

**RESPONSES TO PROPOSER QUESTIONS**

**Question 16:** Can the AOC provide more parameters on advertising?

**AOC Response:** The vendor will need to coordinate collaboratively with the collection program. The AOC intends to provide sample messages that programs will be able to use if they choose.

**Question 17:** If an agency on the Master Agreement does not get selected by a program, would cases that are currently with the agency be recalled by the court to go to another participating vendor?

**AOC Response:** The courts have discretion that allows them to contract with a vendor selected through a competitive solicitation process to collect on Amnesty cases once the Master Agreements are in place. The counties must follow their own procurement processes.

**Question 18:** If a debtor has multiple infraction accounts that qualify for amnesty, must the debtor pay the oldest debt(s) first?

**AOC Response:** The vendors must contact the Participating Entity to determine if they have a policy regarding the order in which an account must be satisfied.

**Question 19:** If a debtor has multiple infraction accounts, must they pay 50 percent of the total infractions or is each account to be paid separately?

**AOC Response:** Each account is paid separately so that distribution may be done on a pro rata basis per each citation/account; however, an account may contain multiple infractions.

**Question 20:** Must every vendor provide skip tracing for qualifying accounts?

**AOC Response:** Yes. See Section 4.1.1 of the RFP.

**Question 21:** How should vendors handle complaints from debtors who have made payments within the last three years and do not qualify for amnesty; or they paid in full prior to the amnesty program?

**AOC Response:** Vendors should inform debtors of the eligibility requirements of the amnesty program, which is codified in Vehicle Code section 42008.7.

**Question 22:** Will vendors be given age group data, which would be crucial in choosing the best method of advertising to reach the targeted group(s)?

**AOC Response:** The AOC does not have access to that type of data.

**Question 23:** Will collection and advertising costs related to amnesty be eligible for cost reimbursements?

**AOC Response:** Yes. All costs except capital expenditures are eligible for cost reimbursement.

**Question 24:** Will cases with victim restitution be eligible for amnesty?

AOC Response: No. Victim restitution is not imposed on infraction violations and/or cases.

**Question 25:** Is it optional to provide on-site personnel?

AOC Response: Although on-site personnel are optional, vendors must provide on-site personnel at the Participating Entity's request. See Section 4.3 in the RFP.

**Question 26:** Does one warrant negate the whole debt, even if it is from another county?

AOC Response: No. Only warrants in the county where the citation was filed with the court will preclude eligibility. Therefore, a warrant in San Diego County will not preclude eligibility on a citation in Shasta County.

**Question 27:** Can existing vendors begin communicating with collection programs?

AOC Response: Existing vendors cannot begin communicating with Participating Entities until a participation agreement has been amended.

**Question 28:** How does this amnesty compare to others in the past?

AOC Response: This amnesty program is mandatory and only includes infractions. It offers a 50 percent reduction in the account balance. Prior amnesty programs reduced the amount due in infraction cases by 70 percent or a flat rate of \$100.

**Question 29:** Is the FTB going to participate in the amnesty program?

AOC Response: The FTB cannot fully participate in amnesty due to system limitations.

**Question 30:** If an account has been turned over to the FTB already, how will that work?

AOC Response: Eligible cases will be recalled as appropriate. Details on the process will be included in the Infraction Amnesty Program Guidelines, which will be approved by the Judicial Council prior to the program's effective date.

**Question 31:** Will the FTB be sending out notices?

AOC Response: No.

**Question 32:** In the past there have been problems with the FTB not removing cases from their system when they return them to the courts, and then asking for a commission when the vendor collects payment. How can this be prevented during amnesty?

AOC Response: See response to Question 30.

**Question 33:** Will the courts and counties continue to send cases to FTB Tax Intercept for collection instead of to an amnesty vendor?

AOC Response: It is up to each Participating Entity as to whether to send eligible cases to the FTB.

**Question 34:** When will the Infraction Amnesty Program Guidelines be sent out or posted?

AOC Response: Amnesty Guidelines will be posted on <http://www.courts.ca.gov/> once approved by the Judicial Council.

**Question 35:** How will the vendors know which courts and counties will be participating in the amnesty program?

AOC Response: Participation in the amnesty program is mandatory.

**Question 36:** Will the DMV be able to accept amnesty payments?

AOC Response: The AOC Enhanced Collections Unit is currently discussing this matter with the DMV.

**Question 37:** What if the vendor notifies the DMV of a payment and the driver's license hold is released, then it's discovered the check has bounced? Reports from the DMV are often delayed.

AOC Response: The vendor should not notify DMV because the courts are the only authorized entity responsible for notifying the DMV. Each Participating Entity will provide direction to the vendor on the process for handling payments.

**Question 38:** Will there be minimum requirements for vendors regarding general collections and advertising?

AOC Response: The requirements for collections are stated throughout the RFP. The requirements for the advertising are in Section 4.2 of the RFP.

**Question 39:** When payments are received, do vendors wait to post the payment until the check clears?

AOC Response: It is up to each Participating Entity to determine the process for handling payments.

**Question 40:** Does the AOC have an idea of how many eligible infractions are out there? And how many eligible infractions have warrants?

AOC Response: The AOC does not know the exact number of eligible infraction cases.

**Question 41:** How should vendors handle a defendant who says they have paid and don't owe any balance on the case?

**AOC Response:** The vendor should contact the Participating Entity to determine their current policy regarding this issue.

**Question 42:** Per 1.1 last paragraph, as a Master Agreement holder we may collect accounts eligible for the program by amending the agreement. If this is the case, is it necessary to respond to the RFP if we only want to add this service for our existing clients?

**AOC Response:** Yes. Section 3.3 provides details of what information is NOT required for submittal from vendors with current Master Agreements (i.e., the Statement of Acceptance of Terms and Conditions). Additionally, the Addendum to the RFP lists the requirements for current vendors.

**Question 43:** Will a defendant have to apply for the amnesty?

**AOC Response:** No. A defendant does not have to apply for amnesty. Once the 50 percent payment is paid on an eligible case, the case is deemed part of the amnesty program.

**Question 44:** Will all courts/counties be forced to recall qualifying cases from FTB-COD and TIP prior to 1/1/2012?

**AOC Response:** No. Each Participating Entity has sole discretion in identifying eligible cases which it elects to recall and transfer to a contractor.

**Question 45:** Can we state our pricing as "not to exceed a certain %"?

**AOC Response:** Yes. However, you must also state how and when the commission fee would be below that certain percentage.

**Question 46:** Section 3.6 refers to the Franchise Tax Board program and states that no fee will be paid to Contractor if the debt is collected by FTB. If awarded a contract under this RFP, the private firm would incur the costs associated with prompting the defendant to pay. Would the AOC consider amending the pricing to include compensation for cases with FTB?

**AOC Response:** No. If the total debt is collected by FTB-IIC, vendors are not entitled to any commission.

**Question 47:** Section 7.3 refers to the on-site staff. If a vendor has on-site staff under contract MA-200903 and is not awarded under RFP ECU-201101-GW will the staffing levels be adjusted accordingly during the amnesty period?

**AOC Response:** The reference for this question is Section 4.3 of the RFP. On-site staffing is a request that is made by the Participating Entity. The AOC does not

know if a court or county will adjust on-site staffing levels during the amnesty period.

**Question 48:** Having worked with various amnesty programs, we have found that shorter time frames create more urgency and better results. Is the AOC amenable to reducing the time frame?

**AOC Response:** No. The time frame was set by legislation (Vehicle Code 42008.7) and cannot be changed.

**Question 49:** The RFP states that each Participating Entity has sole discretion in identifying the eligible accounts to transfer to Contractor. If the program is mandatory, won't this adversely impact the participation level?

**AOC Response:** See response to Question 44.

**Question 50:** Section 1.3 outlines the criteria for cases. Will each court identify cases that meet these criteria?

**AOC Response:** No. Criteria are already established under Vehicle Code section 42008.7. Each Participating Entity will determine the process for identifying cases that meet the eligibility criteria.

**Question 51:** Interfacing with various computer systems will be costly for a program six months in duration. Being as many of the courts interface with FTB, could FTB transmit the data to the vendor(s)?

**AOC Response:** No. It is up to the discretion of the Participating Entity on how data is transferred.

**Question 52:** RFP page 1, Section 1.1: The RFP indicates that the AOC intends to award one or more agreements. What is the maximum amount of agreements the AOC would consider awarding under this procurement?

**AOC Response:** The AOC has no limit to the number of agreements that it will be awarding under this procurement. As with past procurements, the AOC only intends to award master agreements to vendors with acceptable scores as determined by our evaluation committee.

**Question 53:** RFP page 5, Section 2.3.3: Would the AOC consider selecting a qualified vendor with extensive government collection experience – even if a small portion of that experience is classified as court-ordered debt?

**AOC Response:** There is no requirement for a vendor to have court-ordered debt experience. Minimum Qualifications #2 states, "Proposer has three or more years experience working with government or public sector entities, *preferably* [emphasis added] for court-ordered debt."

**Question 54:** RFP page 6, Section 2.4.4: Does the AOC have “target” or anticipated fee rates they would like to realize for this contract?

**AOC Response:** No.

**Question 55:** RFP page 8, Section 3.3: To facilitate a complete response with signature pages, attachments, etc. - will the AOC permit agencies to provide a PDF compilation of their response instead of in Word?

**AOC Response:** The AOC requires a Word version of the proposal to help facilitate creation of the resulting master agreement, if awarded. General company data or marketing information does not need to be in Word form. Vendors can also provide a separate PDF of their entire proposal, minus pricing.

**Question 56:** RFP page 9, Section 3.3.1: We are interested in speaking with all counties regarding their court amnesty program, but may not be able to provide services to all counties that may have a desire to work with us given scale, portfolio characteristics, and scope of work. As usual, we would communicate with counties where we think our service would provide the best fit and, depending upon their own goals, would move forward with these counties. We would not necessarily be able to partner with other counties whose individual programs we later identify would be best served by other vendors. Therefore, we are unable to commit to and specify whether we would be able to work with all, some, or none as the counties until we knew more about county-specific goals. Would a response to this effect be acceptable to the Judicial Council of California Administrative Office of the Courts?

**AOC Response:** No. As noted in the RFP, we will award master agreements to selected proposers who can provide services “to any one or more of the superior courts of the State of California and the counties of the State of California.” However, a vendor can provide a qualifying “statement as to whether the Proposer can provide services to all Participating Entities, or if not all, the counties where Proposer is proposing to provide services.” (See Section 3.3.1 of the RFP).

**Question 57:** Page 6, Section 2.6 - What's the budget of the AOC to advertise the amnesty and/or is the AOC going to rely solely on the vendors to absorb this expense?

**AOC Response:** As mentioned in the pre-proposal conference, funding is not available for advertising the amnesty program. The vendor’s commission fee must include this expense and is cost recoverable.

**Question 58:** Is there a minimal amount of money the Contractor will be required to spend on the advertising marketing campaign?

**AOC Response:** No. However, vendors will be evaluated in part on their proposed approach to implementing an effective approach to advertising and marketing the amnesty program. (See Section 2.4 of the RFP, Evaluation Criteria)

**Question 59:** Page 12, Section 3.5 - If a debtor has tax refund taken, a bank account seized, or has a garnishment in place but wants to take advantage of the amnesty, who handles the case and who gets credit?

**AOC Response:** This will be at the discretion of each Participating Entity based on the Amnesty Guidelines, which will be released prior to the effective date of amnesty.

**Question 60:** Vehicle Code 42008.7 or RFP - Will there be a tolerance level that can be designated by the individual courts as acceptable for payment in full? For example, can we implement the same over/under policy already in place and will it be deemed acceptable to satisfy the paid-in-full requirements of the amnesty?

**AOC Response:** Vehicle Code section 42008.7 establishes that 50 percent of the fine or bail amount shall be accepted in full satisfaction.

**Question 61:** Page 14, Section 4.2d - Advertising media is to start in November 2011 (60 days prior to Amnesty start date). If we receive payment (mail or walk-in) in November/December cases that will be eligible for the amnesty, will vendors be instructed to take or refuse payment?

**AOC Response:** Any payment made before Amnesty begins should be posted to the individual account based on current policy and procedure. The remaining balance would still be due. The amnesty reduction is not applicable until January 1, 2012.

**Question 62:** Page 16. Section 4.4.5 - Appendix C: Appendix C's chart includes "Total Operating Costs." Is this for the vendor's operating costs or the courts?

**AOC Response:** Total Operating Costs has been removed from Appendix C. (See Addendum for revised Appendix C.)

**Question 63:** Page 17, Section 4.5 - Contractor Computer Systems: What types of systems are used by the courts in order to comply?

**AOC Response:** The Superior Courts of California have over 100 case management systems throughout the 58 counties of the state; e.g.: ACS, AGS, AMA, CIMS, CJIS, Class Act – ATS, CORTS, Domain, HCMS, HTE/Sungard, ICMS, IJS, in-house (several), ISD civil, ISD criminal, JDS, JDTS, JJIS,



JNET, KPMG (various), Limited Civil, Maximums, MHS, Phoenix, PROTEM, PSI, SATS, Small Claims, Sustain DOS, Sustain DOS/AIS, Sustain Justice Edition, TCAMS, V2 (AOC-developed) and V3 (AOC-developed).

**Question 64:** Page 17, Section 4.6: If court transfers accounts to a new Contractor, or (last sentence), "Upon expiration or termination of an Infraction Amnesty Program Master Agreement or Participating Agreement, Contractor will".....Sections a and b requires that we are to "destroy all hard copies" and "delete all electronic account information from its computer systems, including backup copies." What records will we have left?

**AOC Response:** After receipt of its last commission fee (at the end of the amnesty program) a Contractor should not have any account records remaining.

**Question 65:** Page 17, Section 4.6e: This section allows accepting payments after the amnesty period. Can vendors have our advertising/marketing program make "extended days" statements giving extra time?

**AOC Response:** This section does not allow the acceptance of payments after the amnesty program end date. However, we realize that it may take time for some checks to clear after they were accepted during the amnesty period. The period of the amnesty program is defined and cannot be modified.

**Question 66:** Some courts may not be able to transfer accounts in an expedited manner. Has the AOC notified all courts that they should be preparing accounts to transfer (if they contract with vendor) by start or hopefully prior to amnesty program?

**AOC Response:** The AOC will notify Participating Entities and send them the guidelines referenced in the RFP, after approval by the Judicial Council.

**Question 67:** Page 5, Section 1.3 - What happens to cases where there's been a partial payment on the balance due? Does the defendant receive the reduction on the original value of the delinquent case or the residual balance?

**AOC Response:** The amnesty reduction of 50 percent applies to balances due as of January 1, 2009.



**Question 68:** How will the court identify cases where restitution and/or warrants remain outstanding on cases that are not with the vendors for amnesty? Page 2 references that only individuals who owe an infraction with/without vehicle code violations are eligible. Anyone with a warrant and/or order for restitution is not eligible for the amnesty on any cases that they may have that fit the criteria. How will we know who is not eligible?

**AOC Response:** [The Participating Entities are responsible for identifying accounts that are eligible for the amnesty program based on the eligibility criteria established in Vehicle Code section 42008.7.](#)

**Question 69:** Are there any requirements on posting payments such as to older cases first for individuals who take advantage of the amnesty? For example, we have 4 infraction cases on John Smith, but he can only afford to take advantage of the amnesty on two of the four eligible cases. Do we apply money to the cases based on the defendant's wishes, or to the oldest cases first?

**AOC Response:** [See response to Question 18.](#)

END