATION:

- 1.1 Convened hearings shall be compensated at the rate of \$70.00 per hour.
- 1.2 Appeals that have a convened hearing shall be compensated at the guaranteed minimum rate of \$175.00 *or* \$70.00 per hour, whichever is greater.
- 1.3 The \$175.00 guaranteed minimum rate for a convened hearing is applicable only once per appeal case and applies only when the fees/compensation for the convened hearing at the \$70.00 per hour rate totals less than \$175.00.
- 1.4 Time spent on preparation, per section 2.3.2, shall be billed at the hourly rate of \$70.00.

Respondent's signature (below) indicates understanding and agreement with the pre-determined compensation/fees rates indicated above.

Douglas Erickson
Signature (REQUIRED)

06/09/2004
Date

Terms: NET 30

Vendor Number: **W000003513 X**

Telephone Number: ~~602/279-8557~~ **480-663-3232**

Fax Number: 602/263-8185

E-mail Address: derickson@mmcec.com

Company Web Site: www.mmcec.com

Contract Period: To cover the period ending **July 31, 2007 2010.**

DAVID J GERING, 2413 E HERMOSA DRIVE, TEMPE, AZ 85282

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET P081102/B0603765 NIGP 91866

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David Gering _____ 06/04/04
Signature (REQUIRED) _____ Date

Terms: _____ NET 30

Vendor Number: _____ W000004234 X

Telephone Number: _____ 480/296-9278

E-mail Address: _____ davegering@cox.net

Contract Period: _____ To cover the period ending July 31, 2007.

PRUDENCE LEE, 1023 E COUNTRY GABLES, PHOENIX, AZ 85022

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET P081102/B0603765 NIGP 91866

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Respondent's signature (below) indicates understanding and agreement with the pre-determined compensation/fees rates indicated above.

Prudence Lee
Signature (REQUIRED)

06/08/04
Date

Terms: NET 30

Vendor Number: **W000004434 X**

Telephone Number: 602/595-3395

Fax Number: 602/296-5869

E-mail Address: jurisprudi@qwest.net

Contract Period: To cover the period ending **July 31, 2007 2010.**

AMY L LIEBERMAN, 21090 NORTH PIMA ROAD, SCOTTSDALE, AZ 85255
8170 NORTH 86TH PLACE SUITE 105, SCOTTSDALE, AZ 85258 4545 E SHEA BLVD #205, PHOENIX, AZ
85028

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET P081102/B0603765 NIGP 91866

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Respondent's signature (below) indicates understanding and agreement with the pre-determined compensation/fees rates indicated above.

Amy Lieberman

Signature (REQUIRED)

06/01/04

Date

Terms: NET 30

Vendor Number: **W000004134 X**

Telephone Number: **480/246-3366**

Fax Number: **480/246-3250**

E-mail Address: amy@insightemployment.com

Company Web Site: www.insightemployment.com

Contract Period: To cover the period ending **July 31, 2007 2010.**

HAROLD J MERKOW ATTORNEY AT LAW, 1102 W GLENDALE AVENUE #116, PHOENIX, AZ 85021

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET P081102/B0603765 NIGP 91866

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Respondent's signature (below) indicates understanding and agreement with the pre-determined compensation/fees rates indicated above.

Harold Merkow

Signature (REQUIRED)

05/26/04

Date

Terms: NET 30

Vendor Number: **W000001248 X**

Telephone Number: 602/870-1665

Fax Number: 602/861-7001

E-mail Address: Merkow.hal@azbar.org

Contract Period: To cover the period ending **July 31, 2007 2010.**

~~CHRISTINE E MULLENEAUX PLLC, PMB #226 SUITE C 4, 20229 N 67TH AVENUE, GLENDALE, AZ 85308-6665~~

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

OTHER GOVT. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET P081102/B0603765 NIGP 91866

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~~Respondent's signature (below) indicates understanding and agreement with the pre-determined compensation/fees rates indicated above.~~

Christine Mulleneaux _____ 05/27/04
Signature (REQUIRED) _____ Date

Terms: _____ NET 30

Vendor Number: _____ W000000569 X

Telephone Number: _____ 602/509-3685

Fax Number: _____ 623/376-9488

E-mail Address: _____ Chris.Mulleneaux@cox.net

Contract Period: _____ To cover the period ending July 31, 2007.

ROBERT DAVID SPARKS, 217 E PARADISE LANE, PHOENIX, AZ 85022-2517

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET P081102/B0603765 NIGP 91866

1.0 FEES/COMPENSATION:

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- 1.4 Time spent on preparation, per section 2.3.2, shall be billed at the hourly rate of \$70.00.

Respondent's signature (below) indicates understanding and agreement with the pre-determined compensation/fees rates indicated above.

Robert Sparks
Signature (REQUIRED)

06/02/04
Date

Terms: NET 45

Vendor Number: **W000001304 X**

Telephone Number: 602/942-7353

Fax Number: 602/942-7353

E-mail Address: rsfromaz@ix.netcom.com

Contract Period: To cover the period ending **July 31, 2007 2010.**