

State of Louisiana  
Department of Revenue

JOHN BEL EDWARDS  
Governor



KIMBERLY LEWIS ROBINSON  
Secretary

March 14, 2019

**ADDENDUM #3**

Your reference is directed to Request for Proposal (RFP)#: 3000011906 for Debt (Tax and Non-tax) Collection Services, which is scheduled to open at 3:30 pm on April 11, 2019.

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Questions were received for the RFP referenced above and this addendum provides answers to those questions.  
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**THIS ADDENDUM IS HEREBY OFFICIALLY MADE A PART OF THE REFERENCED PROPOSAL.**

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1. ITB Notice Title Page shows a Unit Price and Extended Amount. Are bidders required to populate those blanks in their proposal submission?

**Answer: No, this Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal.**

2. Section 1.9, page 8, Company Background and Experience. Does LDR intend this section to be separate from the Executive Summary? If yes, should it be labeled 1.9.d?

**Answer: Company Background and Experience should be included within the Executive Summary.**

3. Section 1.9.f., we have searched the lists of Louisiana certified small businesses which covers Hudson Certified, Veteran Certified, Service Connected Disabled Veteran and were unable to identify any businesses that solicited debt collections, debt recovery or debt collection litigation. In light of the absence of certified subcontractors, will the state consider waiving this requirement or consider

*Contributing to a better quality of life.*

awarding points for the use of other comparable disadvantaged businesses such as Veteran Small Businesses that are not LAVet certified?

Answer: LDR will award the points regarding this qualification according to the parameters set forth in Part III, Evaluation of the RFP.

4. Section 1.11, page 14 requires an Executive Summary limited to 10 pages and the text portion of the proposal limited to 75 pages. Can the State confirm that the Executive Summary is separate section and will not be counted as part of the 75-page limit?

Answer: The Executive Summary will be reviewed as its own separate section of the RFP response. As a result, its 10 page limit will be counted independently of the 75 page limit (excluding appendices) from the remaining portions of the RFP response.

5. Section 1.29, page 20 states “The Proposer should submit in its proposal any exceptions or contract deviations that its firm wishes to negotiate.” If a Proposer has an exception or contract deviation, where would the state prefer it be included in the proposal?

Answer: Within a Proposer’s RFP response, the Proposer may create a specific section titled, “Contract Exceptions or Deviations”. This section should be utilized to list any provisions included in the sample contract shown in Attachment II that the Proposer wishes to negotiate.

6. Section 2.3.5.b., page 30 states that “Monthly reports provided by Contractor shall comply with the file formats listed in Attachment VIII.” Attachment VIII is the Cost Proposal form. Can the State please provide the file formats required to meet this deliverable?

Answer: This statement should have read, “Monthly reports provided by Contractor shall comply with the file formats listed in Attachment V.” Please also see addendum 2 to the RFP.

7. Would LDR clarify the correct interpretation of the following Sections:
  - a. Section 1.34.2.g., page 24 requires the Contractor to remit the “full amount of the all monies collected in the previous month, including accrued interest collected on accounts placed by LDR with the contractor for collection, less the collection fee (percentage).”
  - b. Attachment IV, 3.g., page 57 requires “For non-tax debt, the contractor shall remit all amounts and then bill ODR for the amount owed.”

For ODR debt, is the Contractor supposed to remit the amount collected less the fees earned or remit the entire amount collected and bill ODR for their fee?

Answer: For tax debt, a taxpayer can be charged and is responsible for paying a collection fee in addition to the amount owed. So, the collection contractor is allowed to keep the collection fee that is paid by the taxpayer [La. R.S. 1516.1(B)(3)]. Though ODR has the authority to hire a collection contractor to collect debt on its behalf, the aforementioned provision is not applicable for non-tax debt [La. R.S. 1676(C)(3)] As a result, all money collected for non-tax debt must be remitted and then a bill or invoice should be sent for the services performed.

8. Section Part III, Evaluation, page 35 requires bidders to submit customer reference letters from three state taxing authorities; however, Section 1.8.1, page 6, requires letters from governmental or state taxing authorities. Will LDR please clarify which requirement prevails?

Answer: The requirement from Section 1.8.1.C, page 7 shall require customer reference letters from three governmental or state taxing authorities within past three years. Section Part II, Evaluation, 2e, Page 35 is requesting customer reference letters from three State taxing authorities only.

9. Will LDR accept a reference letter for collection services provided to the IRS as a substitute for a state taxing authority?

Answer: No, a reference letter from the IRS will be accepted as a reference letter from a governmental entity for meeting the qualification per 1.8.1.C.

10. The Cost Proposal Form, Attachment VIII, requests a single fee for the three different activities:

- Collection of delinquent taxes – requires staff trained to speak to taxpayers and/or their agents while complying with strict privacy requirements such as IRS 1075, UNAX, as well as other laws and regulations.
- Collection of non-tax debts – generally requires a more general type of collection approach while still maintaining privacy of the debtors' information.
- Litigation – requires the involvement of legal counsel and a great deal of administrative work and communications with the courts. Generally, this is a very expensive endeavor that involves advancing court costs and, in some instances, attorney's fees.

Market rates for delinquent tax collection as well as non-tax collection are significantly lower than the cost of litigation. In order to propose a single fee that would be inclusive of all three activities it may result in:

- Overcharging LDR with a much higher than normal fee for the delinquent tax and non-tax collections to ensure that the cost for litigation is covered.
- Charging LDR a competitive fee for delinquent tax and non-tax collection and the company losing money when pursuing litigation.

Would LDR consider modifying the fee proposal and accept a separate fee for each activity? Because litigation is activity that would probably be used the least, perhaps the evaluation can be modified to award points as follows:

- LDR Delinquent tax collection fee = 10%
- ODR Non-tax collection fee = 10%
- Litigation fee = 5%

Answer: Each proposer should consider all the factors that impact its ability to provide these services. However, as the RFP indicates, Proposer shall provide a single fee proposal for the services outlined in the RFP.

11. Invitation to Bid (pages 1 to 6). Please indicate where in the proposal document proposers should include the executed Invitation to Bid form.

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also question and answer for #1.

12. Invitation to Bid (page 1) indicates, “RESPONSES WILL BE PUBLICLY OPENED 03/11/2019 03:30 AM CST”. However, the RFP cover page indicates, “Proposal Due Date/Time: MARCH 11, 2019, 3:30PM”. Please confirm proposals are due and will be publicly opened on March 11, 2019 at 3:30 p.m. CST.

Answer: Proposals are due on April 11, 2019 at 3:30 p.m. CST. Please refer to Addendum 1. Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also questions and answers for #1 and 11.

13. Invitation to Bid, item 13 (page 2) indicates, “ENTIRE BID SHOULD BE RETURNED, EXCEPT ITEM PAGES NOT BID.” Are proposers required to include a complete copy of the RFP document as part of their proposals? If so, where in the proposal document should proposers include the full RFP?

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also questions and answers for #1, 11 and 12.

14. Section 1.2 Background (page 4) indicates, “The Louisiana Department of Revenue (LDR) is responsible for administration, assessment and collection of personal income taxes and a variety of business taxes. Business taxes include sales and use taxes, employer withholding taxes, corporation income and franchise taxes, excise taxes and fees and severance oil and gas taxes.”

a. What percentage of LDR’s portfolio is comprised of individual liabilities and what percentage is comprised of business liabilities?

Answer: LDR portfolio comprises of 81 % individual income liability and 19% business liability.

b. What are the number and total dollar value of any backlog of accounts available for placement immediately upon contract award, segregated by tax type?

Answer:

<b>Tax Type</b>	<b>Number of Accounts</b>	<b>Value</b>
Severance - Oil	43	\$259,317.56
Severance - Gas	38	\$32,751.18
Severance - Minerals	3	\$20,218.95
Severance - Timber	11	\$53,127.48
Corporation Income & Franchise	10,010	\$3,335.15
Withholding	6,905	\$12,669.61
Withholding Non-Emp Cmp	3	\$439.91
Sales	6,612	\$15,485.61
Sales Prepaid Cell Phone	101	\$3,247.93
NO Hotel/Motel	28	\$78,448.04
Automobile Rental	2	\$1,839.63
Statewide Hotel/Motel	42	\$32,717.11
New Orleans Exhibition Hall	129	\$6,987.59
Oilfield Site Restor Gas	8	\$22,231.62
Oilfield Site Restor Oil	5	\$1,466.84

Individual Income	159,571	\$2,315.96
Individual Income - Composite	442	\$4,193.56
Fiduciary	192	\$4,829.61
Excise - Beer	1	\$83,720.63
Excise - Alcohol	1	\$434,605.61
Excise - Wine DS	10	\$9,667.10
Excise - Gas Dealer	2	\$77,756.12
Excise - Gas Jobber	1	\$951,788.08
Excise - Insp/Supv	161	\$4,454.11
Excise - HZ Waste	2	\$541.81
FT-Motor Fuel Floor Stock Tax	1	\$23.00
Excise - Dyed Diesel Violation	1	\$1,010.00
Excise - SF Supplier	3	\$36,236.99
Excise - Tobacco (Retired)	24	\$49,579.15
Excise - Tobacco Returns	6	\$19,994.42
FT-Terminal Operator	1	\$40.00
FT-Motor Fuel Transporter	4	\$1,373.10
FT-Importer	2	\$7,353.56
FT-Distrib/Export/Blender	4	\$80,039.80
Excise - Trans/Comm	57	\$23,325.29
IFTA	401	\$6,796.88

- c. What are the estimated number and total dollar value of accounts to be placed annually, segregated by tax type?

Answer: LDR's estimated number and total dollar value of tax debt accounts to be placed annually totals 116,717 accounts at a value of \$156,776,488.36. Please see the chart included in the answer to question 14(b) for the breakdown of tax types.

- d. What are the number and total dollar value of accounts placed with the current contractor(s) during the past three fiscal years, segregated by tax type?

Answer: LDR's number of total dollar value of tax debt accounts placed with the current contractor during the past three fiscal years are the following respectively:

Tax Type	# of Accts	Debt Balance
Severance - Oil	43	\$11,150,654.94
Severance - Gas	38	\$1,244,545.01
Severance - Minerals	3	\$60,656.84
Severance - Timber	11	\$584,402.23
Corporation Income & Franchise	10,025	\$33,384,831.46
Withholding	6,954	\$87,483,645.90
Withholding Non-Emp Cmp	3	\$1,319.73

Sales	6,903	\$102,390,879.92
Sales Prepaid Cell Phone	116	\$328,040.93
NO Hotel/Motel	30	\$2,196,545.24
Automobile Rental	3	\$3,679.26
Statewide Hotel/Motel	42	\$1,374,118.75
New Orleans Exhibition Hall	131	\$901,399.39
Oilfield Site Restor Gas	8	\$177,852.99
Oilfield Site Restor Oil	5	\$7,334.22
Individual Income	159,571	\$369,560,075.81
Individual Income - Composite	442	\$1,853,555.64
Fiduciary	192	\$927,285.36
Excise - Beer	1	\$83,720.63
Excise - Alcohol	2	\$434,605.61
Excise - Wine DS	10	\$96,670.95
Excise - Gas Dealer	2	\$155,512.24
Excise - Gas Jobber	1	\$951,788.08
Excise - Insp/Supv	162	\$717,111.14
Excise - HZ Waste	3	\$1,083.61
FT-Motor Fuel Floor Stock Tax	1	\$23.00
Excise - Dyed Diesel Violation	1	\$1,010.00
Excise - SF Supplier	3	\$108,710.97
Excise - Tobacco (Retired)	24	\$1,189,899.58
Excise - Tobacco Returns	6	\$119,966.53
FT-Terminal Operator	1	\$40.00
FT-Motor Fuel Transporter	4	\$5,492.41
FT-Importer	2	\$14,707.12
FT-Distrib/Export/Blender	4	\$320,159.19
Excise - Trans/Comm	57	\$1,329,541.71
IFTA	401	\$2,725,547.23

e. What is the average balance of accounts at placement, segregated by tax type?

Answer:

Tax Type	Average Amount Placed for last three fiscal years of FY (2016, 2017, 2018)
Severance - Oil	\$1,578,692.80
Severance - Gas	\$1,040,372.00
Severance - Minerals	\$5,832.37
Severance - Timber	\$29,442.62

Corporation Income & Franchise	\$14,640,690.76
Withholding	\$10,645,686.37
Withholding Non-Emp Cmp	\$1,769.33
Sales	\$11,253,742.29
Sales Prepaid Cell Phone	\$34,485.97
NO Hotel/Motel	\$714,564.67
Automobile Rental	\$428.93
Statewide Hotel/Motel	\$229,568.69
New Orleans Exhibition Hall	\$152,452.72
Oilfield Site Restor Gas	\$42,338.74
Oilfield Site Restor Oil	\$1,684.27
Individual Income	\$113,202,715.28
Individual Income - Composite	\$1,063,688.87
Fiduciary	\$280,588.05
Excise - Beer	\$3,775.41
Excise - Alcohol	\$108,618.20
Excise - Wine DS	\$9,070.12
Excise - Gas Dealer	\$37,889.32
Excise - Gas Jobber	\$113,700.09
Excise - Insp/Supv	\$75,255.78
Excise - SF Decal	\$261.59
Excise - HZ Waste	\$156.04
FT-Motor Fuel Floor Stock Tax	\$5.75
Excise - Dyed Diesel Violation	\$250.00
Excise - SF Supplier	\$18,287.57
Excise - Tobacco (Retired)	\$432,034.33
Excise - Tobacco Returns	\$151,991.55
FT-Terminal Operator	\$142.50
FT-Motor Fuel Transporter	\$853.10
FT-Supplier	\$3,750.24
FT-Importer	\$23,645.64
FT-Distrib/Export/Blender	\$26,881.67
Excise - Trans/Comm	\$194,739.74
IFTA	\$656,435.02

- f. What are the current contractor(s)'s historical liquidation (i.e., recovery) rates, segregated by tax type?

Answer: For LDR, the historical liquidation rate over the past three years has been 7.88%.

15. Section 1.2 Background (page 4) indicates, "...LDR's, Office of Debt Recovery (ODR) is responsible for collecting delinquent non-tax debt sent to it by other state agencies for collection."

- a. For which state agencies will ODR place accounts for collection?

Answer: Baton Rouge Parish Attorney's Office, Central LA Technical Community College, City Court of Houma, DOC, DOE, Military Affairs, ORM, DEQ, GOHSEP, DHH, IMCAL, 4th JDC District Attorney, 12th JDC, 33rd JDC, 14th JDC Clerk of Court & Public Defender's Office, 15th JDC Clerk of Court, 31st JDC Clerk of Court & Public Defender's Office, LA Delta Community College, LA Universities Marine Consortium, Lafayette Parish School Board, Lafayette PSS Sales Tax Division, Legislative Auditor, LSU Health Care Services Division, LSU Health Sciences Center-Shreveport, Northwest LA Human Services District, Office of Group Benefits, Office of State Uniform Payroll, Sabine Parish Clerk of Court, River Parishes Campus, State Board of CPAs of LA, and Vermilion Parish Clerk of Court.

- b. What account/debt types will ODR place for collection?

Answer: Parking tickets, tuition and fees, court fines and fees, probation and parole fees, sales tax liabilities, traffic fines, Louisiana Child Care Assistance payment recoupments, Ineligible benefits or overpayments of benefits, federal grant overpayments, outstanding medical balances, past due doctor office visit fees and past due insurance premiums

- c. What are the number and total dollar value of any backlog of accounts available for placement immediately upon contract award, segregated by account/debt type?

Answer:

Account Type	# of Acct	Dollar Amount
Department of Corrections	4,918	\$8,503,951.22
Governor's Office of Homeland Security and Emergency Preparedness	1,626	\$2,811,203.02
Louisiana Department Health & Hospitals	618	\$1,068,388.39
LSU Health Care Services Division	429	\$742,158.92
Department of Education	311	\$537,441.99
14th JDC Clerk of Court	297	\$88,842.67
State Board of CPAs of LA	51	\$88,842.67
4th JDC District Attorney	64	\$110,687.39
15th JDC Clerk of Court	68	\$116,945.38
Department of Environmental Quality	91	\$156,913.81
LA Delta Community College	106	\$183,633.47
Central LA Technical Community College	130	\$224,375.11

- d. What are the estimated number and total dollar value of accounts to be placed annually, segregated by account/debt type?

Answer: Debt will be placed quarterly and will be determined based on the placements ODR has received.

- e. What are the number and total dollar value of accounts placed with the current contractor(s) during the past three fiscal years, segregated by account/debt type?

Answer: ODR has not placed accounts for collection with an OCA in the past 12 months.

- f. What is the average balance of accounts at placement, segregated by account/debt type?

Answer:

Account Type	Average Balance
Baton Rouge Parish Attorney's Office	\$170
Central LA Technical Community College	\$1,265
City Court of Houma	\$532
Department of Corrections	\$745
Department of Education	\$8,669
Department of Military Affairs	\$305
Office of Risk Management	\$6,540
Department of Environmental Quality	\$13,565
Governor's Office of Homeland Security and Emergency Preparedness	\$26,935
Louisiana Department Health & Hospitals	\$2,414
Imperial Calcasieu Human Services Authority	\$106
12th JDC Misdemeanor Probation	\$2,019
33rd JDC Public Defender's Office	\$1,202
14th JDC Clerk of Court	\$631
14th JDC Public Defender's Office	\$865
15th JDC Clerk of Court	\$631
31st JDC Clerk of Court	\$605
31st JDC Public Defender's Office	\$51
4th JDC District Attorney	\$990
LA Delta Community College	\$1,071
LA Universities Marine Consortium	\$207
Lafayette Parish School Board	\$1,829
Lafayette PSS Sales Tax Division	\$2,280
LA Legislative Auditor	\$2,802
LSU Health Care Services Division	\$911
LSU Health Sciences Center-Shreveport	\$1,512
Northeast Delta Human Services Authority	\$57
Northwest LA Human Services District	\$130
Office of Group Benefits	\$178
Office of State Uniform Payroll	\$690
Sabine Parish Clerk of Court	\$511

River Parishes Community College Campus	\$1,457
Southwest LA Veterans Home	\$33,108
State Board of CPAs of LA	\$97,650
Vermilion Parish Clerk of Court	\$511

- g. What are the current contractor(s)'s historical liquidation (i.e., recovery) rates, segregated by account/debt type?

Answer: The initial contracts between OCA's and ODR were part of a pilot program. Only one placement was sent to the contractor. During that very short period of time, the liquidation rate was 1.28%.

16. Section 1.2 Background (page 4) indicates, "In most cases, in-house LDR and ODR collection staff has attempted initial collection."

- a. What internal collection efforts are made by in-house LDR collection staff prior to placement with the contractor(s)?

Answer: For LDR (Tax Debt), LDR utilizes installment agreements, offers in compromise, bank levies, wage garnishments, tax offsets and vendor offsets.

- b. What internal collection efforts are made by in-house ODR collection staff prior to placement with the contractor(s)?

Answer: For ODR (Non-Tax Debt), letters, bank levies, wage garnishment, tax offset and vendor offsets.

17. Section 1.8.1 Mandatory Qualifications (page 7) indicates, "Proposers shall clearly describe their ability to meet or exceed the qualifications described in the Mandatory Qualifications for Proposer section." Please indicate under which item in Section 1.9 Proposal Response Format (pages 8 to 13) proposers should provide responses to Section 1.8.1.

Answer: The "Mandatory Qualifications for Proposer" section should be included in section 1.9(c), "Executive Summary" portion of the RFP response.

18. Section 1.8.1.c (page 7) indicates, "Provide customer reference letters from the three (3) [governmental or state taxing authorities]." However, Part III, item 2.e (page 35) indicates, "The Proposer should provide customer reference letters from three state taxing authorities..." Please confirm proposers should provide three customer reference letters from three governmental or state taxing authorities, rather than three state taxing authorities only.

Answer: The requirement from Section 1.8.1.C, page 7 shall require customer reference letters from three governmental or state taxing authorities within past three years. Section Part II, Evaluation, 2e, Page 35 is requesting customer reference letters from three State taxing authorities only.

19. Section 1.8.2 Desirable Qualifications (page 7 to 8) requests information from proposers in items d through i. Please indicate under which item in Section 1.9 Proposal Response Format (pages 8 to 13) proposers should provide responses to Section 1.8.2.

Answer: The “Desirable Qualifications for Proposer” section should be included in section 1.9(c), “Executive Summary” portion of the RFP response.

20. Section 1.9.f Veteran-Owned and Service-Connected Disabled Veteran-Owned Small Entrepreneurships (Veteran Initiative) and Louisiana Initiative for Small Entrepreneurships (Hudson Initiative) Programs Participation (page 9) indicates, “In RFP’s requiring the compliance of a good faith subcontracting plan, the State may require Proposers to submit information on their business relationships and arrangements with certified LaVet or Hudson Initiative subcontractors at the time of proposal review. Agreements between a Proposer and a certified LaVet or Hudson Initiative subcontractor in which the certified LaVet or Hudson Initiative subcontractor promises not to provide subcontracting quotations to other Proposers shall be prohibited.”

- a. Is a good faith subcontracting plan required as part of the proposer’s response?

Answer: No, a good faith subcontracting plan is not required as part of the proposer’s response. However, if a Proposer plans to use certified small entrepreneurship(s), the State reserves the right to require a non-certified Proposer to provide documentation and information supporting a good faith subcontracting plan. Such proof may include contracts between proposer and certified Veteran Initiative and/or Hudson Initiative subcontractor(s).

- b. We reviewed the resources provided for identifying certified LaVet and Hudson Initiative businesses (page 10) and were unable to identify any businesses providing debt collection, recovery, or debt collection litigation services. Due to the absence of certified subcontractors relevant to this project, will LDR consider either waiving this requirement or awarding points for the use of other similar disadvantage business enterprises (e.g., veteran-owned small, minority-owned, or women-owned business enterprises) not certified as LaVet or Hudson Initiative?

Answer: LDR will award the points regarding this qualification according to the parameters set forth in Part III, Evaluation of the RFP. See also, question and answer for #3.

21. Section 1.9.f.B.iii (page 11) indicates, “If the Proposer demonstrates its intent to use certified small entrepreneurship(s) in the performance of contract work resulting from this solicitation, the Proposer shall receive points equal to the net percentage of contract work which is projected to be performed by or through certified small entrepreneurship subcontractors, multiplied by the appropriate number of evaluation points.” What percentage of subcontracting to LaVet and/or Hudson Initiative businesses will result in the greatest percentage award of evaluation points?

Answer: LDR will award the points regarding this qualification according to the parameters set forth in Part III, Evaluation of the RFP. More specifically, if the proposer subcontracts 100% of the contract duties to a LaVet qualifying subcontractor then that will result in the greatest percentage award of evaluation points for that category. See also, questions and answers for #3 and 20(b).

22. Section 1.11.3.c (pages 13 to 14) indicates, “Proposals should be labeled as the following: (Proposer’s Name) / Proposal for Collection Services / Louisiana Department of Revenue (xx)/(xx)/2015”. Please confirm “(xx)/(xx)/2015” should be changed to 03/11/2019.

Answer: “(xx)/(xx)/2015” is an error and it should read 04/11/2019. Please also see addendum 1 and addendum 2.

23. Section 1.11.3.d.i (page 14) indicates, “Each proposal should contain an executive summary, which should be limited to 10 pages.” Section 1.11.3.d.ii (page 14) goes on to state, “The text portion of the proposal should be limited to a maximum of 75 pages, not including the appendices...” Please confirm the 10-page executive summary is in addition to the 75-page proposal response.

Answer: The Executive Summary will be reviewed as its own separate section of the RFP response. As a result, its 10 page limit will be counted independently of the 75 page limit (excluding appendices) from the remaining portions of the RFP response. See also, question and answer for #4.

24. Section 1.11.3.d.iii.b (page 14) indicates “Collection Methodology including schematics” should be included as an appendage.

- a. Please confirm this item is included in the appendices cited in Section 1.11.3.d.ii (page 14) as not counting toward the 75-page maximum for proposals.

Answer: Section 1.11 (3)(d)(ii) specifically states, “[t]he text portion of the proposal should be limited to a maximum of 75 pages, not including the appendices”. This language outlines the fact that appendices will not count toward or against the 75 page limit set forth for the technical proposal. See also, questions and answers for #4 and 23.

- b. Please clarify which sections/what information should be provided in the Collection Methodology appendage. For example, is LDR requesting a detailed response to Part II: Scope of Work/Services (pages 29 to 32) in the appendage?

Answer: The detailed response to Part II: Scope of Work/Services should not be included in an appendage. Instead, it should be included in the body of the RFP technical proposal response. Additionally, the technical proposal response should include all the sections described in sections 1.9 (a), (b), (d), (e) and (f) on pages 8-12.

25. Section 1.24 Use of Subcontractors (page 19) indicates, “The State shall have a single prime contractor as the result of any contract negotiation, and that prime contractor shall be responsible for all deliverables specified in the RFP and proposal.” Please confirm LDR intends to award a contract to only one contractor for the collection of both tax and non-tax debts.

Answer: The RFP language cited on page 19 indicates that the contractor who hires or retains a subcontractor shall still be considered the single prime contractor for purposes of the contract and shall be responsible for all the activities of the subcontractor. Meanwhile, RFP section 1.30 Notice of Intent to Award, specifically states that, [t]he State reserves the right to make multiple awards.”

26. Section 1.34.2.g (page 24) regarding non-tax debt indicates, "The contractor shall agree to remit, by the 10th of each month to LDR, the full amount of all monies collected in the previous month, including accrued interest collected on accounts placed by LDR with the contractor for collection, less the collection fee (percentage) permitted by L.R.S. 47:1516 earned by the contractor, as prescribed by LDR." Are contractors required to remit to LDR amounts collected on behalf of ODR, or should this item indicate contractors should remit amounts collected on non-tax debt to ODR?

Answer: The contractor will be required to remit all amounts collected for non-tax debt to ODR.

27. Section 2.2.4 (page 29) indicates, "All out of state accounts will be original assignments." What percentage of LDR and ODR's portfolios are comprised of out-of-state accounts and what percentage of the portfolios are comprised of in-state accounts?

Answer: For ODR (Non-Tax Debt), 92.5% are in state and 7.5% are out of state

Answer: For LDR (Tax Debt), LDR's portfolio consist of 83% in state accounts and 17% out-of-state accounts.

28. Section 2.3.5.b (page 30) indicates, "Monthly reports provided by Contractor shall comply with the file formats listed in Attachment VIII." However, Attachment VIII is the Collection Service Fee (Cost Proposal) Form. Please provide the file formats for monthly reports required from the contractor.

Answer: This statement should have read, "Monthly reports provided by Contractor shall comply with the file formats listed in Attachment V." See also, question and answer #6.

29. Part III, item 3.a.i (page 35) indicates, "The Proposer should identify personnel for the contract along with at least five (5) on-site personnel, their qualifications and classifications who will be assigned fulltime to work on LDR accounts..." Please clarify whether the five personnel requested will work onsite at the contractor or onsite at LDR.

Answer: The assigned personnel will work on-site at LDR.

30. Section 3.1 Cost Evaluation (page 36) indicates, "The Proposer with the lowest collection service fee percentage shall receive 25 points," which comprises 25% of the total evaluation points. Given this contract involves an add-on collection fee where the taxpayer/debtor pays the contractor's contingency fee and LDR is made 100% whole, would LDR consider modifying this section by revising the cost weighting from 25% back to 10% (the historical percentage allocated to cost in previous LDR solicitations)? This would allow LDR to award more points based on proposer capabilities and experience.

Answer: No. LDR will award points according to the parameters set forth in Part III, Evaluation of the RFP.

31. Attachment I, Certification Statement, item 5 (page 40) indicates, "Proposer understands that if selected as the successful Proposer, he/she will have \_\_\_\_ business days from the date of delivery of final contract in which to complete contract negotiations, if any, and execute the final contract document. (Agency insert number of days to correspond to same number referenced in RFP section

number 1.29 Contract Award and Execution.)” Please confirm the number that should be inserted in the blank is “30”.

Answer: The number that should have been inserted is “30”.

32. Attachment II, Section 3.0 Compensation, Maximum Amount of Contract (page 43) indicates, “In consideration of the services required by this contract, State hereby agrees to pay to Contractor a maximum fee of \$ [TO BE INSERTED].” Given the contractor’s fee is not assessed to LDR and ODR, rather it is added onto the amount due from the taxpayer/debtor, is this paragraph applicable? If so, what is the maximum compensation established for this contract?

Answer: The maximum amount of the contract will be discussed and addressed after the RFP has been awarded during the contract negotiation process.

33. Attachment IV, Section 1.d.v (page 55) indicates, “The LDR, as a result of an administrative action, decision, an offset, levy, lien and/or garnishment action by the LDR, age prescription, and/or a legal decision, may manually or systematically recall any and all accounts.” Will the contractor pursue lien and/or garnishment action on behalf of LDR? If so, will the contractor be entitled to its fee for amounts recovered as a result of lien/garnishment?

Answer: For LDR (Tax debt), the contractor will not be required to file any liens or issue any wage garnishments. However, the Contractor will issue levies on LDR’s behalf when applicable to the tax debt being collected. As a result, the contracted payment percentage will be applied and paid for the levies issued on LDR’s behalf.

Answer: For ODR (Non-Tax debt), there will be no lien or garnishment action taken on behalf of ODR.

34. Attachment IV, Section 3.g (page 57) indicates, “For non-tax debt, the contractor shall remit all amounts and then bill ODR for the amount owed.” However, Section 1.34.2.g (page 24) indicates, “The contractor shall agree to remit, by the 10th of each month to LDR, the full amount of all monies collected in the previous month, including accrued interest collected on accounts placed by LDR with the contractor for collection, less the collection fee (percentage) permitted by L.R.S. 47:1516 earned by the contractor, as prescribed by LDR.” Please clarify which statement is correct. That is, are contractors required to provide gross remittance or net remittance (total amount recovered less the collection fee) for amounts recovered on non-tax debt?

Answer: For tax debt, a taxpayer can be charged and is responsible for paying a collection fee in addition to the amount owed. So, the collection contractor is allowed to keep the collection fee that is paid by the taxpayer [La. R.S. 1516.1(B)(3)]. Though ODR has the authority to hire a collection contractor to collect debt on its behalf, the aforementioned provision is not applicable for non-tax debt [La. R.S. 1676(C)(3)] As a result, all money collected for non-tax debt must be remitted and then a bill or invoice should be sent for the services performed. See also, question and answer #7.

35. Attachment IV, Section 3.h (page 57) indicates, “Contractor agrees to remit weekly to LDR the full amount of all monies collected in the previous week, including accrued interest collected on accounts placed by LDR with Contractor for collection, less the collection fee (commission) permitted by La. R.S. 47:1516 earned by Contractor, as prescribed by LDR.” However, Section 1.34.1.f (page 24) states, “The

contractor shall agree to remit, by the 10th of each month to LDR, the full amount..." Please clarify which statement is correct. That is, are contractors required to remit funds weekly or monthly to LDR?

Answer: For LDR (Tax debt), the Contractor will be required to remit funds by the 10<sup>th</sup> of each month. Any language contained in the RFP which contradicts this should be ignored.

Answer: For ODR (Non-Tax debt), it expects weekly payment files and a monthly remit of all funds collected.

36. Section 1.8.2, requirement C reads: Provide five or more employees to assist with account processing on-site at LDR at no additional cost to LDR. Can you please expand on your expectations for the roles and responsibilities of these five employees?

Answer: For tax debt, LDR's expectation for the roles and responsibilities of five employees will be to levy, handle correspondence created from the levy process, review accounts to answer questions from taxpayers, help resolve potential system issues with LDR supervisors and provide weekly updates on issues with current collection inventory assigned to the contractor.

37. Who is the incumbent provider(s) for collection services for the state?

Answer: For tax debt, Performant Recovery Inc. is the incumbent. Incumbents for non-tax debt include, Penn Credit, Performant Recovery Inc., Pioneer, United Collection Bureau Inc., and Coast Professional Inc.

38. Can you share the rate the incumbent(s) is currently charging?

Answer: For tax debt, the incumbent is allowed to charge and collect from the taxpayer an amount equal to 15% of the tax, penalty and interest collected on behalf of LDR. For non-tax debt, all incumbent contracts have expired. Notwithstanding, when in effect, the contracts allowed the collection contractors to charge ODR a service fee equal to 14.5% of the principal, penalty and interest collected from the debtor.

39. How many vendors do you expect to award for this project?

Answer: RFP section 1.30 Notice of Intent to Award, states, "[t]he State reserves the right to make multiple awards". See also question and answer for #25.

40. What is the anticipated number of accounts to be placed for collections monthly?

Answer: For ODR (Non-Tax debt), debt will be placed quarterly and will be determined based on the placements ODR has received. See also, question and answer #15(d).

Answer: For LDR (Tax debt), the average number of accounts placed monthly for collection is 9,092.

41. What is the total dollar value of the accounts to be placed monthly?

Answer: For ODR (Non-Tax debt), that decision will be determined based on the annual placements ODR receives. See also, questions and answers for #15(d) and 40.

Answer: For LDR (Tax debt), the total dollar value of the accounts to be placed monthly is \$9,272,591.05.

42. What is the historical liquidation rate for the debt in question? If that is not available, what liquidation rate does the state expect?

Answer: For ODR (Non-Tax debt), it expects a liquidation rate of 25%.

Answer: For LDR (Tax debt), the historical liquidation rate over the past three years has been 7.88%. See also, question and answer for #14(f).

43. Is there a current backlog of debt that will be placed with new vendors?

Answer: For ODR (Non-Tax debt), yes. See also, question and answer for 15(c).

Answer: For LDR (Tax debt), yes, the current backlog of 185,205 accounts with a total debt balance of \$621,886,413.62 will be placed.

44. Section 1.2 Background, p. 4 of 91-With which collection agency(ies) are you currently contracted? Please break out by tax vs. non-tax collections.

Answer: For tax debt, Performant Recovery Inc. is the current contractor. Currently, there are no active contractors for non-tax debt. Incumbents for non-tax debt include, Penn Credit, Performant Recovery Inc., Pioneer, United Collection Bureau Inc., and Coast Professional Inc. See also, question and answer for #37.

45. Section 19. g. Cost Proposal, p. 12 of 91-What is the current contingency fee rate for each current collection agency? Please break out by tax vs. non-tax collections. Also please specify whether the collection fee is added to the taxpayer's balance or the debtor's balance in the case of non-tax collection services.

Answer: For tax debt, the incumbent is allowed to charge and collect from the taxpayer an amount equal to 15% of the tax, penalty and interest collected on behalf of LDR. For non-tax debt, all incumbent contracts have expired. Notwithstanding, when in effect, the contracts allowed the collection contractors to charge ODR a service fee equal to 14.5% of the principal, penalty and interest collected from the debtor. See also, question and answer for #38.

46. What dollar amount did each current contractor retain in collection fees during the most recent fiscal year?

Answer: For ODR (Non-Tax debt), FY 2018 - \$913.50 total.

Answer: For LDR (Tax debt), FY 2018-\$2,009,011.77 in total.

47. Part II: Scope of Work / Services, p. 29 of 91-What is the overall volume of accounts (number of accounts and total dollar value of accounts) that you anticipate referring to each contracted vendor for collections? Please break by tax collections vs. non-tax collections.

Answer: For ODR (Non-Tax debt), it will be determined based on the annual placements ODR receives. See also, question and answer for 15(c).

Answer: For LDR (Tax debt), LDR anticipates is 116,717 accounts with a total dollar value of \$156,776,488.36.

48. Part II: Scope of Work / Services, p. 29 of 91-If the contract is awarded to a different vendor than currently contracted, will you be recalling the accounts previously listed to the current vendor and forward those accounts to the new vendor?

Answer: For ODR (Non-Tax debt), ODR does not have any accounts placed with a contractor at this time.

Answer: For LDR (Tax debt), yes LDR would recall those accounts and then determine possible redistribution of recalled accounts.

49. Part II: Scope of Work / Services, p. 29 of 91-If yes, what is the overall volume of those accounts (number of accounts and total dollar value) that you anticipate would be referred for collections?

Answer: For ODR (Non-Tax debt), this is not applicable.

Answer: For LDR (Tax debt), LDR anticipates 116,717 accounts with a total dollar value of \$156,776,488.36. See also, question and answer for #47.

50. Part II: Scope of Work / Services, p. 29 of 91-If yes, will these accounts be allowed to be bid at a different rate since these are what the collection industry calls "seconds" and are not primary placed accounts?

Answer: Accounts placed for collection will not be subject to bid at any time. Instead, all placed accounts will be subjected to the fee charged in accordance with state law and specifically stated in the contract that is negotiated and signed by the parties, subject to the approval of the Louisiana Division of Administration, Office of State Procurement.

51. Part II: Scope of Work / Services, p. 29 of 91-What is the average balance of the cases you will refer for collections? Please break out by tax vs. non-tax. If possible, please also break out the top three non-tax debt types as measured by dollar volume referred for collection.

Answer: For ODR (Non-Tax debt), \$978, see also, question and answer for 15(f).

Answer: For LDR (Tax debt), LDR's number of total dollar value of tax debt accounts placed with the current contractor during the past three fiscal years are the following respectively:

<u>Year</u>	<u>Number of Accounts</u>	<u>Value</u>
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2018	140,431	\$193,724,060.24
2017	81,755	\$112,090,684.81
2016	171,943	\$210,020,115.82

See also question and answer 14(d).

52. Part II: Scope of Work / Services, p. 29 of 91- What is the average age of the accounts you will refer for collections? Please break out by tax vs. non-tax. If possible, please also break out the top three non-tax debt types as measured by dollar volume referred for collection.

Answer: For ODR (Non-Tax debt), 5 years. The top three types are probation and parole (\$65,614,803), grant repayment (\$21,842,799) and past due medical bills (\$5,348,556).

Answer: For LDR (Tax debt), the average age of the accounts referred for tax debt in collection is 1.4 years.

53. Part II: Scope of Work / Services, p. 29 of 91-What is the age of the oldest accounts you will refer for collections? Please break out by tax vs. non-tax.

Answer: For ODR (Non-Tax debt), the age of the oldest account is 15 years.

Answer: For LDR (Tax debt), the age of the oldest account referred is 9 ½ years.

54. Part III: Evaluation, p. 33 of 91-How many agencies will you be awarding to for this contract? Please break out by tax vs. non-tax.

Answer: RFP section 1.30 Notice of Intent to Award, states, “[t]he State reserves the right to make multiple awards”. See also questions and answers for #25 and 39.

55. If multiple collection agencies are contracted, what criteria are used to decide how the placement volumes are divided between the different collection agencies? Is it based on debt type? Performance levels? Other factors?

Answer: If more than one award is given, LDR will discuss the placement factors for debt during the contract negotiation process, which will include but not be limited to the factors used to select the winning proposers. See also questions and answers for #25, 39 and 54.

56. Section 1.5 Definitions, p. 5 and 6 of 91-Definitions are provided for both “First Placement” and “Second Placement.” However, that is the only place in the RFP where we find those terms. Will the scope include both First Placements and Second Placements?

Answer: Yes, the scope will include first and second placements. This is because the Louisiana Attorney General’s Office (AG) is allowed by law, the right of first refusal to collect tax debt before it is sent to a collection contractor (La. R.S. 47:1516.1). Meanwhile, ODR may also contract with the AG’s office for the collection of delinquent non-tax debt (La. R.S. 47:1676).

57. Attachment VIII – Collection Service Fee (Cost Proposal) Form, p. 91 of 91-If the scope include Second Placements, will LDR allow a separate fee for Second Placements, since the older a debt becomes, the more difficult it becomes to collect and the more collection efforts need to be made, therefore increasing the collection agency's cost.

Answer: All placed accounts will be subjected to the fee charged in accordance with state law and specifically stated in the contract that is negotiated and signed by the parties, subject to the approval of the Louisiana Division of Administration, Office of State Procurement. See also, question and answer for #50.

58. 1.8. e. Mandatory Qualifications, p. 7 of 91-In what states and/or territories did your current collection agency contractors file and serve legal documents or execute judgments during the current contract period? How many legal filings or judgments in each state or territory?

Answer: For ODR (Non-tax debt), ODR has not recommended any accounts for litigation.

Answer: For LDR (Tax debt), none.

59. Section 1.9 f. Small Entrepreneurships Participation, paragraph B. iii., p. 11 of 91-Can LDR please provide an example of how points would be calculated based on a Proposer intending to use certified small entrepreneurships in the performance of the work?

Answer: LDR will award the points regarding this qualification according to the parameters set forth in this RFP. See the example below and also, questions and answers for #3, 20(b) and 21.

Example: The Proposer offers a Collection Service Fee Percentage of 15%. This corresponds to a dollar value of \$X {Note to LDR: you can use historical values}. The Proposer subcontracts with a certified LaVet subcontractor with an estimated subcontract value of \$X {Note to LDR: use a number that will make the net percentage 10%}. The net percentage value of the subcontract is determined to be 10%:  $\frac{\$ \{subcontract\}}{\$ \{contract\}} = 10\%$ . This results in 1.2 points being awarded:  $10\% \times 12 \text{ possible points} = 1.2 \text{ points}$ .

60. Section 1.50 Performance Bond, p. 28 of 91-Would evidence of crime coverage and/or errors and omissions coverage in excess of the value of the performance bond be acceptable in lieu of the performance bond?

Answer: State law administered by the Louisiana Office of Risk Management controls the contract language regarding insurance coverage and the type of insurance coverage required for this type of contract. As a result, no substitutions will be allowed for any of the required insurance policies and/or coverage limits.

61. Section 1.51 Fidelity Bond, p. 28 of 91-Would evidence of crime coverage and/or errors and omissions coverage in excess of the value of the fidelity bond be acceptable in lieu of the fidelity bond?

Answer: State law administered by the Louisiana Office of Risk Management controls the contract language regarding insurance coverage and the type of insurance coverage required for this type of

contract. As a result, no substitutions will be allowed for any of the required insurance policies and/or coverage limits. See also, question and answer for #60.

62. Section 1.9 g. Cost Proposal, p. 13 of 91, Section 1.9 g., “Cost Proposal,” says: “Proposers shall submit their signed collection service fee (Cost) proposal ...” QUESTION: Attachment VIII COLLECTION SERVICE FEE (COST PROPOSAL) FORM does not have a signature area. Should vendors add a signature line to the form, along with a date?

Answer: Yes, lines for a signature and date should be added to Attachment VIII.

63. 2.5(1)(d) Operational Requirements; Skiptracing, p. 31 of 91-This section includes LDR’s expectation that the Proposer skip trace debtors through, among other things, credit bureau reports. In light of the compliance agreements entered into with all three major consumer credit reporting agencies and the Attorneys General of 32 states, private collection agencies are prohibited from pulling credit bureau reports on debtors owing non-consensual debt, i.e., a contract or agreement to pay, such as delinquent tax debt. Please confirm that LDR does not expect the collection agency to obtain credit bureau reports on taxpayers.

Answer: LDR expects its Contractor to comply with all state and federal laws. As a result, obtaining credit bureau reports shall not be required as long as the current federal law prohibits such activity.

64. Section 2(d) Certifications for Business Activity as a Collection Agency; FDCPA Compliance, p. 56 of 91- This section requires the Contractor to provide a statement to attest to the fact that it complies with the Fair Debt Collection Practices Act (FDCPA). The FDCPA applies to debts that arise for personal, family, or household purposes. The types of debts assigned by LDR including tax and non-tax debt are typically excluded from the FDCPA definition of debt. Please clarify whether LDR intends that the Contractor comply with the spirit of the FDCPA, or comply only with actual federal requirements.

Answer: The attestation statement is required to be submitted within the RFP response because LDR has an expectation that its selected Contractor will comply with the spirit of the FDCPA in its practice and process of collecting LDR’s tax and non-tax debt.

65. Attachment III – ELECTRONIC VENDOR PAYMENT SOLUTION form, P. 53-53 of 91-Is Attachment III to be completed, signed and submitted with the proposal? Or is this form completed at time of contract award?

Answer: This form should be completed, signed and submitted with the proposal.

66. “Invitation to Bid” form-Just to confirm, is the “Invitation to Bid” form (file name, “7006800pdf”) required to be completed, signed and submitted with the proposal?

Answer: No, this Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also questions and answers for #1, 11, 12 and 13.

67. "Invitation to Bid" form, p. 1-On the "Invitation to Bid" form, page 1, Line 1, what, if anything, should the vendor enter under "Unit Price," or "Extended Amount," since we are submitting a separate Cost Proposal form?

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also questions and answers for #1, 11, 12, 13 and 66.

68. Section 1.1 Purpose, p. 4 of 91-Are bidders required to bid on both tax and on-tax portions of the Scope? Or can bidders submit bids for just one or the other?

Answer: Bidders are required to bid on both, the tax and non-tax portions of the scope.

69. Section 1.2 Background, p. 4 of 91-What debt types are included in the non-tax / state agency debt to be referred for collection?

Answer: For ODR (Non-Tax debt), Baton Rouge Parish Attorney's Office, Central LA Technical Community College, City Court of Houma, DOC, DOE, Military Affairs, ORM, DEQ, GOHSEP, DHH, IMCAL, 4th JDC Assistant District Attorney, 12th JDC, 33rd JDC, 14th JDC Clerk of Court & Public Defender's Office, 15th JDC Clerk of Court, 31st JDC Clerk of Court & Public Defender's Office, LA Delta Community College, LA Universities Marine Consortium, Lafayette Parish School Board, Lafayette PSS Sales Tax Division, Legislative Auditor, LSU Health Care Services Division, LSU Health Sciences Center-Shreveport, Northwest LA Human Services District, Office of Group Benefits, Office of State Uniform Payroll, Sabine Parish Clerk of Court, River Parishes Campus, State Board of CPAs of LA, Vermilion Parish Clerk of Court. See also, question and answer for #15(a).

70. Section 1.2 Background, p. 4 of 91-What are the top five non-tax debt types, as measured by dollar volume expected to be referred for collections?

Answer: Probation and parole (\$65,614,803), grant repayment - \$21,842,799, past due medical bills (\$5,348,556), court fees (\$4,019,848) and student loans (\$1,747,116). See also, question and answer for #52.

71. Is it accurate that the State of Louisiana currently splits the Department of Revenue (LDR) and Office of Debt Recovery (ODR) accounts among vendors pursuant to separate contracts (arising from previous separate RFP processes)?

Answer: For tax debt, there was a contract awarded as a result of a RFP in 2015. With reference to non-tax debt, multiple contracts were awarded as result of a RFP in 2015. In short, there was previously one vendor collecting tax debt and multiple vendors collecting non-tax debt. See also, questions and answers for #37 and 44.

72. Please identify currently contracted vendors collecting delinquent accounts for LDR.

Answer: For tax debt, Performant Recovery Inc. is the current contractor. See also, questions and answers for #37, 44 and 71.

73. Please identify currently contracted vendors collecting delinquent accounts for ODR.

Answer: Currently, there are no active contractors for non-tax debt. Previous contractors for non-tax debt include, Penn Credit, Performant Recovery Inc., Pioneer, United Collection Bureau Inc., and Coast Professional Inc. See also, questions and answers for #37, 44, 71 and 72.

74. For LDR and ODR, please identify the contracted fee structure/rate for each of the incumbent collection vendors.

Answer: For tax debt, the incumbent is allowed to charge and collect from the taxpayer an amount equal to 15% of the tax, penalty and interest collected on behalf of LDR. For non-tax debt, all incumbent contracts have expired. Notwithstanding, when in effect, the contracts allowed the collection contractors to charge ODR a service fee equal to 14.5% of the principal, penalty and interest collected from the debtor. See also, questions and answers for #38 and 45.

75. What does LDR and ODR expect to improve upon or enhance by combining both tax- and non-tax receivables under the same contract?

Answer: LDR's goal is to leverage and grow the expertise of collecting governmental debt.

76. Does State of Louisiana anticipate contracting with multiple vendors – utilizing collection vendors with specific expertise for each separate receivable type?

Answer: RFP section 1.30 Notice of Intent to Award, states, "[t]he State reserves the right to make multiple awards." See also, questions and answers for #25, 39, 54 and 55.

77. Will the State of Louisiana consider contracting with a collection vendor who may handle only second-placement accounts (accounts where the first-placement vendor has failed to collect)?

Answer: Any entity who is awarded the RFP should expect to be responsible for collecting tax and non-tax debt, which shall be comprised of first and second placements. See also, questions and answers for #25, 39, 54, 55, 56, 57 and 76.

78. Please provide the actual dollars collected on behalf of LOR by each incumbent collection vendor for each of the past 3 years.

Answer: Dollars collected on behalf of LDR by the incumbent collection vendor for each of the past 3 years are as follows:

2016: \$1,359,077.76

2017: \$12,353,918.03

2018: \$15,636,365.69

79. Please provide the actual dollars collected on behalf of ODR by each incumbent collection vendor for each of the past 3 years.

Answer: FY 2017 - \$99,000, FY 2018 - \$6,300, FY 2019 - \$20

80. For both LDR and ODR, please provide the actual fee dollars paid/earned by each incumbent collection vendor for each of the past 3 years.

Answer: For ODR (Non-Tax debt), FY 2017 - \$14,355, FY 2018 - \$913.50, FY 2019 - \$2.90.

Answer: For LDR (Tax debt), the actual fee dollars paid/earned by the incumbent collection vendor for each of the past 3 years are as follows:

2016: \$196,163.58

2017: \$1,584,955.96

2018: \$2,009,011.77

81. For both LDR and ODR, please provide the total number of accounts as well as the total dollar amount that is currently referred and in the possession of each incumbent collection vendor.

Answer: For ODR (Non-Tax debt), ODR does not have debt placed with a contractor at this time. See also, questions and answers for #15(e) and 48.

Answer: For LDR (Tax debt), the total number of LDR accounts and total dollar amount currently referred and in the possession of the collection vendor is \$111,271,092.7 and 72,894 respectively.

82. For both LDR and ODR, please provide a ballpark estimate of the anticipated monthly/annual referral of accounts for collection (both volume and dollar amount).

Answer: For ODR (Non-Tax debt), debt will be placed quarterly and will be determined based on the placements ODR receives. See also, questions and answers for #15(d), 40 and 43.

Answer: For LDR (Tax debt), an estimated monthly referral of accounts for collection is 11,000 accounts and \$16,143,671.68 in dollar amount.

83. For both LDR and ODR, please provide the average balance of accounts that will be referred for collection (or the average balance of accounts referred over the past 3 years).

Answer: For ODR (Non-Tax debt), \$978. See also, questions and answers for #15(f) and 51.

Answer: For LDR (Tax debt), the average balance of accounts that will be referred for collection based on data over the past 3 years is \$171,944,953.62.

84. For both LDR and ORD, what has been the historical liquidation rate provided by incumbents?

Answer: For ODR (Non-Tax debt), the initial contracts between OCA's and ODR were part of a pilot program. Only one placement was sent to the contractor. During that very short period of time, the liquidation rate was 1.28%. See also, question and answer for 15(g).

Answer: For LDR (Tax debt), the historical liquidation rate over the past three years has been 7.88%. See also, questions and answers for #14(f) and 48.

85. What is the most important performance/evaluation measurement considered when evaluating the collection vendors? Total dollars collected? Net dollars collected? Compliance?

Answer: For ODR (Non-Tax debt), performance measurements are set forth in section 4.2 of the RFP.

Answer: For LDR (Tax debt), performance measurements are set forth in section 4.2 of the RFP.

86. Will the collection vendor be authorized (or required) to pursue collection efforts through judicial enforcement mechanisms such as garnishment, etc?

Answer: Section 1.8.1 (e) specifically states, a proposer, “[m]ust have the ability for filing and serving legal documents and must have the ability to execute judgments within the United States and its territories without regard to the Proposer’s home office location or location of branch offices if necessary. Proposer should provide a statement that they have an in house legal staff or an attorney retained for these services.” This language implies that the vendor will be authorized to pursue collection efforts through judicial enforcement mechanisms once all legal and judicial requirements set forth in the law are met. Additional parameters regarding what accounts are prime for this collection path should be discussed in more detail between the entity that is awarded the RFP and the agency during the contract negotiation process.

87. How many accounts were pursued through judicial enforcement (garnishment, etc) by incumbent vendors in each of the past 3 years?

Answer: For ODR (Non-Tax debt), ODR has not recommended any accounts for litigation. See also, question and answer for #58.

Answer: For LDR (Tax debt), none. See also, question and answer for #58.

88. The RFP require audited financial statements or other representation of financial solvency. What “other representation of financial solvency” will be considered sufficient - D&B reports, etc?

Answer: For publicly held companies, LDR requires the audited financial statements for the last three years as representation of financial solvency. For privately held companies, LDR will accept copies of the company’s federal and state tax returns for the previous calendar years of 2017, 2016, and 2015 as another representation of financial solvency. The federal and state tax returns for all three (3) years should be submitted to meet this requirement. Please see also addendum 2.

89. Will LDR or ODR be providing any information is the data transferred to the collection vendor that is considered federal tax information?

Answer: For ODR (Non-tax debt), no.

Answer: For LDR (tax debt), yes.

90. For tax debt, please provide an estimate of the approximate percentage breakdown for each category: Tax Due with Return; Assessment; and Non-Filer.

Answer: Please see the estimate of the approximate percentage breakdown the categories listed above:

Debt Based on Return Filed 59.98%

Debt Based on Non-Filing Estimate 39.64%

Debt Based on Audit-Based Assessment 0.39%

91. For tax debt, the RFP references that all tax accounts will have a “final judgment”. Will LDR be referring any accounts that are not “final judgment” status – such as tax liability based on estimated revenue; estimated tax liability assessed against a non-return-filing taxpayer?

Answer: LDR will not refer any accounts that are not “final judgment” status.

92. For tax debt, when an account is referred for collection, is that account in a “final judgment” stage where post-judgment remedies are available for pursuit (without having to pursue a new/original lawsuit)?

Answer: No, the debt is not in final judgment stage. Instead, it is past final assessment stage, which is different from final judgment stage with regard to a collector’s ability to issue wage garnishments or other collection tools.

93. For tax debt, please identify the number of lawsuits that have been pursued by incumbent collection vendors for each of the past 3 years.

Answer: None

94. For non-tax debt, please identify the number of lawsuits that have been pursued by incumbent collection vendors for each of the past 3 years.

Answer: ODR has not recommended any accounts for litigation. See also, questions and answers for #58 and 87.

95. For non-tax debt, please provide a more detailed explanation with regard to the various debt types that may be referred. By volume and dollar amount owed, what are the top five non-tax debt categories?

Answer: Probation and parole (\$65,614,803), grant repayment (\$21,842,799), past due medical bills (\$5,348,556), court fees (\$4,019,848) and student loans (\$1,747,116). See also, questions and answers for #52 and 70.

96. Please explain in detail the duties for the “five or more employees to assist...on-site at LDR; as well as how this liaison will “report to” or interact with LDR staff. Does each incumbent collection vendor currently have an on-site liaison employed?

Answer: For tax debt, LDR’s expectation for the roles and responsibilities of five employees will be to levy, handle correspondence created from the levy process, review accounts to answer questions

from taxpayers, help resolve potential system issues with LDR supervisors and provide weekly update on issues with current collection inventory assigned to the contractor. See also, question and answer for #36.

97. How has LDR evaluated incumbent vendors compliance with rules/regs, such as IRS Publication 1075, etc.?

Answer: Vendors must meet PUB 1075 regulations to be able to collect on the agency's behalf.

98. Does this RFP allow for a separate percentage fee structure for tax debt and for non-tax debt?

Answer: No, proposer shall provide a single fee proposal for the services outlined in the RFP. See also, question and answer for #10.

99. Does this RFP allow for a separate percentage fee structure for collection services and for legal/litigation services?

Answer: No, proposer shall provide a single fee proposal for the services outlined in the RFP. See also, questions and answers for #10 and 98.

100. Does this RFP require a good faith subcontracting plan?

Answer: No, a good faith subcontracting plan is not required as part of the proposer's response. However, if a Proposer plans to use certified small entrepreneurship(s), the State reserves the right to require a non-certified Proposer to provide documentation and information supporting a good faith subcontracting plan. Such proof may include contracts between proposer and certified Veteran Initiative and/or Hudson Initiative subcontractor(s).

101. Regarding accounts for litigation: In 2017 and 2018, how many accounts were approved by the State for the current contractor to pursue litigation?

Answer: For ODR (Non-Tax debt), ODR has not recommended any accounts for litigation. See also, questions and answers for #58, 87 and 94.

Answer: For LDR (Tax debt), no accounts were approved for the contractor to pursue litigation. See also, questions and answers for #58 and 87.

102. Regarding Invitation to Bid: There is a field to be completed on the first page for "Vendor No." Is this a Proposer's Federal Tax ID number, or is this a number specifically issued to a Proposer by the State of Louisiana as might have been provided through registration with the State?

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also, questions and answers for #1, 11, 12, 13, 66 and 67.

103. Regarding Invitation to Bid: In the top right of this document, Proposers are advised that responses will be publicly opened on March 11, 2019 at 3:30 AM CST. Shall Proposers correct this to read PM

instead of AM, or does LDR instead plan to reissue a corrected Invitation to Bid for Proposers to use?

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also, the addendum 1, questions and answers for #1, 11, 12, 13, 66, 67 and 102.

104. Regarding Invitation to Bid: In that this form includes a portion about cost that is to be completed (and that cost information cannot be contained in the Technical Proposal), please confirm that this form should be completed and returned within a Proposer's Cost Proposal.

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also, questions and answers for #1, 11, 12, 13, 66, 67, 102 and 103.

105. Regarding Invitation to Bid: There is a place on the header of each page to add a "T-Number." Is a T-Number relevant for this procurement? If so, will LDR clarify what this number is for Proposers?

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also, questions and answers for #1, 11, 12, 13, 66, 67, 102 103 and 104.

106. Regarding Invitation to Bid, 13. Bid Forms: Proposers are advised that "Entire bid should be returned, except item pages not bid." Are Proposers required to return the entire RFP as issued as part of their response to this procurement?

Answer: This Invitation to Bid form is an internal form only. Please refer to the Request for Proposal for all requirements to submit a proposal. See also, questions and answers for #1, 11, 12, 13, 66, 67, 102 103, 104 and 105.

107. Regarding Attachment I Certification Statement:

a. Please confirm that this completed document should be included in the Technical Proposal.

Answer: The signed Certification Statement, Attachment I, shall be included in the appendix of the Technical Proposal.

b. Does this document count against the 75-page limit established for the text portion of the Technical Proposal?

Answer: The Certification Statement, Attachment I, which shall be included in the appendix of the Technical Proposal, will not be counted as a portion of the 75 page limit of the technical proposal.

108. Regarding 1.9 Proposal Response Format, section d, Approach and Methodology: Can LDR clarify the intent of the requirement language and the nature of the content it is seeking from Proposers

for the following: “Describe its functional approach in identifying the tasks necessary to meet requirements?”

Answer: The language implies that the proposer should describe its approach, methodology, processes, perspective or any other information it has available that would explain how it plans to fulfill , comply with or perform the requirements and/or required items listed in this RFP.

109. Regarding 1.9 Proposal Response Format, section f: Does this RFP require the compliance and submission of a good faith subcontracting plan?

Answer: No, a good faith subcontracting plan is not required as part of the proposer’s response. However, if a Proposer plans to use certified small entrepreneurship(s), the State reserves the right to require a non-certified Proposer to provide documentation and information supporting a good faith subcontracting plan. Such proof may include contracts between proposer and certified Veteran Initiative and/or Hudson Initiative subcontractor(s).

110. Regarding 1.9 Proposal Response Format, section g: Proposers are given the following direction: “For information purposes only, the Proposer should provide for the project’s proposed staff: the total estimated number of hours by job classification, the billing rate by classification, hourly rate or unit cost and an estimated percentage of the effort that will be completed by a subcontractor (if applicable).” Please confirm that this direction is intended for Proposer use to help calculate a proposed collection service fee and is not actual content required by LDR to be included in the Cost Proposal.

Answer: The information request is actual content required by LDR to be included in the Proposer’s response. While there is no prohibition against the Proposer using this information to propose its cost proposal, the requested information is not required to be used to calculate the proposed collection service fee.

111. Regarding 1.9 Proposal Response Format, section g: Proposers are advised to “submit their signed collection service fee (Cost) proposal in a clearly identified sealed package that is separate from the Technical Proposal.” However, there is no designated space on this form to provide a signature or a date for that signature. Should Proposers sign at the top of this form (Attachment VIII) to the right of “Name of Proposer” in lieu of – or in addition to – a typed name of the Proposer?

Answer: Proposers should add lines at the bottom of the page for the signature of the Proposer and the date of the signature. See also, question and answer for #62.

112. Regarding 1.10 Number of Copies of Proposals: If a Proposer determines that it needs to submit a certified copy of a board resolution granting authority to the signatory, can/should that copy be included in the Appendix to the Technical Proposal?

Answer: Yes, it is permissible to include a certified copy of a board resolution in the appendix of the technical proposal.

113. Regarding 1.11 Technical and Cost Proposals, section D: Can LDR clarify what comprises the text portion of a proposal in regard to the established 75-page limit?

- a. Is the Cover Letter to be counted against the limit?

Answer: The cover letter will not count towards the 75 page limit for the technical and cost proposals.

- b. Is the Table of Contents to be counted against the limit?

Answer: The table of contents will not count towards the 75 page limit for the technical and cost proposals.

114. Regarding 1.16 Changes, Addenda, Withdrawals: How do Proposers acknowledge any addenda for this procurement? Is there a signature page for each that is to be signed and returned with a proposal, or possibly the entirety of each addendum? Or is an acknowledgment inherent and understood by the submission of a proposal?

Answer: The acknowledgement inherently includes the RFP and all of its attachments.

115. Regarding 1.52 Fidelity Bond Requirements on page 28 of the RFP: Would LDR accept Professional Liability, Crime, and Employee Dishonesty coverage in lieu of a fidelity bond for \$100,000?

Answer: State law administered by the Louisiana Office of Risk Management controls the contract language regarding insurance coverage and the type of insurance coverage required for this type of contract. As a result, no substitutions will be allowed for any of the required insurance policies and/or coverage limits. See also, questions and answers for #60 and 61.

116. Regarding 2.2 Task and Services #10 on page 29 of the RFP: Please provide more detailed information regarding the scope of services currently provided by your current vendor for on-site employees at LDR.

Answer: For ODR (Non-Tax debt), ODR does not currently have any onsite contractor employees.

Answer: For LDR (Tax debt), LDR's expectation for the roles and responsibilities of five employees will be to levy, handle correspondence created from the levy process, review accounts to answer questions from taxpayers, help resolve potential system issues with LDR supervisors and provide weekly update on issues with current collection inventory assigned to the contractor. See also, questions and answers for #36 and 96.

117. Regarding Attachment III Electronic Vendor Payment Solution:

- a. Where within a Proposer's proposal should a completed and signed version of this attachment be included? Can it be in the Appendix of the Technical Proposal? Or should it be included in the Cost Proposal?

Answer: This form should be completed, signed and submitted with the proposal. See also, question and answer for #65.

- b. If a Proposer indicates EFT as its accepted payment type, must the two referenced EFT enrollment forms be completed and returned with a proposal, or can they be completed and returned post-award? If they must be submitted with the proposal, can they be included in the Appendix of the Technical Proposal?

Answer: This form may should be completed, signed and submitted with the proposal. See also, questions and answers for #65 and 117(a).

118. Regarding numbering and provision of Attachments: the Roman numeral-ordered attachments provided by LDR for this procurement skip from Attachment VI to Attachment VIII and do not include an Attachment VII. Please confirm that there is no Attachment VII for this procurement or provide an Attachment VII if there is supposed to be one for this procurement.

Answer: Attachment VII exists and was included in the RFP. Though page 90 is blank under the title, "Attachment VII, Contractor 45 Day Notification Procedures and IRS Publication 1075", the actual attachment begins right after page 90.

119. How many contracts does LDR intend to award?

Answer: RFP section 1.30 Notice of Intent to Award, states, "[t]he State reserves the right to make multiple awards" See also, questions and answers for #25, 39, 54, 55, 76 and 77.

120. Who are LDR's current collection agency contractors and how long has each served LDR?

Answer: For tax debt, Performant Recovery Inc. is the current contractor. Its current contract was the result of a 2015 RFP award. Currently, there are no active contractors for non-tax debt. However, the previous contractors for non-tax debt include, Penn Credit, Performant Recovery Inc., Pioneer, United Collection Bureau Inc., and Coast Professional Inc. These contracts were also awarded as a result of a 2015 RFP. See also, questions and answers for #37, 44, 72 and 73.

121. Please provide the total number and dollar value of accounts placed for collection over the last 12 months, by debt type if possible.

Answer: For ODR (Non-Tax debt), ODR has not placed accounts for collection with an OCA in the past 12 months. See also question and answer #15(e).

Answer: For LDR (Tax debt), LDR's number of total dollar value of tax debt accounts placed with the current contractor during the past three fiscal years are the following respectively:

<u>Year</u>	<u>Number of Accounts</u>	<u>Value</u>
<u>2018</u>	<u>140,431</u>	<u>\$193,724,060.24</u>
<u>2017</u>	<u>81,755</u>	<u>\$112,090,684.81</u>
<u>2016</u>	<u>171,943</u>	<u>\$210,020,115.82</u>

See also, question and answer for #14(d).

122. What tax/account management software does LDR/ODR operate?

Answer: LDR currently utilizes Gentax as its tax software management system. Meanwhile, ODR currently utilizes RevQ as its debt collection management software.

123. 1.8.2,c (page 7) – Regarding the 5+ required on-site employees:

a. Please explain the function and responsibilities of on-site staff.

Answer: LDR’s expectation for the roles and responsibilities of five employees will be to levy, handle correspondence created from the levy process, review accounts to answer questions from taxpayers, help resolve potential system issues with LDR supervisors and provide weekly update on issues with current collection inventory assigned to the contractor. See also, questions and answers for #36, 96 and 116.

b. Are on-site employees expected to be available full-time, 5 days a week? Or is this a temporary position during the on-boarding process?

Answer: Yes, on-site employees are expected to be available full time.

c. Do incumbent Contractors currently provide an on-site staff?

Answer: Yes

d. What is LDR responsible for vs. what is the Contractor expected to provide? For example: who provides the office space, computer, phone, network connection, etc.?

Answer: LDR provides the office space, computer, phone and network connection.

e. If two Contractors are selected, are both required to employ separate on-site staff?

Answer: Yes.

124. 1.9 (page 8) – Where in the proposal response format should Proposers insert Attachment I, Attachment III, and “Invitation to Bid” cover sheet?

Answer: Attachment I shall be included in the appendix of the technical proposal. See also, question and answer for #107. Attachment III should be completed, signed and submitted with the proposal. See question and answer for #65.

125. 1.13 (page 13) – “For information purposes only, the Proposer should provide for the project’s proposed staff: the total estimated number of hours by job classification, the billing rate by classification, hourly rate or unit cost and an estimated percentage of the effort that will be completed by a subcontractor (if applicable).” Since pricing for this contract is an all-inclusive commission fee, paid as a percentage of dollars collected, is this response item applicable?

Answer: All response items are applicable to the RFP, including the information referenced above. Please ensure this information is included in your RFP response.

126. 1.1,3,d,ii (page 14) – Is it correct to assume the “text portion of the proposal” limited to 75 pages refers to the combined responses to items d. Approach and Methodology and e. Proposed Staff Qualifications as mentioned in 1.9 Proposal Response Format?

Answer: Responses to 1.9(d) and (e) should be included in a responder’s technical proposal, which is subject to a 75 page limit.

127. Should a narrative explanation of our approach and methodology be inserted within our response to 1.9, d (page 9) OR should it be attached as an appendage as indicated by 1.1,3,d,iii,(b) (page 14), and thus exempted from the 75-page limit?

Answer: A narrative explanation of a responder’s approach and methodology should be inserted within the body of the technical response not within the appendix. Therefore, it will be a part of the 75 page limit allocated to the technical proposal. See also questions and answers for #24 and 126.

128. 2.5,1,f (page 32) – Are the “collection supervisors” referenced here employees of LDR? What level of access to the Contractor’s system does LDR require? Will a web-based portal providing on-demand read-only access to detailed, account level information satisfy this requirement?

Answer: For ODR (non-Tax debt), yes, the collection supervisors referenced are agency employees. ODR will require the contractor to have at least reading access to its system for account review duties. A web portal providing on demand read only access will satisfy this requirement.

Answer: For LDR (Tax debt), yes, the collection supervisors referenced are LDR employees. LDR will require the contractor to have at least reading access to its system for account review duties. A web portal providing on demand read only access will satisfy this requirement.

129. Attachment 1, #5 (page 40) – What number of business days should be entered here?

Answer: The number that should have been inserted is “30”. See also, question and answer for #31.

130. In, section 1.3 Goals and Objectives reads: “The Contractor shall provide collection services for delinquent accounts assigned to the Contractor by LDR and ODR. The Contractor also commences and prosecutes suits or other legal proceedings in the collection of such delinquent tax and non-tax amounts at the expense of the Contractor.”

- a. Can you provide any historical data on the legal process? The number and dollar volume of accounts sent to legal as well as any data on how much money was recovered through the legal process?

Answer: For ODR (Non-Tax debt), ODR has not recommended any accounts for litigation. See also, questions and answers for #58, 87, 94 and 101.

Answer: For LDR (Tax debt), no accounts were approved for the contractor to pursue litigation. See also, questions and answers for #58, 87 and 101.

- b. Please detail the legal proceeding determination criteria.

Answer: For ODR (Non-Tax debt), ODR is currently working on a procedure to determine criteria required for legal proceedings.

Answer: For LDR (Tax debt), LDR is currently working on a procedure to determine criteria required for legal proceedings.

- c. Does the contractor initiate legal on their own or do they have to get authorization at the account level to begin legal proceedings?

Answer: For ODR (Non-Tax debt), Contractor MUST get approval prior to beginning any legal proceedings on behalf of ODR.

Answer: For LDR (Tax debt), Contractor MUST get approval prior to beginning any legal proceedings on behalf of LDR.

131. In, Section 1.5 Definitions; item X, reads: "X. Second Placement - Accounts that have been previously placed with a collection contractor including the Louisiana Department of Justice. " Please confirm this RFP is for Primary Accounts only? If that is incorrect, please confirm the volume of accounts that will be considered secondary placement; Quantity and Dollar amount?

Answer: This RFP includes the placement of first and second placement accounts. See also, questions and answers for #56, 57 and 77. At this time, there is no specific breakdown of second placement accounts.

132. In, Section 1.8 Qualification for Proposer; 1.8.1 Mandatory Qualifications, is it a requirement that the awarded contractor be compliant with IRS Regulation 1075?

Answer: Yes, the awarded contractor must and shall comply with IRS regulation 1075.

133. In, Section 1.8 Qualification for Proposer; 1.8.2 Desirable Qualifications: "c. Provide five or more employees to assist with account processing on-site at LDR at no additional cost to LDR."

- a. Please confirm this is a Mandatory requirement?

Answer: Items listed in section 1.8.2, "Desirable Qualifications" are not mandatory qualifications. Instead, they are qualifications that are highly desired by the agency.

- b. Please describe and detail the current vendor's arrangement?

- i. Are the employees working in an 'on-site' space in Louisiana State office building, or are they off-site at a separate location?

Answer: Yes, the collector's on-site employees will be working in or at a Louisiana state office building. See also, questions and answers for #36, 96, 166 and 123(a).

- ii. Are the employees working inside of Louisiana's security and IT environment, or in the Vendor's security and IT environment?

Answer: For ODR (Non-Tax debt), yes, the employees will be working inside Louisiana's security and IT environment.

Answer: For LDR (Tax debt), yes, the employees are working inside Louisiana's security and IT environment. See also, questions and answers for #36, 96, 166, 123(a) and 133(b)(i).

- iii. Please detail their responsibilities and duties of the five (5) or more personnel that will work onsite?

Answer: For ODR (Non-Tax debt), an onsite employee would handle everything involved with an account that is placed with the contractor, for instance, phone calls, walk in customers, payments, customer questions, disputes and anything else that may come up on an account placed with the contractor.

Answer: For LDR (tax debt), LDR's expectation for the roles and responsibilities of five employees will be to levy, handle correspondence created from the levy process, review accounts to answer questions from taxpayers, help resolve potential system issues with LDR supervisors and provide weekly update on issues with current collection inventory assigned to the contractor. See also, questions and answers for #36, 96, 116 and 123(a).

134. In, Section 1.9 Proposal Response Format; F- Veteran-Owned and Service-Connected Disabled Veteran-Owned Small Entrepreneurships (Veteran Initiative) and Louisiana Initiative for Small Entrepreneurships (Hudson Initiative) Programs Participation:

A. Proposer Status and Allotment of Reserved Points

- iii. If the Proposer demonstrates its intent to use certified small entrepreneurship(s) in the performance of contract work resulting from this solicitation, the Proposer shall receive points equal to the net percentage of contract work which is projected to be performed by or through certified small entrepreneurship subcontractors, multiplied by the appropriate number of evaluation points.

If intent is made and documented to utilize an approved Veteran-Owned and Service Connected Disabled Veteran-Owned and/or Hudson Initiative small entrepreneurship- how are points allocated for scoring?

Answer: LDR will award the points regarding this qualification according to the parameters set forth in Part III, Evaluation of the RFP.

Example: The Proposer offers a Collection Service Fee Percentage of 15%. This corresponds to a dollar value of \$X {Note to LDR: you can use historical values}. The Proposer subcontracts with a certified LaVet subcontractor with an estimated subcontract value of \$X {Note to LDR: use a number that will make the net percentage 10%}. The net percentage

value of the subcontract is determined to be 10%:  $\frac{\$ \{subcontract\}}{\$ \{contract\}} = 10\%$ . This results in 1.2 points being awarded:  $10\% \times 12$  possible points = 1.2 points.

See also, questions and answers for #3, 20(b), 21 and 59.

135. In, Section 1.9 Proposal Response Format; G- Cost Proposal, “The Proposer shall provide the collection service fee (represented in a percentage of the dollar amount of recovered collections) the Proposer will charge for collections, including but not limited to travel and project expenses, for providing all services described in the RFP. The Proposer must quote a collection service fee as a straight overall percentage of collections, which includes costs for the Contractor’s use of legal proceedings. All partial payments will be considered inclusive of the amount owed LDR and the collection service fee. This percentage shall be all inclusive – no additional fees or expenses shall be paid by LDR.”

a. Please detail the current vendor’s process for accepting less than BIF (ie: Payment Arrangements) and calculating their fee.

Answer: For ODR (Non-Tax debt), the fee is calculated on the principal amount collected only (80% of amount collected), not including the ODR fee.

Answer: For LDR (Tax debt), the current vendor presently accepts partial payment and their fee is calculated based on partial payment.

b. What is the total dollar value of accounts available for placement now by category, including any backlog?

Answer: For ODR (Non-Tax debt), 9,023 accounts with a value of \$15,602,652. See also, questions and answers for #15(c) and 43).

Answer: For LDR (Tax debt), see question and answer 14(b).

c. What is the average balance of accounts by type/category?

Answer: For ODR (Non-Tax debt), \$978. See also, questions and answers for #15(f) and 51.

Answer: For LDR (Tax debt), see question and answer #14(e).

d. What current contingency fees or other fees are currently being billed by any incumbent(s), by category?

Answer: For ODR (Non-Tax debt), 14.5%.

Answer: For LDR (Tax debt), 15%

e. What is the average age of accounts at placement (at time of award and/or on a going-forward basis), by category?

Answer: For ODR (Non-Tax debt), 5 years. See also, question and answer for #52.

Answer: For LDR (Tax debt), the average age of the accounts referred for tax debt in collection is 1.4 years. See also, question and answer for #52.

- f. What is the total number of accounts available for placement now by category, including any backlog?

Answer: For ODR (Non-Tax debt), 9,023 accounts with a value of \$15,602,652. See also, questions and answers for #15(c), 43 and 135(b).

Answer: For LDR (Tax debt), See question and answer for question #14(b).

- g. What has been the historical rate of return, the recovery/liquidation rate provided by each of your incumbents?

Answer: For ODR (Non-Tax debt), the initial contracts between OCA's and ODR were part of a pilot program. Only one placement was sent to the contractor. During that very short period of time, the liquidation rate was 1.28%. See also, questions and answers for #15(g) and 84.

Answer: For LDR (Tax debt), the historical liquidation rate over the past three years has been 7.88%. See also, questions and answers for #14(f), 48 and 84.

- h. If accounts will not be placed monthly, can you please indicate the interval of placement and the number of accounts anticipated per placement?

Answer: For ODR (Non-Tax debt), debt will be placed quarterly and will be determined based on the placements ODR has received. See also , questions and answers for 15(d), 40 and 82.

Answer: For LDR (Tax debt), there will be monthly account referrals. See also, question and answer for #82.

- i. What is the anticipated or expected rate of return for collections placed as a result of this procurement?

Answer: For ODR (Non-Tax debt), ODR anticipates a recovery rate of 25%.

Answer: For LDR (Tax debt), LDR's anticipates a recovery rate of 18%.

- j. What recovery rate are you receiving on your placements for the past 12 months or calendar year?

Answer: For ODR (Non-Tax debt), the initial contracts between OCA's and ODR were part of a pilot program. Only one placement was sent to the contractor. During that very

short period of time, the liquidation rate was 1.28%. See also, questions and answers for 15(g), 84 and 135(g).

Answer: For LDR (Tax debt), we are receiving a recovery rate of 5.35% on average for the past 12 months.

- k. What level of internal efforts and collection attempts is conducted by the Louisiana DOR/ODR before accounts are placed out for collections? Can you please describe what those attempts include? (i.e. how many calls, how many letters or invoices, etc.)? If applicable, will accounts held by any incumbent(s), or will any/all backlog be moved to any new vendor(s) as a one-time placement at contract start up?

Answer: For ODR (Non-Tax debt), Letters, bank levies, wage garnishment, tax offset, vendor offset. See also question and answer #16b. The backlog totals 9,023 accounts with a value of \$15,602,652. See also, questions and answers for 15(c), 43 and 135(b).

Answer: For LDR (Tax debt), LDR sends four letters to the taxpayers. Once the debt becomes final, LDR can levy, issue garnishments, set up installment agreements, negotiate offers in compromise and suspend licenses. We do not make outbound calls.

- l. Does the State of Louisiana add any late fees or other penalties to a principle balance at any stage of delinquency prior to placement for collection?

Answer: For ODR (Non-Tax debt), some state agencies may have added other fees prior to placing with ODR. ODR will add 25% once the debt is placed with us.

Answer: For LDR (Tax debt), yes.

- m. Does the State of Louisiana intend to charge interest to account balances that are delinquent and placed for collections?

Answer: For ODR (Non-Tax debt), ODR will not charge interest.

Answer: For LDR (Tax debt), yes, interest and penalties continue to accrue until the tax amount is paid in full.

- n. How long will the winning collection agency (bidder) be able to keep accounts once they are placed?

Answer: For ODR (Non-Tax debt), typically until contract end or recall.

Answer: For LDR (Tax debt), the accounts may be retained for a one year period, unless recalled.

- o. Does the State of Louisiana report these accounts to the credit bureaus internally?

Answer: For ODR (Non-Tax debt), ODR does not.

Answer: For LDR (Tax debt), no.

- p. Does the State of Louisiana intend for collection activity to be reported to the credit bureaus by the awarded agencies?

Answer: For ODR (Non-Tax debt), ODR does not.

Answer: For LDR (Tax debt), no.

- q. Is the State of Louisiana's preference to multiple vendors, or will this be a single award?

Answer: RFP section 1.30 Notice of Intent to Award, states, "[t]he State reserves the right to make multiple awards" and, "[t]he award of a contract shall be subject to the approval of the Division of Administration, Office of State Procurement." See also, questions and answers for #25, 39, 54, 55, 76, 77, 119 and 131.

- r. Upon Contract execution, will the State of Louisiana update all balances prior to sending accounts to the selected Vendor?

Answer: For ODR (Non-Tax debt), yes, ODR will insure all balances are correct.

Answer: For LDR (Tax debt), yes.

136. What is the total amount of accounts (expressed by number and dollar value; delineated by tax and non-tax debt types) that LDR/ODR has referred to its incumbent vendor(s) over the previous three years?

Answer: For ODR (Non-Tax debt), 1700-2500 accounts were placed with a dollar value of \$1.4MM – \$1.8MM.

Answer: For LDR (Tax debt), LDR's number of total dollar value of tax debt accounts placed with the current contractor during the past three fiscal years are the following respectively:

<u>Year</u>	<u>Number of Accounts</u>	<u>Value</u>
<u>2018</u>	<u>140,431</u>	<u>\$193,724,060.24</u>
<u>2017</u>	<u>81,755</u>	<u>\$112,090,684.81</u>
<u>2016</u>	<u>171,943</u>	<u>\$210,020,115.82</u>

See also, questions and answers for 14(d) and 121.

137. What is the total amount of accounts (expressed by number and dollar value; delineated by tax and non-tax debt types) that were recovered by the LDR/ODR incumbent vendor(s) over the previous three years?

Answer: For ODR (Non-Tax debt), FY 2017 - \$99,000, FY 2018 - \$6,300, FY 2019 - \$20. See also, question and answer for #79.

Answer: For LDR (Tax debt), dollars collected on behalf of LDR by the incumbent collection vendor for each of the past 3 years are as follows:

2016: \$1,359,077.76

2017: \$12,353,918.03

2018: \$15,636,365.69

See also, question and answer for #78.

138. What is the total fee amount paid to the incumbent vendor(s) (delineated by tax and non-tax debt types) over the previous three years (delineated by monthly average fees and annual fees)?

Answer: For ODR (Non-Tax debt), FY 2017 - \$14,355, FY 2018 - \$913.50, FY 2019 - \$2.90. See also, question and answer for #80.

Answer: For LDR (Tax debt), the actual fee dollars paid/earned by the incumbent collection vendor for each of the pass 3 years are as follows:

2016: \$196,163.58

2017: \$1,584,955.96

2018: \$2,009,011.77

See also, question and answer for #80.

139. What are the monthly and annual recovery rates (liquidation rates) of accounts serviced by the LDR/ODR incumbent vendor(s) for the previous three years (delineated by tax and non-tax debt types)?

Answer: For ODR (Non-Tax debt), the initial contracts between OCA's and ODR were part of a pilot program. Only one placement was sent to the contractor. During that very short period of time, the liquidation rate was 1.28%. See also, questions and answers for #15(g), 84, 135(g) and 135(j).

Answer: For LDR (Tax debt), the historical liquidation rate over the past three years has been 7.88%. See also, questions and answers for #14(f), 48, 84, and 135(g).

140. What is the forecasted amount of delinquent accounts (expressed by number and dollar value; delineated by tax and non-tax debt types) that will be assigned for collections by LDR by month (does LDR forecast a material increase or decrease in account placements compared with historic levels)?

Answer: For ODR (Non-Tax debt), backlog of 9,023 accounts, \$15,602,652. See also, questions and answers for #15(c), 43, 135(b) and 135(f). ODR will place accounts quarterly. See also, question and answer for #135(h).

Answer: For LDR (Tax debt), an estimated monthly referral of accounts for collection is 11,000 accounts. See also question and answer for #82.

141. What is the average age of the accounts that will be assigned for collections (delineated by both tax and non-tax debt types and primary and secondary placement levels)?

Answer: For ODR (Non-Tax debt), 5 years. See also questions and answers for #52 and 135(e).

Answer: For LDR (Tax debt), the average age of the accounts referred for tax debt in collection is 1.4 years. See also, questions and answers for #52 and 135(e).

142. How did LDR/ODR execute judgments and perform “legal channel” collections (i.e., commence and prosecute suits) under the last contract (was this performed and/or subcontracted by the incumbent vendor(s)?

Answer: For ODR (Non-Tax debt), ODR has not recommended any accounts for litigation. See also, questions and answers for #58, 87, 94, and 101.

Answer: For LDR (Tax debt), no accounts were approved for the contractor to pursue litigation. See also, questions and answers for #58, 87, 101 and 130(a).

143. What is the total amount of accounts (expressed by number and dollar value) that LDR/ODR referred to the “legal channel” (commenced suits or other legal proceedings) in the collection of delinquent tax and non-tax amounts over the previous three years?

Answer: For ODR (Non-Tax debt), ODR has not recommended any accounts for litigation. See also, questions and answers for #58, 87, 94, 101, and 142.

Answer: For LDR (Tax debt), no accounts were approved for the contractor to pursue litigation. See also, questions and answers for #58, 87, 101, 130(a) and 142.

144. What is the total amount of suits or other legal proceedings prosecuted (expressed by number and dollar value) over the previous three years?

Answer: For ODR (Non-Tax debt), ODR has not recommended any accounts for litigation. See also, questions and answers for #58, 87, 94, 101, 142, and 143.

Answer: For LDR (Tax debt), no accounts were approved for the contractor to pursue litigation. See also, questions and answers for #58, 87, 101, 130(a), 142 and 143.

145. What is the total amount of accounts (expressed by number and dollar value delineated by tax and non-tax debts) recovered via the “legal channel” (prosecuted suits) over the previous three years?

Answer: For ODR (Non-Tax debt), ODR has not recommended any accounts for litigation. See also, questions and answers #58, 87, 94, 101, 142, 143, and 144.

Answer: For LDR (Tax debt), no accounts were approved for the contractor to pursue litigation. See also, questions and answers for #58, 87, 101, 130(a), 142, 143 and 144.

146. How will LDR/ODR determine if/when an account is to be assigned to the “legal channel” (to commence and prosecute suits)?

Answer: For ODR (Non-Tax debt), ODR is currently working on a procedure to determine criteria required for legal proceedings. See also, question and answer for #130(b).

Answer: For LDR (Tax debt), LDR is currently working on a procedure to determine criteria required for legal proceedings. See also, question and answer for #130(b).

147. What metrics, results, and objectives are LDR seeking to improve under this contract?

Answer: For ODR (Non-Tax debt), dollars collected.

Answer: For LDR (Tax debt), LDR is seeking to improve collection rate, communication, streamline processes, reporting and technical implementation.

148. What is the average age of the accounts that will be assigned for collections (delineated by both tax and non-tax debt types and primary and secondary placement levels)?

Answer: For ODR (Non-Tax debt), 5 years. See also, questions and answers for #52, 135(e) and 141.

Answer: For LDR (Tax debt), the average age of the accounts referred for tax debt in collection is 1.4 years. See also, questions and answers for #52, 135(e) and 141.

149. How often (e.g., daily, weekly, monthly, quarterly) will accounts be placed with the winning vendor for collections?

Answer: For ODR (Non-Tax debt), debt will be placed quarterly and will be determined based on the placements ODR has received. See also, question and answer for 15(d), 40, 82 and #135(h).

Answer: For LDR (Tax debt), there will be monthly account referrals. See also, questions and answers for #82 and 135(h).

150. What debtor and account information will be provided as part of the placement file?

Answer: For ODR (Non-Tax debt), all demographic information, possibly social security number, birth date and driver’s license number, account type and description, delinquency date, agency unique debt id, ODR debtor number and reference number.

Answer: For LDR (Tax debt), please reference the file layout provided in the RFP.

151. Will LDR/ODR provide a daily update of the entire inventory?

Answer: For ODR (Non-Tax debt), no, ODR will not provide a daily update but will provide a weekly balance update.

Answer: For LDR (Tax debt), LDR will provide weekly updates.

152. What are LDR/ODR's account recall policies for both tax and non-tax debt types?

Answer: For ODR (Non-Tax debt), ODR will recall any account that the debtor is deceased, has filed bankruptcy, has entered into a payment plan directly with ODR or is recalled from ODR by an agency.

Answer: For LDR (Tax debt), attachment V of the RFP (page 74) provides a list of recall codes. These recall codes address the reasons a recall may occur.

153. What will be the retention period (delineated by tax and non-tax debt types) of accounts placed by LDR/ODR with the winning collection vendor?

Answer: For ODR (Non-Tax debt), typically until contract end or recall. See also, question and answer for #135(n).

Answer: For LDR (Tax debt), the accounts may be retained for a one year period, unless recalled. See also, question and answer for #135(n).

154. For tax and non-tax debt types, if a partial payment is received, will the winning collection vendor remit the partial payment amount to LDR or should funds only be remitted when the account is paid in full?

Answer: For ODR (Non-Tax debt), all payments will be remitted to ODR when received whether partial or payment in full.

Answer: For LDR (Tax debt), all payments will be remitted whether partial or full.

155. Will the winning vendor earn a fee for a partial payment (e.g., if it does not collect the debt in full)?

Answer: For ODR (Non-Tax debt), yes.

Answer: For LDR (Tax debt), yes.

156. Will the LDR/ODR accept NSFs, bank return payments, reversals?

Answer: For ODR (Non-Tax debt), no.

Answer: For LDR (Tax debt), no.

157. Will the winning collection vendor be allowed to hold non-certified payments for a period of 14 days to ensure the funds clear the taxpayer's account before remitting the funds to LDR?

Answer: For ODR (Non-Tax debt), yes.

Answer: For LDR (Tax debt), yes.

158. Will LDR/ODR accept the following payment types: ACH, Pre-Authorized Check (PAC), debit/credit card, web payments (ACH and debit/credit card), checks received via direct mail (personal and business), and IVR payments (payments taken via an automated interactive voice response system)?

Answer: For ODR (Non-Tax debt), Outside Collection Agencies (OCA's) can accept any type of payment but ODR can only accept a monthly check from the OCA.

Answer: For LDR (Tax debt), yes.

159. In regards to Section 1.8.2, (c) the State is requesting that offers "provide five or more employees to assist with account processing on-site at LDR at no additional cost to LDR." Are these employees utilized during a onetime account processing event or are these intended to be full-time employees at the LDR facility?

Answer: These employees will be full-time employees at the LDR facility. See also, questions and answers for #36, 96, 116, 123 and 133.

160. In regards to Section 1.9, (c), the State is asking for three years of audited financial statements. Are these audited financial statements subject to public disclosure?

Answer: The three years of audited financial information can be designated as confidential information that will not be subject to disclosure. See Section 1.13 of the RFP.

161. In regards to Section 1.9, (e), will the State accept summary biographies of key individuals in lieu of traditional resumes?

Answer: Summary biographies are acceptable in lieu of traditional resumes as long as it includes all the parameters and information outlined in 1.9(e).

162. In regards to Section 1.9, (e), the State is asking for customer reference letters. Are these reference letters subject to public disclosure?

Answer: The letters are subject to public disclosure.

163. In regards to Section 1.9, (f), the State lists requirements for Veteran-Owned and Service-Connected Disabled Business Veteran-Owned Small Entrepreneurships. Does the State have an intended percentage of contract goal for offerors to spend with these businesses?

Answer: No, the state does not have an intended percentage that proposers must spend with these businesses.

164. In regards to Section 1.9, (f), in order to receive 12% of the evaluation points towards this procurement, if an offeror is not itself certified a Veteran-Owned and Service-Connected Disabled Business Veteran-Owned Small Entrepreneurship or Hudson Initiative Small Entrepreneurship, how many subcontractors who meet these requirements is the offeror required to work with?

Answer: There is no requirement to utilize certified small entrepreneurships. Twelve (12) evaluation points have been reserved for Proposers who are either certified small entrepreneurships or will utilize certified small entrepreneurships as subcontractors. LDR will award the points regarding this qualification according to the parameters set forth in the RFP. See also, questions and answers for #3, 20(b), 21, 59 and 134.

165. In regards to Section 1.30, to how many agencies does the State anticipate awarding the procurement?

Answer: RFP section 1.30 Notice of Intent to Award, states, “[t]he State reserves the right to make multiple awards.” See also, questions and answers for #25, 39, 54, 55, 76, 77, 119, 131 and 135(q).

166. In regards to Section 1.34.1. (a), the State is requesting offerors to add their collection fee to the total balance placed with the agency. Under what State statute is LDR permitted to have collection agencies pass collection fees on to consumers?

Answer: For tax debt, a taxpayer can be charged and is responsible for paying a collection fee in addition to the amount owed. So, the collection contractor is allowed to keep the collection fee that is paid by the taxpayer [La. R.S. 1516.1(B)(3)]. Though ODR has the authority to hire a collection contractor to collect debt on its behalf, the aforementioned provision is not applicable for non-tax debt [La. R.S. 1676(C)(3)] As a result, all money collected for non-tax debt must be remitted and then a bill or invoice should be sent for the services performed. See also, questions and answers for #7 and 34.

167. In regards to Section 1.50, will an offerors current insurance policies suffice in lieu of a separate performance bond?

Answer: State law administered by the Louisiana Office of Risk Management controls the contract language regarding insurance coverage and the type of insurance coverage required for this type of contract. As a result, no substitutions will be allowed for any of the required insurance policies and/or coverage limits. See also, questions and answers for #60, 61 and 115.

168. In regards to Section 1.51, will an offerors current insurance policies suffice in lieu of a separate fidelity bond?

Answer: State law administered by the Louisiana Office of Risk Management controls the contract language regarding insurance coverage and the type of insurance coverage required for this type of contract. As a result, no substitutions will be allowed for any of the required insurance policies and/or coverage limits. See also, questions and answers for #60, 61, 115 and 167.

169. In regards to Part III, 2, (e) the State requests reference letters from three “state taxing authorities” while Section 1.8.1 (b) mentions “governmental or state taxing authorities.” Do all reference letters need to come from state taxing authorities or can reference letters also include other government clients?

Answer: The requirement from Section 1.8.1.C, page 7 shall require customer reference letters from three governmental or state taxing authorities within past three years. Section Part II, Evaluation, 2e, Page 35 is requesting customer reference letters from three State taxing authorities only.

170. In general, does the State have information regarding the anticipated yearly volume of accounts they plan on placing for collection services?

Answer: For ODR (Non-Tax debt), it will be determined based on the annual placements ODR receives. See also, questions and answers for #15(d), 40, 43, and 82.

Answer: For LDR (Tax debt), monthly placements will be done. See also, questions and answers for #14(d), 82, 121 and 135(h).

171. In general, what type of non-tax debt does the State plan on placing with collection agencies?

Answer: For ODR (Non-Tax debt), Parking tickets, tuition and fees, court fines and fees, probation and parole fees, sales tax, traffic fines, Louisiana Child Care Assistance recoupment, Ineligible benefits or overpayments of benefits, federal grant overpayments, sales tax, outstanding medical balances, past due doctor office visit fees, past due insurance premiums. See also, question and answer for #15(b).

172. In general, for the non-tax debt the State places for collection, will debt validation be available on accounts in which the balance is disputed?

Answer: For ODR (Non-Tax debt), yes.

173. Fidelity Bond, Section 1.51 Please confirm if a crime and fidelity insurance policy will suffice in lieu of a fidelity bond.

Answer: State law administered by the Louisiana Office of Risk Management controls the contract language regarding insurance coverage and the type of insurance coverage required for this type of contract. As a result, no substitutions will be allowed for any of the required insurance policies and/or coverage limits. See also, questions and answers for #60, 61, 115, 167 and 168.

174. Please provide the total number and dollar value of accounts placed for collection over the last three (3) years.

Answer: For ODR (Non-Tax debt), 1700-2500 accounts were placed with a dollar value of \$1.4MM – \$1.8MM. See also, question and answer for #136.

Answer: For LDR (Tax debt), please see question and answer 14(d).

175. Please provide the current liquidation percentage of recoveries your existing agencies are achieving after working your accounts for 6 months.

Answer: For ODR (Non-Tax debt), the initial contracts between OCA's and ODR were part of a pilot program. Only one placement was sent to the contractor. During that very short period of time, the liquidation rate was 1.28%. See also, questions and answers for #15(g), 84, 135(g) and 139.

Answer: For LDR (Tax debt), the historical liquidation rate over the past three years has been 7.88%. See also, questions and answers for #14(f), 48, 84, 135(g) and 139.

176. Please provide your most recent historical liquidation performance reports, if available.

Answer: For ODR (Non-Tax debt), ODR does not have liquidation reports. The initial contracts between OCA's and ODR were part of a pilot program. Only one placement was sent to the contractor. During that very short period of time, the liquidation rate was 1.28%. See also questions and answers for #15(g), 84, 135(g), 139 and 175.

Answer: For LDR (Tax debt), the historical liquidation rate over the past three years has been 7.88%. See also, questions and answers for #14(f), 48, 84, 135(g), 139 and 175.

177. Is there a backlog of accounts that will be referred to awarded vendors? If yes, what is the total dollar value and number of count of this backlog?

Answer: For ODR (Non-Tax debt), backlog of 9,023 accounts, \$15,602,652. See also, questions and answers for #15(c), 43, 135(b), 135(f) and 140.

Answer: For LDR (Tax debt), See questions and answers 14(b), 135(b) and 135(f).

178. What is the average age of any backlog accounts to be referred?

Answer: For ODR (Non-Tax debt), 5 years. See also, questions and answers for #52, 135(e), 141 and 148.

Answer: For LDR (Tax debt), the average age of the accounts referred for tax debt in collection is 1.4 years. See also, questions and answers for #52, 135(e) and 141.

179. Use of Subcontractors, Section 1.24- In the regular course of business, our company utilizes vendors for skip tracing and the printing and mailing of letters. Does the State consider these as vendors or subcontractors?

Answer: Yes, any contractor that is different from the Contractor that was awarded the RFP shall be considered a subcontractor.

180. What debt is needed to be collected?

Answer: See questions and answers for #14, 15, 16, 27, 33, 35, 40-43, 46-49, 52-53, 69,78-82, 90, 116, 121, 123, 139-159, 170, and 174-178.

NOTE: The State of Louisiana reserves the right to revise this RFP. Revisions, if any, before the Proposal Submission Deadline will be formalized by the issuance of an addendum to the RFP.