

**State of Nebraska Department of Health and Human Services  
REQUEST FOR INFORMATION**

RETURN TO:  
Dana Crawford-Smith  
301 Centennial Mall S  
Lincoln, NE 68508  
402-471-7575

SOLICITATION NUMBER	RELEASE DATE
<b>RFI Child Support</b>	<b>November 22, 2022</b>
OPENING DATE AND TIME	PROCUREMENT CONTACT
<b>February 27, 2023, 2:00 p.m. Central Time</b>	<b>Dana Crawford-Smith</b>

This form is part of the specification package and must be signed in ink and returned, along with information documents, by the opening date and time specified.

**PLEASE READ CAREFULLY!**

**SCOPE OF SERVICE**

The State of Nebraska (State), Department of Health and Human Services (DHHS), is issuing this Request for Information (RFI) Child Support for the purpose of gathering information to identify vendors that are qualified to provide comprehensive child support enforcement services for Douglas County, Nebraska, and provide legal child support services, including an authorized attorney and a legal secretary, for Antelope, Boone, Cedar, Colfax, Cuming, Dakota, Dodge, Knox, Madison, Pierce, and Stanton Counties in Nebraska.

Written questions are due no later than January 27, 2023, and should be submitted via e-mail to [dhhs.rfpquestions@nebraska.gov](mailto:dhhs.rfpquestions@nebraska.gov)

Respondent should submit one (1) original of the entire RFI response. RFI responses should be submitted by the RFI due date and time.

Sealed RFI responses should be received in DHHS by the date and time of RFI opening indicated above.

**RESPONDENT MUST COMPLETE THE FOLLOWING**

By signing this Request For Information form, the respondent guarantees compliance with the provisions stated in this Request for Information.

FIRM: \_\_\_\_\_

COMPLETE ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TYPED NAME & TITLE OF SIGNER: \_\_\_\_\_

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## I. SCOPE OF THE REQUEST FOR INFORMATION

The State of Nebraska, Department of Health and Human Services (hereafter known as DHHS), is issuing this Request for Information, RFI Child Support for the purpose of seeking vendors who are available to provide comprehensive child support enforcement services for Douglas County, Nebraska, and provide legal child support services, including an authorized attorney and a legal secretary, for Antelope, Boone, Cedar, Colfax, Cuming, Dakota, Dodge, Knox, Madison, Pierce, and Stanton Counties in Nebraska.

**ALL INFORMATION PERTINENT TO THIS REQUEST FOR INFORMATION CAN BE FOUND ON THE INTERNET AT:** <https://das.nebraska.gov/materiel/bidopps.html>

### A. SCHEDULE OF EVENTS

The State expects to adhere to the tentative procurement schedule shown below. It should be noted, however, that some dates are approximate and subject to change.

	<b>ACTIVITY</b>	<b>DATE/TIME</b>
1	Release Request for Information	November 22, 2022
2	Last day to submit written questions	January 27, 2023
3	State responds to written questions through Request for Information "Addendum" and/or "Amendment" to be posted to the internet at: <a href="https://das.nebraska.gov/materiel/bidopps.html">https://das.nebraska.gov/materiel/bidopps.html</a>	February 10, 2023
4	RFI opening Location: <a href="https://sonvideo.webex.com/sonvideo/j.php?MTID=me8512ec275b1d74a681bf2cc267565a1">https://sonvideo.webex.com/sonvideo/j.php?MTID=me8512ec275b1d74a681bf2cc267565a1</a>	February 27, 2023 2:00 PM Central Time
5	Conduct oral interviews/presentations and/or demonstrations (if required)	To Be Determined

**II. RFI RESPONSE PROCEDURES**

**A. OFFICE AND CONTACT PERSON**

Responsibilities related to this Request for Information reside with the State Purchasing Bureau. The point of contact for the RFI is as follows:

Name: Dana Crawford-Smith  
Agency: DHHS  
Address: 301 Centennial Mall S  
Lincoln, NE 68508  
Telephone: 402-471-6500  
E-Mail: [dhhs.rfpquestions@nebraska.gov](mailto:dhhs.rfpquestions@nebraska.gov)

**B. GENERAL INFORMATION**

A subsequent Request for Proposal (RFP) may not be issued as a result of this RFI. There will not be a contract as a result of this RFI and the State is not liable for any cost incurred by vendors in replying to this RFI. If an RFP is issued, the information provided will assist the State of Nebraska in developing the Request for Proposal. This RFI does not obligate the State to reply to the RFI responses, to issue an RFP, or to include any RFI provisions or responses provided by vendors in any RFP.

**C. COMMUNICATION WITH STATE STAFF**

From the date the Request for Information is issued and until RFI opening (as shown in the Schedule of Events), contact regarding this RFI between potential vendors and individuals employed by the State should be restricted to written communication with the staff designated above as the point of contact for this Request for Information.

The following exceptions to these restrictions are permitted:

1. Written communication with the person(s) designated as the point(s) of contact for this Request for Information;
2. Contacts made pursuant to any pre-existing contracts or obligations; and
3. State-requested presentations, key personnel interviews, clarification sessions, or discussions.

Violations of these conditions may be considered sufficient cause to reject a vendor’s response to the RFI. No individual member of the State, employee of the State, or member of the Interview Committee is empowered to make binding statements regarding this RFI. The State of Nebraska will issue any clarifications or opinions regarding this RFI in writing.

**D. WRITTEN QUESTIONS AND ANSWERS**

Any explanation desired by a vendor regarding the meaning or interpretation of any Request for Information provision should be submitted in writing to DHHS and clearly marked “RFI Number Child Support; Child Support Questions”. It is preferred that questions be sent via e-mail to [dhhs.rfpquestions@nebraska.gov](mailto:dhhs.rfpquestions@nebraska.gov)

It is recommended that respondents submit questions sequentially numbered, include the RFI reference and page number using the following format.

<u>Question Number</u>	<u>RFI Section Reference</u>	<u>RFI Page Number</u>	<u>Question</u>

Written answers will be provided through an addendum to be posted on the Internet at <https://das.nebraska.gov/materiel/bidopps.html> on or before the date shown in the Schedule of Events.

**E. ORAL INTERVIEWS/PRESENTATIONS AND/OR DEMONSTRATIONS**

The State reserves the right to conduct oral interviews/presentations and/or demonstrations if required at the sole invitation of the State.

Any cost incidental to the oral interviews/presentations and/or demonstrations shall be borne entirely by the vendor and will not be compensated by the State

**F. SUBMISSION OF RESPONSE**

The State is accepting either electronically submitted responses or hard copy, paper responses for this RFI.

1. For respondents submitting electronic responses:

- a. Respondents submitting electronically can upload the response via ShareFile here:  
<https://nebraska.sharefile.com/r-r1053b719690a425e9e11d82c1de529b6>

ShareFile works with Firefox, Internet Explorer and Chrome. It does not work with Microsoft Edge.

- b. Proprietary information should be uploaded as separate and distinct files. If multiple responses are submitted, the State will retain only the most recently submitted response. It is the respondent's responsibility to submit the response by the date and time indicated in the Schedule of Events. Electronic responses must be received by DHHS by the date and time of the response opening per the Schedule of Events. No late responses will be accepted

- c. **ELECTRONIC RESPONSE FILE NAMES**

The respondent should clearly identify the uploaded RFI response files. To assist in identification please use the following naming convention:

- i. RFI Child Support ABC Company
- ii. If multiple files are submitted for one RFI response, add number of files to file names: RFI Child Support ABC Company File 1 of 2.
- iii. If multiple RFI responses are submitted for the same RFI, add the response number to the file names: RFI Child Support ABC Company Response 1 File 1 of 2.

2. For respondents submitting paper/hard copy responses:

- a. Respondents who are submitting a paper response should submit one response marked on the first page: "ORIGINAL". If multiple responses are submitted, the State will retain one copy marked "ORIGINAL" and destroy the other copies. The Contractor is solely responsible for any variance between the copies submitted. Responses should include the completed Form A, "Vendor Contact Sheet". Responses must reference the RFI number and be sent to the specified address. Please note that the address label should appear as specified in Section II A on the face of each container or contractor's response packet. If a recipient phone number is required for delivery purposes, 402-471-7575 should be used. The RFI number should be included in all correspondence. The State will not furnish packaging and sealing materials. It

is the contractor's responsibility to ensure the response is received in a sealed envelope or container and submitted by the date and time indicated in the Schedule of Events. Sealed responses must be received at DHHS by the date and time of the opening per the Schedule of Events. No late responses will be accepted.

United States Postal Services (USPS) delivered responses shall be mailed to:

ATTN: Dana Crawford-Smith RFI Child Support  
DHHS - Central Procurement Services  
PO BOX 94926  
Lincoln, NE 68509

Hand delivered responses or responses delivered by Federal Express (FedEx), United Parcel Service (UPS), etc. shall be delivered to:

ATTN: Dana Crawford-Smith RFI Child Support  
DHHS - 3rd Floor Reception Desk  
301 Centennial Mall South  
Lincoln, NE 68509

- b. Proprietary Information should be presented in separate sections (loose-leaf binders are preferred) on standard 8 ½" x 11" paper, except that charts, diagrams and the like may be on fold-outs which, when folded, fit into the 8 ½" by 11" format. Pages may be consecutively numbered for the entire response, or may be numbered consecutively within sections. Figures and tables should be numbered consecutively within sections. Figures and tables should be numbered and referenced in the text by that number. They should be placed as close as possible to the referencing text.
3. The State will not furnish packaging or sealing materials. It is the respondent's responsibility to ensure the response is received either electronically or in a sealed envelope or container and submitted by the date and time indicated in the Schedule of Events. Sealed responses must be received at DHHS by the date and time of the response opening per the Schedule of Events.

It is the responsibility of the contractor to check the website for all information relevant to this Request for Information to include addenda and/or amendments issued prior to the opening date. Website address is as follows:  
<https://das.nebraska.gov/materiel/bidopps.html>.

The State shall not incur any liability for any costs incurred by contractors in replying to this solicitation, in the demonstrations and/or oral presentations, or in any other activity related to responding on this solicitation.

**A separate sheet must be provided that clearly states which sections have been submitted as proprietary or have copyrighted materials.** RFI responses should reference the request for information number and be sent to the specified address. Please note that the address label should appear as specified on the face of each container. If a recipient phone number is required for delivery purposes, 402-471-7575 should be used. The Request for Information number must be included in all correspondence.

**G. PROPRIETARY INFORMATION**

Data contained in the response and all documentation provided therein, become the property of the State of Nebraska and the data become public information upon opening the response. If the vendor wishes to have any information withheld from the public, such information must fall within the definition of proprietary information contained within Nebraska's public record statutes. All proprietary information the vendor wishes the state to withhold must be submitted in a sealed package, which is separate from the remainder of the response. The separate package must be clearly marked PROPRIETARY on the outside of the package. Vendor may not mark their entire Request for Information as proprietary. Failure of the vendor to follow the instructions for submitting proprietary and copyrighted information may result in the information being viewed by other vendors and the public. Proprietary information is defined as trade secrets, academic and scientific research work which is in progress and unpublished, and other information which if released would give advantage to business competitors and serve no public purpose (see Neb. Rev. Stat. § 84-712.05(3)). In accordance with Attorney General Opinions 92068 and 97033, vendors submitting information as proprietary may be required to prove specific, named competitor(s) who would be advantaged by release of the information and the specific advantage the competitor(s) would receive. Although every effort will be made to withhold information that is properly submitted as proprietary and meets the State's definition of proprietary information, the State is under no obligation to maintain the confidentiality of proprietary information and accepts no liability for the release of such information.

**H. REQUEST FOR INFORMATION OPENING**

The sealed responses will be publicly opened and the responding entities announced on the date, time, and location shown in the Schedule of Events. Responses will be available for viewing by those present after the opening. Vendors may also contact the state to schedule an appointment for viewing RFI responses.

### **III. PROJECT DESCRIPTION AND SCOPE OF WORK**

#### **Background:**

DHHS is seeking to identify a vendor(s) to provide comprehensive child support enforcement services for Douglas County Nebraska, and provide legal child support services, including an authorized attorney and a legal secretary, for Antelope, Boone, Cedar, Colfax, Cuming, Dakota, Dodge, Knox, Madison, Pierce, and Stanton Counties in Nebraska.

Vendor may submit qualifications for one or both of the services described above.

#### **Project Requirements:**

#### **Contractor Responsibilities for Comprehensive Child Support Services in Douglas County:**

- Provide documentation with submission, from the Clerk of the Nebraska Supreme Court that they are in compliance with the Nebraska Supreme Court Rules relative to domestic professional organizations, including, but not limited to, evidence of the selected contractor having all officers, shareholders, and directors of the domestic professional organization are licensed to practice law as set forth in the Nebraska Supreme Court's rules.
- Establish and maintain a child support enforcement program at the local level which complies fully with the provisions of Title IV-D of the Social Security Act, as amended, Title 45, Code of Federal Regulations and state law and regulations. This requires the contractor be responsible and accountable for the proper operation of such program for all current, ongoing and backlog cases.
- Represent, as an authorized attorney, the State of Nebraska in judicial and administrative hearings, at the request of DHHS, including appeals, and to advocate the interests of the State consistent with the provisions of the Code of Professional Responsibility and with the powers and duties of authorized attorneys. In this regard, the Contractor agrees to bring all court actions in the name of the State of Nebraska on behalf of the child and the State or as provided by DHHS policy and State statute; to notify the State and/or Attorney General in a timely fashion of any judicial or administrative decision or settlement agreement which adversely affects the state's interest; and agrees not to enter into any settlement which results in the State's loss of revenue unless it obtains prior State approval.

#### **Contractor Responsibilities for legal work and legal secretary in counties:**

Provide an authorized attorney and legal secretary to perform child support legal services, as needed, for the counties listed above.

#### **Scope of Work:**

- Accept case referrals from DHHS and from other jurisdictions. Accept cases according to State guidelines for case transfers and to provide application forms as prescribed by DHHS to any individual who desires Title IV-D services.
- Ensure that the following services are available and provided in a timely manner, as identified below, for all applicable Title IV-D cases: **INTAKE:** Activities associated with initial child support case opening activities, including case progression, providing and accepting applications for services, establishment of necessary case information on the State computer system, notifying DHHS in cases where manual assignment is necessary, and providing required information to the Clerk of the District Court. The following intake associated performance standards must be met:



- Title IV-D applications requested in person must be provided on the day requested. If requested in writing or by telephone, the Title IV-D application must be provided within five (5) working days.
- Within no more than twenty (20) calendar days of receiving a referral of a case or filing an application for services, the case must be opened by establishing a case record, completing an assessment of the case, soliciting necessary information from the custodial parent or caretaker, initiating verifications, and, if necessary, referring the case for location attempts.
- The case record must contain all information and documents pertaining to the case, as well as all relevant facts, dates, and actions taken, contacts made and results in a case.
- **ESTABLISH LEGAL OBLIGATION FOR FINANCIAL AND MEDICAL SUPPORT:** Use legal remedies to secure orders of paternity and support after successful location efforts. Paternity decrees may be achieved through stipulations, default or litigation. In any case in which the alleged father denies paternity, a motion for paternity genetic testing shall be filed. When paternity is established and court-ordered genetic tests are necessary, the contractor will attempt to obtain a judgment for costs of the genetic tests unless otherwise provided by state regulations. Support orders obtained by legal action must adhere to the Nebraska Child Support Guidelines. Any deviation from the Guidelines entered into by stipulation must be supported by evidence to rebut the deviation as provided by statute and the Guidelines.
- Comply with the Nebraska Income Withholding for Child Support Act and state regulations when seeking a new or modified order for support.
- Petition the court to establish a legal obligation for the medical support of the child in the form of health insurance in every ADC, Medicaid and Foster Care case if employment or union related health care coverage is available to either party and the child does not have medical insurance other than Medicaid. The same medical insurance requirements apply to Non-ADC cases provided that the applicant/recipient requests medical support services. If employment or group related health insurance is not available, the court shall be petitioned to order that such insurance be obtained for the child when and if it becomes available, unless otherwise provided by DHHS policy. The time frames applicable to establishing orders are:
  - Within no more than ninety (90) calendar days of location of the alleged father file for paternity or complete service of process to establish paternity (or document unsuccessful attempts to serve process) whichever occurs later in accordance with State procedures for paternity establishment. Service of process must be completed in a manner consistent with state guidelines for diligence.
  - Paternity must be established or the alleged father excluded as a result of genetic tests and/or legal process within one (1) year of successful service of process or within one (1) year of the child reaching six (6) months of age, whichever comes later.
  - Within ninety (90) calendar days of locating a non-custodial party or of establishing paternity, the contractor shall establish an order for support or complete service of process necessary to commence proceedings to establish a support order (or document unsuccessful attempts to serve process, in accordance with state guidelines for diligence).
  - Expedited processing time frames must be met in accordance with 45 CFR 303.101 such that disposition occurs in 75% (percent) in six (6) months and 90% (percent) in one (1) year.
- **LOCATION:** Verify the residence or employer address where the non-custodial party may be served. The contractor shall establish and utilize local resources for locating parents as well as the state's parent location resources when necessary. Location sources include, but are not limited to, information from the agencies administering or maintaining records of public assistance, general assistance, food stamps, social services, wage and employment, unemployment insurance, income taxation, driver's licenses, vehicle registration, and criminal records; relatives and friends of the non-custodial party, current or past employers,

local telephone company, the U.S. Postal Service, financial references, unions, fraternal organizations, police, parole and probation records and military. Such location efforts include assisting the State in locating non-custodial parties for other jurisdictions. The following time frames for location must be met:

- Within seventy-five (75) calendar days of determining that location is necessary, all location services must be utilized, including referral to the Expanded Federal Parent Locator Service (FPLS) and ensure that location information is sufficient to take the next appropriate action in the case.
- When location efforts have been unsuccessful, efforts must be repeated quarterly or when new locate information is received, whichever comes first. Quarterly attempts may be limited to automated resources, but must include accessing State Employment Security files via State Employment Wages (SEW).
- **ENFORCEMENT:** Use legal remedies to enforce all orders of support including but not limited to: spousal support when it is contained in the same order with child support and the child due the child support continues to reside with the parent due the spousal support (see Neb. Rev. Stat. § 42-347); and, medical support if the order specifies a specific dollar amount to be paid for medical support made payable to the Clerk of the District Court or other agency designated to collect payments or enforce orders providing for health care coverage for the child.
- Enforcement remedies to be utilized shall include, but are not limited to: income withholding on all new and modified orders as well as cases with a delinquency; contempt proceedings; attachment of assets; garnishment; liens; bonds; execution on judgments; license revocation; expedited procedures; use of the federal court system; annual submittal of all qualifying cases to the IRS Tax Refund Intercept Program and State Revenue Offset Program; and any other enforcement remedy made available under Federal and/or State laws and regulations. Enforcement action is to be taken within the following timeframes:
  - In cases in which income withholding is feasible, implement income withholding as authorized by the Nebraska Income Withholding for Child Support Act, Neb. Rev. Stat. §§ 43-1701 to 43-1743, as amended, and according to time frames in Title 466 of the Nebraska Administrative Code.
  - When issuance of an income withholding notice is not possible due to lack of information regarding employment, enforcement action must be taken, unless service of process is necessary, within thirty (30) calendar days of identifying the delinquency or other support-related noncompliance with the order or the location of the non-custodial party, whichever occurs later.
  - When service of process is necessary, service must be completed (or unsuccessful attempts to serve process must be documented) and enforcement action taken if process is served within sixty (60) calendar days of identifying the delinquency or other support-related noncompliance with the order. Service of process must be documented and completed in a manner consistent with state guidelines for diligence.
  - Expedited processing time frames must be met in accordance with 45 CFR 303.101 such that disposition of cases occurs in 75% (percent) in six (6) months and 90% (percent) in one (1) year.
- **REVIEW AND ADJUSTMENT OF ORDERS:** Process referrals for DHHS and use administrative and/or judicial proceedings to obtain changes in the amount of the support order in accordance with federal regulation, state law and state program policy. All applications to modify orders shall include a request for income withholding if not already ordered, and for health care coverage.
- **MEDICAL SUPPORT:** Petition for medical support including health insurance. Gather health insurance information regarding either party's health insurance policy, and provide such information as appropriate to the Medicaid agency and the custodial parent. Enforce orders for medical support and request providers to notify the contractor if coverage is dropped.

- INTERGOVERNMENTAL TITLE IV-D CASES:
  - In initiating cases the contractor shall:
    - Use long-arm statutes to establish paternity and/or support whenever appropriate;
    - Unless paternity is being established pursuant to long-arm statutes, within twenty (20) days of determining that the non-custodial party is in another state, refer each case to the responding state's intergovernmental central registry for action;
    - Provide the IV-D agency in the responding state with sufficient, accurate information, including calculating arrearages on out-of-state orders which can be used to take action on the case, along with any necessary documentation and either the federally approved intergovernmental forms or computer generated replicas of those forms;
    - Within thirty (30) days of receipt of a request for additional information by the responding IV-D agency, provide either the requested information or acknowledge receipt of the request, indicating when the information shall be provided;
    - Notify the responding IV-D agency within ten (10) working days of receipt of new information on a case; and
    - Work collaboratively with the Responding Jurisdiction regarding intergovernmental cases as outlined by DHHS.
  - In responding cases the Contractor shall:
    - Establish a case and maintain case records as provided in this section.
    - Within seventy-five (75) days of receipt of an Intergovernmental IV-D case from the central registry:
      - Provide location services if the request is for location services or the form or documentation does not include adequate location information on the non-custodial party;
      - If unable to proceed with the case because of inadequate documentation, notify the initiating IV-D agency of the necessary additions or corrections to the form or documentation;
      - If the documentation received with a case is inadequate and cannot be remedied without the assistance of the initiating state, process the intergovernmental IV-D case to the extent possible pending necessary action by the initiating state.
    - Within ten (10) days of locating the non-custodial party in another jurisdiction in Nebraska and, if required by State guidelines for case transfers, forward the form and documentation to the appropriate jurisdiction. Notify the initiating state and Nebraska's Central Registry of the action.
    - Within ten (10) days of locating the non-custodial party in another state:
      - Return the form and documentation (including the new location) to the initiating state or, if so directed by the initiating state, forward the form and documentation to the Central Registry in the state where the non-custodial party has been located; and
      - Notify Nebraska's Central Registry where the case has been sent.
    - Provide necessary services for IV-D cases by:
      - Establishing paternity and attempt to obtain a judgment for costs should paternity be established;
      - Establishing a child support obligation, using appropriate remedies in accordance with state and federal regulations;
      - Enforcing cases referred by another state, using appropriate procedures in accordance with state and federal regulations. Provide timely notice to the initiating IV-D agency in advance of any formal

hearings which may result in establishment or modification of an order.

- Notify the initiating IV-D agency within ten (10) days of receipt of new information on a case.
- Notify the Nebraska Central Registry when a case is closed.
- Provide customer service, including answering questions about the Title IV-D program, collection, distribution, and intercept as outlined in DHHS policies and procedures. The contractor must provide and advertise the availability of a national 800 number for customer service during regular business hours Monday through Friday, 8:00 A.M. to 5:00 P.M. Central Time.
- Identify any Temporary Assistance to Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) or Medicaid-only cases wherein the applicant/recipient refuses to cooperate in the effort to secure or enforce an order of support and follow DHHS's policy and procedures regarding non-cooperation.
- Continue efforts for collection of court ordered obligated arrears owed to DHHS when an ADC family loses eligibility. Additionally, to continue to provide all appropriate child support services to the family as a non-ADC case, unless conditions exist that preclude continued services, as set forth in the Nebraska Administrative Code.
- Close, and properly destroy, cases in a timely manner per instructions provided in Federal Regulations, 45 CFR 303.11, the Nebraska Administrative Code and DHHS procedures.
- Consistent with the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) Certification requirements, the contractor must utilize the child support enforcement computer system, CHARTS, in accordance with DHHS policies and procedures. The CHARTS system will be used by the contractor for establishing and recording case records, establishing paternity, locating absent parties, establishing or modifying support orders, enforcing support orders and intergovernmental IV-D activities. This includes, but is not limited to, inputting and updating data in a timely manner on the CHARTS system. The contractor must utilize documents contained within the CHARTS System to support the functions outlined in this section. The Contractor may customize legal documents within CHARTS to represent the requirements of their individual Judicial District, provided that those customizations are not inconsistent with State and Federal law. No other alternative software may be utilized to manage the child support caseload.
- Furnish any automation needs deemed necessary by the contractor outside that provided by DHHS. All contractor automation requests must be approved by DHHS.
- Ensure that all support is paid as directed to either DHHS, the Clerk of the District Court's office, or to the State Disbursement Unit, so that the State of Nebraska may comply with the distribution provisions of Title IV-D.
- Notify responding states of changes in case status and provide all notifications as required by Federal Regulations, 45 CFR 303.7 and the Nebraska Administrative Code.
- Provide a contact person(s) who will be available during normal DHHS business hours to respond to DHHS on any requests for information.
- Advise DHHS of any significant changes in court filing procedures occurring within the district.
- Adhere to all DHHS policies and procedures related to access and utilization of Children Have A Right To Support (CHARTS).
- Ensure that the contractor's staff attend meetings sponsored by the State at which attendance is requested.
- Establish and maintain professional working relationships with DHHS staff, the Judiciary, Clerks of the District Court, and Nebraska County/Authorized Attorneys. The contractor shall work with Nebraska County/Authorized Attorneys to develop guidelines for referral of appropriate cases for possible criminal prosecution.
- Provide to DHHS, on a quarterly basis, statistical information relative to the casework and federal performance measures, in such a manner as prescribed by DHHS. Reports will be

for time periods specified by DHHS. The contractor's responsibility for reporting to DHHS will be determined solely by DHHS.

- Provide any requested information to DHHS in connection with the services performed under this contract.
- Make necessary corrections to cases with errors as identified by the Self-Assessment case review process.
- Secure relevant information and file a Proof of Claim with the Bankruptcy Court on behalf of the State in a timely manner in the event the Contractor receives notice that an obligor has filed a bankruptcy petition. Represent the State in lien foreclosure actions, and obtain relief from automatic stays in bankruptcy proceedings, as appropriate.
- Abide by the proposal submitted in response to the RFQ, unless prior approval is granted in writing by DHHS for any deviation.
- Comply fully with the aforementioned and all other provisions of Title IV-D of the Social Security Act, as amended, Title 45 of the Code of Federal Regulations, Nebraska Revised Statutes, Title 466 of the Nebraska Administrative Code, and the program instructions issued by DHHS.
- Ensure that all IV-D case information is maintained and used solely for child support purposes and safeguarded as provided for in Federal and State laws, regulations, policies and procedures pertaining to confidentiality.
- Ensure that information obtained through the State Parent Locator Service and the Expanded Federal Parent Locator Services, as well information obtained through the Internal Revenue Service, will be safeguarded according to 45 CFR Chapter III and Internal Revenue Code at 26 U.S.C. § 6103(p)(4), IRS Publication 1075, Neb. Rev. Stat., the Title 466 of the Nebraska Administrative Code, and DHHS procedures and policies.
- The Contractor shall ensure that access to any database or system maintained or made accessible by DHHS pursuant to this Contract, will only be used for purposes related to the performance under this contract.
- Provide that no attorney-client relationship will exist between any of the contractor's staff persons and applicant/recipient of Title IV-D services, a child, a custodial or non-custodial party or an alleged father. The contractor's attorneys shall represent DHHS.
- Identify Title IV-D recovery situations and refer them to DHHS (Child Support Central Office).
- Comply with Nebraska Supreme Court Rule 33 regarding Limited Liability Professional Organizations and to maintain contractor compliance with Nebraska Supreme Court Rule 33 for the duration of the contract and any renewal periods.
- Provide to DHHS, on or before the Contract Start Date, a certificate of authority granted by the Nebraska Supreme Court pursuant to Nebraska Supreme Court Rule 33.2, authorizing the selected contractor as a "professional corporation" permitted by the laws of Nebraska to conduct the practice of law and established and operated in accordance with the provisions of Nebraska Supreme Court Rule 33.
- Adhere to the policies and procedures of DHHS related to the use of Nebraska Child Support Enforcement Automated System (CHARTS).
- Adhere to the policies and procedures of DHHS related to electronic filing of court documents.
- Develop and engage in outreach activities in Douglas County as necessary to achieve the objectives, performance measures, etc. of the Child Support Enforcement program.
- All personnel necessary to carry out the terms, conditions and obligations of this RFI shall be the responsibility of the contractor. The contractor shall hire, terminate, train and supervise such professional, paraprofessional and support personnel as are necessary to carry out the terms of this RFI. Neither the contractor nor any of the contractor's staff shall be considered employees of DHHS.

## **DHHS Responsibilities:**

- Prepare and transmit referrals to the contractor on appropriate cases pursuant to Title IV-D rules. Such referrals will contain the name of the recipient, names of the children and the associated non-custodial party, if known, such identifying information as is available to assist in the location and support establishment and enforcement process, pertinent information relative to marital status and orders for support, and available data relative to the non-custodial party's whereabouts and employment.
- Provide the contractor access to the statewide child support computer system and related programs, including, but not limited to, state level parent location service, which will utilize appropriate inter-intra state location resources and the Expanded Federal Parent Location Service (which includes the National Directory of New Hires).
- DHHS may, at their discretion, consult with the contractor concerning potential settlements affecting the rights of the State. Upon receipt of a compromise request the contractor will forward all compromise requests to DHHS for consideration.
- Consult with the contractor, at DHHS's discretion, concerning adverse administrative or judicial rulings, in order to determine appropriate courses of action to be pursued by the contractor or the Nebraska Attorney General's Office.
  - Monitor the contractor's performance through review of cases, data and other relevant information. DHHS may issue a letter delineating the deficiencies found as a result of a monitoring review and requesting submittal of a corrective action plan within thirty (30) days of the date of the letter.
  - DHHS may request a corrective action plan to address any deficiencies discovered during such monitoring if it finds that appropriate action was not taken in at least 80% (eighty percent) of the cases reviewed. DHHS will notify the contractor within thirty (30) working days of the receipt of a Corrective Action Plan of the acceptability of the plan and to allow fifteen (15) calendar days for the contractor to submit a clarification or revision if the Plan is deemed to be unacceptable to DHHS. Acceptance of the Plan by DHHS does not guarantee that the implementation of the Plan will result in elimination of the deficiencies for which future penalties for noncompliance may be applied by DHHS.
- DHHS may impose a financial penalty for failure to submit an acceptable corrective action plan within 30 days. The imposition of such penalty does not preclude DHHS's right to terminate the contract during the assessment of the penalty. The penalty shall initially be assessed by withholding 10% (percent) of the next monthly payment due the contractor and, for each subsequent month of failure to submit a corrective action plan, an additional 10% (percent) will be withheld. Any such money withheld is forfeited by the contractor and retained by DHHS.
- Serve as the State Information Agency in Uniform Interstate Family Support Act (UIFSA) matters as prescribed by State law, including, but not limited to, providing information regarding UIFSA statutes and filing procedures in other states.
- Serve as the Central Registry for all incoming intergovernmental Title IV-D CSE case requests, including intergovernmental wage withholding requests, and to disseminate these requests to the appropriate entity which may include the contractor.
- Furnish all required and recommended DHHS forms to be used in the administration of the program from which the contractor shall reproduce sufficient forms for their use. Required and recommended forms may be furnished in either hard copy or electronic format through the statewide child support computer system.
- Provide access to Title 466 of the Nebraska Administrative Code, Department procedures, policy updates and changes to the contractor.
- Pay for genetic testing in paternity cases as provided for in the Nebraska Administrative Code.

- Provide office space, furniture, and equipment within the Dodge County Courthouse for work associated with legal services provided in Antelope, Boone, Cedar, Colfax, Cuming, Dakota, Dodge, Knox, Madison, Pierce and Stanton Counties in Nebraska.
- Retain authority for interpreting performance under the terms of this Contract.

## **PERFORMANCE PENALTIES AND CORRECTIVE ACTION PLAN**

Statistical information used in calculating percentages for performance criteria shall be obtained as calculated from the statewide child support computer system. DHHS will provide these figures to the contractor. Yearly penalties or incentives, if assessed, will be deducted from or added to the monthly invoices when determined. With the exception of the final contract year, yearly penalties or incentives will be calculated in the month following the end of each contract year and adjusted within the contractor's monthly payments of that same year or deducted from monthly payments from the following contract year as solely determined by DHHS. For the final contract year, the final three (3) monthly payments may be reduced or withheld by DHHS should it appear, in the sole discretion of DHHS, that Contractor is unlikely to meet the Minimum Acceptable Performance Levels and is likely to incur a penalty, as provided in this RFP. The amount of reduction or withholding shall be consistent with the Penalties provided herein. Should, before the end of the final contract year, contractor's performance improve, such that it meets the Minimum Acceptable Performance Levels and no penalty is incurred, DHHS shall provide additional payments, or increase scheduled remaining payments, accordingly, such that Contractor receives the proper compensation. For the purposes of this section, "final contract year" means the last year of the contract after notice has been provided to Contractor that renewals will not be exercised, or the final renewal term after all other renewal terms have been completed.

Minimum Acceptable Performance Levels: The contractor agrees to meet the following minimum acceptable performance levels for each Performance Category:

Performance Category -- Minimum Acceptable Performance

Paternity Establishment -- Not less than 95%

Court Order Establishment -- Not less than 85%

Current Support in Title IV-D cases -- Not less than 67%

Collection on Arrears -- Not less than 70%

If the contractor fails to meet the minimum acceptable performance standards above, the contractor will be required to submit a Corrective Action Plan (CAP) to DHHS, which must include a detailed strategy to insure that it will meet the minimum performance levels for that Performance Category for the remaining contract years in the time frame determined in the sole discretion of DHHS. The CAP shall remain in place until such time as the contractor meets the minimum acceptable performance level for a subsequent year.

The Contractor will provide a corrective action plan within thirty (30) calendar days of the date of any letter from the State which specifies a program deficiency found by federal, state or DHHS auditors. Necessary corrective action(s) must be submitted within ninety (90) calendar days. Any plan requiring more than ninety (90) calendar days must be approved by the Administrator of the Nebraska Child Support Enforcement Program.

## **ASSESSMENT OF PENALTIES**

In the event that the contractor fails to meet the minimum acceptable performance level, listed above, for any contract year for Paternity Establishment, Court Order Establishment, Current Support in IV-D Cases or Collection on Arrears, penalties for each performance category failed for that contract year shall be immediately imposed as described in the example below.

If the contractor's performance level in any performance category falls below the minimum performance level by 1% or less, a penalty of \$100,000 will be imposed. If the contractor's performance level in any performance category falls below the minimum performance level by more than 1%, but less than 2%, a penalty of \$200,000 will be imposed. If the contractor's performance level in any performance category falls below the minimum performance level by more than 2%, a \$300,000 will be imposed. Under the current methodology, should the contractor's performance result in the maximum penalty for each of the four performance categories, the maximum potential penalty for that contract year would be \$1,200,000 (\$300,000 X 4 Performance Categories = \$1,200,000).

Example: Paternity Establishment – 95% required performance level:

Performance Level Achieved = 95% or above – No Penalty

Performance Level Achieved = at least 94% but less than 95% - \$100,000 penalty imposed for category

Performance Level Achieved = at least 93% but less than 94% - an additional \$100,000 penalty imposed (total penalty for category is \$200,000)

Performance Level Achieved = anything less than 93% - an additional \$100,000 penalty imposed (total penalty for category is \$300,000)

This penalty calculation methodology will be applied to each Performance Category.

## **ASSESSMENT OF INCENTIVES**

If the contractor exceeds the performance levels stated below, the selected contractor will receive a financial incentive for exceptional performance in the incentive category.

Paternity Establishment – There will be no incentive payment for Paternity Establishment.

Court Order Establishment – If the selected contractor's Court Order Establishment percentage is greater than 93% the selected contractor will receive an incentive payment.

Current Support in IV-D Cases – If the selected contractor's Current Support in IV-D cases percentage is greater than 74% the selected contractor will receive an incentive payment.

Collection on Arrears – If the selected contractor's cases with Collection on Arrears percentage is greater than 74% the selected contractor will receive an incentive payment.

All incentives will be paid on the last monthly invoice for each contract year. No incentive will be paid in any category if the contractor is under penalty in any performance category. \$100,000 will be awarded to the contractor if they achieve one or all of the incentive percentages stated above. The contractor will not receive an amount larger than \$100,000 in incentives per contract year.

An incentive in the amount stated will be paid for each federal fiscal year starting October 1, 2024 if the selected contractor meets the percentages listed above.



# Form A

## Vendor Contact Sheet

### Request for Information Number Child Support

Form A should be completed and submitted with each response to this solicitation document. This is intended to provide the State with information on the vendor's name and address, and the specific persons who are responsible for preparation of the vendor's response.

Preparation of Response Contact Information	
Vendor Name:	
Vendor Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	

Each vendor shall also designate a specific contact person who will be responsible for responding to the State if any clarifications of the vendor's response should become necessary. This will also be the person who the State contacts to set up a presentation/demonstration, if required.

Communication with the State Contact Information	
Vendor Name:	
Vendor Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	