



**Solicitation Information
September 19, 2016**

CR-24

TITLE: Escrow and Title Services

Initial Submission Deadline: October 17, 2016 at 11:00AM (ET)

Contract Term: Ending October 30, 2019

Proposals may be submitted from initial submission deadline until December 31, 2018 at 11:00 am. Proposals will be evaluated on a quarterly basis and qualified bidders will be added to the recruitment list as qualified.

PRE-BID CONFERENCE: No

Questions concerning this solicitation may also be e-mailed, in Word format to the Division of Purchases at max.righter@purchasing.ri.gov no later than **September 29th, 2016 at 5:00PM (ET)**. Please reference the CR # on all correspondence. Questions received, if any, will be answered and posted on the internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

SURETY REQUIRED: No

BOND REQUIRED: No

**Max Righter
Buyer 1**

Vendors must register on-line at the Division of Purchases website: www.purchasing.ri.gov

NOTE TO VENDORS:

Offers received without the entire completed RIVIP Bidder Certification Form attached may result in disqualification.

THIS PAGE IS NOT A BIDDER CERTIFICATION FORM

SECTION 1 – INSTRUCTIONS AND NOTIFICATIONS TO OFFERORS

1.1) INTRODUCTION

The Rhode Island Department of Administration, Division of Purchases, seeks qualified, professional title firms and or licensed attorneys (“Vendors”) to perform various services including the following: representing State agencies at closings, performing real estate title searches, preparing reports of title, preparing real estate escrow agreements, and issuing title insurance policies. “title firms” shall include the following: title insurance companies, title agents, attorneys-at-law, and law firms meeting the minimum qualifications established by this solicitation. Services are to be provided on an “as and when required” basis, upon request of State agencies, with particular emphasis being placed on the Vendor’s ability to provide timely responses to the agency’s title and escrow service requests.

This CR may be awarded to one (1) or more qualified firms at the sole discretion of the State. **There is no guarantee of any level of purchasing activity on behalf of the State to any vendor or vendors listed on the CR.** Vendors are required to provide a quote for each discrete service or project requested by user agencies. The Division of Purchases has the authority to remove vendors from the CR list if non-responsive to User Agency requests for quotes.

This solicitation is being conducted under the State’s continuous recruitment (CR) process. At the end of every quarter, beginning approximately January 1, 2017, the Division of Purchases will forward all applications received for evaluation by a committee comprised of staff from State agencies. This committee will evaluate submitted proposals on the basis of the evaluation criteria expressed in this solicitation. This is a request for proposals, not an invitation for bid. Responses will be evaluated on the basis of vendor qualifications and the relative merits of the proposal; there will be no public opening and reading of responses received by the Division of Purchases pursuant to this CR solicitation, other than to name those offerors who have submitted proposals.

CR-24 vendors may be utilized by any State agency. In addition, CR-24 vendors may be utilized by quasi-public agencies, Rhode Island municipalities, school districts, water and waste water facilities at their own discretion. (For this solicitation the term “User Agency” refers to any State agency, quasi-public agency, Rhode Island municipality, school district, water or waste water facility qualified to use the CR). Placement of vendors on CR-24 is no guarantee of future business. All ordering and billing shall be between the vendor and the User Agency. Services are sought on an “as-needed” basis. Once need has been determined, utilization by the User Agency will be based on a number of factors, including but not limited to price, expertise, and availability.

This solicitation, and subsequent award, is governed by the State’s General Conditions of Purchase, which are available at www.purchasing.ri.gov. To access the State’s General Conditions of Purchase, enter the website, then click on “Rules and Regulations.” Once the Rules and Regulations are displayed, scroll to the bottom of the page and double click on “Appendix A,” which contains the State’s General Conditions of Purchase.

1.2) NOTIFICATIONS TO OFFERORS:

- a) Potential respondents are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of a proposal.
- b) In order to submit a proposal, respondents must properly register with the Division of Purchases. For information of registering, please see the Division of Purchases' website at www.purchasing.ri.gov and under "Vendor Information".
- c) All proposals shall include the respondent's FEIN or tax identification number as evidenced by an IRS Form W-9, downloadable from the Division of Purchases' website at www.purchasing.ri.gov.
- d) Proposals which depart from or materially alter the terms, requirements, or scope of work defined by this solicitation will be rejected as being non-responsive.
- e) All costs associated with developing or submitting a proposal in response to this solicitation, or to provide oral or written clarification of its content shall be borne by the respondent. The State assumes no responsibility for these costs.
- f) Proposals submitted in response to this solicitation shall be considered to be irrevocable for a period of not less than ninety (90) days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.
- g) All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
- h) Proposals misdirected to other than the Division of Purchases, or which are otherwise not submitted to the Division of Purchases prior to the due date(s) and time(s) listed on page one for any cause shall be determined to be late and shall not be accepted, opened, or considered. The official time clock is located in the reception area of the Division of Purchases, 2nd floor, One Capitol Hill, Providence, Rhode Island.
- i) In accordance with R. I. Gen. Laws § 7-1.2-1401 no foreign corporation has the right to transact business in Rhode Island until it has procured a certificate of authority so to do from the Secretary of State (401/222-3040) www.sos.ri.gov. Please submit proof of registration with the Rhode Island Secretary of State's Office with your proposal. Corporations, LLC's., etc. must file the proper paper work with the Rhode Island Secretary of State's Office. Any fictitious names used must be on file with the Secretary of State and must reflect the registration number of the registered entity. A copy of the certificate of registration is necessary for each "business entity" even if said entity is owned by the same individual

pursuant to R. I. Gen. Laws § 5-65-1 (3) (ii).

- j) Respondents are advised that all documents and materials submitted to the Division of Purchases for consideration in response to this solicitation shall be considered to be public records, as defined in Title 38 Chapter 2 of the Rhode Island General Laws.
- k) Respondents should be aware of all applicable MBE requirements, as set forth in R. I. Gen. Law § 37-14.1-1, *et seq.* The State's goal is for a minimum ten per cent (10%) participation by MBE's in all State procurements. For further information, contact the State MBE Administrator at (401) 574-8670 or Dorinda.Keene@doa.ri.gov, Visit the website <http://www.mbe.ri.gov/>
- l) Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this solicitation.
- m) Equal Employment Opportunity-R. I. Gen. Laws § 28-5.1 Declaration of Policy. – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies in all areas where the state dollar is spent, in employment, public service, grants and financial assistance, and in state licensing and regulation. For further information, contact the Rhode Island Equal Employment Opportunity Office, at 222-3090 or via e-mail raymond1@gw.doa.state.ri.us
- n) Questions concerning this solicitation may be e-mailed to the Division of Purchases in accordance with the terms and conditions expressed on the cover page of this solicitation. All questions received by the Division of Purchases shall be posted on the Division of Purchases' website as an addendum to this solicitation. It is the responsibility of all interested parties to monitor the Division of Purchases' website for updated solicitation information and addenda.
- o) The Division of Purchases reserves the right to accept or reject any or all proposals submitted in response to this solicitation, to waive minor irregularities, or to negotiate with any respondents, as necessary, to serve the best interests of the State.

SECTION 2 – PROPOSAL REQUIREMENTS

2.1) REQUIREMENTS:

1. Title insurance companies utilized by vendors must have the capability to directly originate and issue title insurance policies in the State of Rhode Island
2. All title insurance commitments and policies are subject to the review and approval of the agency requesting the service.

3. Title insurance commitments and policies may be subject to the review and approval of federal agencies, including but not limited to, the U.S. Fish and Wildlife Service, USDA, and other funding sources
4. All title insurance policies must delete the standard title insurance exceptions for tenants in possession, survey, adverse possession, and mechanics liens, unless the agency agrees to the inclusion of such as an exception in a particular policy.
5. Title insurance commitments must be submitted within forty-five (45) days, unless otherwise agreed to by the agency.
6. Title insurance policies must be issued within thirty (30) days of the closing.
7. Attorneys must be duly authorized to practice law in the State of Rhode Island.
8. Attorneys/law firms must carry professional liability insurance during the entire term of the contract with individual claims coverage of no less than five hundred thousand dollars (\$500,000.00).

2.2) PROPOSALS:

Interested vendors should submit a proposal containing the following information:

- A description of the corporate background of the vendor
- Documentation of authority to practice law in the State of Rhode Island
- Documentation of legal malpractice insurance
- As appropriate, resumes of key staff who will administer the services covered by this solicitation, with emphasis on experience in title services
- Additional staff or services as may be available through subcontractors, subsidiaries or corporate partners
- A comprehensive price list including hourly rate and overtime rate for all staff as described herein
- Attached bid sheet. Vendors may submit a price for each of the three (3) years or the applicable *pro rata* portion thereof if the proposal is submitted during a subsequent quarter. If one price per service is offered, that price will remain firm for the entire contract term. Prices should include the following:
 - Rates per thousand dollars for title insurance policies.
 - Hourly rates for attorney/legal services, if not included in the title policy rate.
 - Hourly rates for each of the following services:
 - Title search
 - Title report
 - Closings
 - Preparation and/or review of documents

2.3) REFERENCES

Submit a list of three (3) references, preferably references who retained the Vendor for similar work within the last twelve (12) months.

2.4) ADDITIONAL PROPOSAL CONTENTS

In addition to the contents described above proposals must include the following:

1. A completed and signed RIVIP generated bidder certification cover sheet (downloaded from the Division of Purchases' website <http://www.purchasing.ri.gov>)
2. A completed and signed IRS Form W-9 downloaded from the Division of Purchases' website, should **only** be included in the **original copy of the proposal**.
3. In addition to the multiple hard copies of the proposal required, Respondents are requested to provide their proposal in electronic format (CD-Rom, Diskette, flash drive). Microsoft Word / Excel or PDF format is preferred. Only one (1) electronic copy is requested. This CD, diskette, or USB drive should be included in the proposal marked "Original".

SECTION 3 - PROPOSAL SUBMISSION

- a) Proposals to provide the services set forth in this solicitation must be received by the Division of Purchases on or before the date(s) and time(s) indicated on page one of this solicitation. Responses (a clearly labeled **original** plus five (5) copies) should be mailed or hand-delivered in a sealed envelope marked with the CR number.

Rhode Island Department of Administration, Division of Purchases

One Capitol Hill, Second Floor

Providence, Rhode Island 02908-5855

- b) **Reminder:** Proposals misdirected to locations other than the Division of Purchases, or which are otherwise not submitted to the Division of Purchases prior to the time(s) of opening for any cause shall be determined to be late and shall not be accepted, opened, or considered. The "official" time clock is located in the reception area of the Division of Purchases, 2nd floor, One Capitol Hill, Providence, Rhode Island.
- c) This solicitation is being conducted under the State's Continuous Recruitment (CR) process. At the end of every quarter, beginning approximately January 1, 2017, the Division of Purchases will forward all applications received for evaluation by a committee comprised of staff from state agencies. This committee will evaluate submitted proposals on the basis of the evaluation criteria expressed in this solicitation.

SECTION 4 – EVALUATION AND SELECTION

Proposals will be reviewed by a technical review committee comprised of State agency staff on a pass/fail basis. The State reserves the right, at its sole discretion, to determine the number of vendors to be selected for placement on the Continuous Recruitment list.

The Division of Purchases reserves the right to unilaterally: 1) cancel the solicitation at any time; 2) waive any technicality in order to act in the best interests of the State; and 3) to conduct additional negotiations as necessary.

Proposals found to be technically or substantially non-responsive, at any point in the evaluation process, will be rejected and not be considered further. An award will not be made to a vendor who is neither qualified nor equipped to undertake and complete future projects.

The Division of Purchases reserves the exclusive right to select the individual(s) or firm(s) (vendor) that it deems to be in its best interest to accomplish the scope of work as specified herein; and conversely, reserves the right to cancel this solicitation at any time.

Proposals will be evaluated based on the following criteria (all criteria are of equal importance):

1. Competence and experience to provide the required services
2. Experience and qualifications of the assigned personnel
3. Availability of personnel who will perform the services
4. Equipment and facilities to perform the services expeditiously
5. Quality of work
6. Ability to meet deadlines
7. Price

The review committee will present written findings, including the results of all evaluations, to the State Purchasing Agent or designee, who will make the final selection for this solicitation. When a final decision has been made and a contract(s) awarded, a notice will be posted on the Division of Purchases website.

SECTION 5 – CONTRACT AND PAYMENT TERMS

Payment for the requested services shall be made within thirty (30) days of receipt of the Vendor's invoice of all required documents; including but not limited to, recorded copies of deeds, easements or other legal documents, preparation and delivery of an accurate title policy. The vendor shall submit an itemized bill for the hours worked and the per-thousand cost of the title insurance policy for each assignment. Direct costs borne by the title firm will be paid on a cost basis. Direct costs may include recording fees, mailing, taxes, and fees.

No commitment to a specific level of spending is made by this solicitation. Services will be authorized on an as-needed basis through individual requests for services issued by State agencies under CR-24. Any contract award(s) resulting from this solicitation shall be subject to the State Purchases Act, R. I. Gen. Laws § 37-2-1, *et seq.*, the Procurement Regulations and the General Conditions of Purchase, which are available at www.purchasing.ri.gov, as well as the terms of this solicitation.

Agencies requisitioning CR-24 services shall pay for all documented direct costs related to the closing, including recording fees, payment of taxes, documentary stamps, or any other direct cost approved and authorized in advance by the agency. All direct cost reimbursements will be made at cost to the vendor.

Contract Terms and Conditions

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PURCHASE ORDER STANDARD TERMS AND CONDITIONS

AWARD

THE STATE, AT ITS SOLE DISCRETION, SHALL RESERVE THE RIGHT TO MAKE ONE OR MULTIPLE AWARDS FOR THIS REQUIREMENT AND/OR TO REJECT ANY OR ALL BIDS.

CAMPAIGN FINANCE COMPLIANCE

CAMPAIGN FINANCE: In accordance with RI General Law 17-27-2, Every person or business entity providing goods or services of \$5,000 or more, and has in the preceding 24 months, contributed an aggregate amount in excess of \$250 within a calendar year to any general officer, or candidate for general office, any member, or candidate for general assembly, or political party, is required to electronically file an affidavit regarding political contributions at:

<https://secure.ricampaignfinance.com/RhodeIslandCF/Public/VendorAffidavit.aspx>

ARRA SUPPLEMENTAL TERMS AND CONDITIONS

For contracts and sub-awards funded in whole or in part by the American Recovery and Reinvestment Act of 2009. Pub.L.No. 111-5 and any amendments thereto, such contracts and sub-awards shall be subject to the Supplemental Terms and Conditions For Contracts and Sub-awards Funded in Whole or in Part by the American Recovery and Reinvestment Act of 2009. Pub.L.No. 111-5 and any amendments thereto located on the Division of Purchases website at www.purchasing.ri.gov.

DIVESTITURE OF INVESTMENTS IN IRAN REQUIREMENT:

No vendor engaged in investment activities in Iran as described in R.I. Gen. Laws §37-2.5-2(b) may submit a bid proposal to, or renew a contract with, the Division of Purchases. Each vendor submitting a bid proposal or entering into a renewal of a contract is required to certify that the vendor does not appear on the list maintained by the General Treasurer pursuant to R.I. Gen. Laws §37-2.5-3.

For all Purchase Orders issued on behalf of the University of Rhode Island, Community College of Rhode Island, and Rhode Island College, vendors will receive a confirming order from the respective entity prior to proceeding.

LICENSE REQUIREMENTS

VENDOR (OWNER OF COMPANY) IS RESPONSIBLE TO COMPLY WITH ALL LICENSING OR STATE PERMITS REQUIRED FOR THIS TYPE OF SERVICE. A COPY OF LICENSE/PERMIT SHOULD BE SUBMITTED WITH THIS BID. IN ADDITION TO THESE LICENSE REQUIREMENTS, BIDDER, BY SUBMISSION OF THIS BID, CERTIFIES THAT ANY/ALL WORK RELATED TO THIS BID, AND ANY SUBSEQUENT AWARD WHICH REQUIRES A RHODE ISLAND LICENSE(S), SHALL BE PERFORMED BY AN INDIVIDUAL(S) HOLDING A VALID RHODE ISLAND LICENSE.

MPA BID AWARD (STATEWIDE APPLICABILITY)

STATEWIDE APPLICABILITY - Political Subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this Agreement. All ordering and billing shall be between the vendor and the political subdivision (only).

MULTI YEAR AWARD

THIS IS A MULTI-YEAR BID/CONTRACT. PER RHODE ISLAND STATE LAW 37-2-33, CONTRACT OBLIGATIONS BEYOND THE CURRENT FISCAL YEAR ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS

UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES, OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES.

EQUAL OPPORTUNITY COMPLIANCE

THIS PURCHASE ORDER IS AWARDED SUBJECT TO EQUAL OPPORTUNITY COMPLIANCE.

PURCHASE AGREEMENT BID

BIDDING (a) A single price shall be quoted for each item against which a proposal is submitted. This price will be the maximum in effect during the agreement period. Any price decline at the manufacturer's level shall be reflected in a reduction of the agreement price to the State. (b) Quantities, if any, are estimated only. The agreement shall cover the actual quantities ordering during the period. Deliveries will be billed at the single, firm, awarded unit price quoted regardless of the quantities ordered. (c) Bid price is net F.O.B. destination and shall include inside delivery at no extra cost. (d) Bids for single items and/or a small percentage of total items listed, may, at the State's sole option, be rejected as being non-responsive to the intent of this request. **ORDERING** (a) The User Agency(s) will submit individual orders for the various items and various quantities as may be required during the agreement period. (b) Exception - Regardless of any agreement resulting from this bid, the State reserves the right to solicit prices separately for any extra large requirements for delivery to specific destinations.

Mailing Address for Bid Proposals issued by the State of Rhode Island, Division of Purchases:

All Bid Proposals must be submitted to the following address:

State of Rhode Island
Department of Administration
Division of Purchases, 2nd Floor
One Capitol Hill
Providence, RI 02908

RIVIP INFO - BID SUBMISSION REQUIREMENTS

It is the Vendor's responsibility to check and download any and all addenda from the RIVIP. This offer may not be considered unless a signed RIVIP generated Bidder Certification Cover Form is attached and the Unit Price column is completed. The signed Certification Cover Form must be attached to the front of the offer. When delivering offers in person to One Capitol Hill, vendors are advised to allow at least one hour additional time for clearance through security checkpoints.

MAILING ADDRESS FOR BID PROPOSALS ISSUED BY THE STATE OF RHODE ISLAND, DIVISION OF PURCHASES

All Bid Proposals must be submitted by mail or hand delivered to:

- State of Rhode Island
- Department of Administration
- Division of Purchases, Second floor
- One Capitol Hill
- Providence, RI 02908-5855

DIVESTITURE OF INVESTMENTS IN IRAN REQUIREMENT:

No vendor engaged in investment activities in Iran as described in R.I. Gen. Laws §37-2.5-2(b) may submit a bid proposal to, or renew a contract with, the Division of Purchases. Each vendor submitting a bid proposal or entering into a renewal of a contract is required to certify that the vendor does not appear on the list maintained by the General Treasurer pursuant to R.I. Gen. Laws §37-2.5-3.



Helpful Tips:
 -Vendor data entry areas are shaded yellow

BID SHEET
CR-24 Title and Escrow Services
OPENING DATE 10/17/2016 at 11:00 am (EST)

The Rhode Island Department of Administration/Division of Purchases is soliciting quotes from qualified, professional title firms and/or licensed attorneys to perform various services including the following: representing State agencies at closings, performing real estate title searches, preparing reports of title, preparing real estate escrow agreements, and issuing title insurance policies.

QUESTIONS concerning this solicitation must be received by the Division of Purchases at max.righter@purchasing.ri.gov no later than Monday September 5th, 2016 @ 5:00pm (EST). Questions should be submitted in a Microsoft Word attachment. Please reference Continuous Recruitment 24 on all correspondence. Questions received, if any, will be posted on the Rhode Island Division of Purchases website as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

A price must be bid for each service requested. If prices are given for a single year only, they will be held firm for the entire term of the contract.

Vendor Name:

<u>Line</u>	<u>Item Description</u>	<u>Unit</u>	<u>Unit Price</u>
1	Hourly Standard Rate for Attorneys 10/1/16 - 9/31/17	Hour	
2	Hourly Overtime Rate for Attorneys 10/1/16 - 9/31/17	Hour	
3	Title Insurance Rate (per thousand) 10/1/16 - 9/31/17	Per Thousand	
4	Title Search Hourly Rate 10/1/16 - 9/31/17	Hour	
5	Title Preparation Hourly Rate 10/1/16 - 9/31/17	Hour	
6	Closing Document Preparation Hourly Rate 10/1/16 - 9/31/17	Hour	
7	Preparation/Review of Documents Hourly Rate 10/1/16 - 9/31/17	Hour	
8	Hourly Standard Rate for Attorneys 10/1/17 - 9/31/18	Hour	
9	Hourly Overtime Rate for Attorneys 10/1/17 - 9/31/18	Hour	
10	Title Insurance Rate (per thousand) 10/1/17 - 9/31/18	Per Thousand	
11	Title Search Hourly Rate 10/1/17 - 9/31/18	Hour	
12	Title Preparation Hourly Rate 10/1/17 - 9/31/18	Hour	
13	Closing Document Preparation Hourly Rate 10/1/17 - 9/31/18	Hour	
14	Preparation/Review of Documents Hourly Rate 10/1/17 - 9/31/18	Hour	
15	Hourly Standard Rate for Attorneys 10/1/18 - 9/31/19	Hour	
16	Hourly Overtime Rate for Attorneys 10/1/18 - 9/31/19	Hour	
17	Title Insurance Rate (per thousand) 10/1/18 - 9/31/19	Per Thousand	
18	Title Search Hourly Rate 10/1/18 - 9/31/19	Hour	
19	Title Preparation Hourly Rate 10/1/18 - 9/31/19	Hour	
20	Closing Document Preparation Hourly Rate 10/1/18 - 9/31/19	Hour	
21	Preparation/Review of Documents Hourly Rate 10/1/18 - 9/31/19	Hour	