

Written Responses to Questions-Solicitation for Proposals

A Procurement Conference was held on May 30 at 9:30 a.m. at the Davidson County Juvenile Justice Center. Below are responses to questions posed at that conference that could not be immediately answered, as well as a question that was received via e-mail pursuant to Section 7.6 of the Solicitation for Proposals for this project:

1. Invoices for services performed pursuant to the subject contracts can be submitted to the AOC via e-mail. Details on how this process works will be provided prior to the commencement of the contract term.
2. The contracts will apply to all IV-D child support enforcement proceedings, whether the case is filed as a Petition for Civil Contemp, Criminal Contempt or a Petition to Enforce a Child Support Order. Cases on the Wednesday arraignment docket are all included.
3. Direct deposit of payments made to attorneys is strongly preferred, and checks will not be issued for payment, absent a compelling reason not to use direct deposit.
4. In the event an attorney who has begun representation of a client on a case is required to withdraw due to a conflict, the Court will specify an appropriate pro-rata amount to be paid to the withdrawing lawyer in lieu of the standard case rate. New counsel will be paid the standard case rate, less any pro-rata reduction as determined by the Court. Recognizing that some duplication of effort is almost always required in conflict cases, the total amount paid to the attorneys providing representation in such a case may exceed the contract rate for that single case.
5. Q: I am considering submitting a bid for the Davidson County Child Support Contempt Pilot Program. I currently take court appointments as a large part of my practice in juvenile court , so I have been using Billable Hours to process my court billing claims through the AOC. I understand Billable Hours receives payment from the AOC via ACH as they are my designated payee through the ICE system.

Based on the information provided in the procurement meeting earlier today, the invoices for each contempt case would also be paid via direct deposit. My question is whether I can direct these invoice payments be paid directly to my business account while the ICE claim transactions are still directed to BHI as my assigned payee? Or would all State payments have to be made directly through my assigned payee?

A: What you describe can be done, but ONLY because you will be receiving payment for the contempt cases outside of the normal indigent defense accounting system. In any other situation all payments have to be paid to the same payee.

Please review your contractual obligations to BHI to assure you are not creating a potential for dispute. If you choose to have payments made to you and BHI as described, it will be with the understanding and agreement that you will indemnify and hold harmless the AOC for any demands for payment by BHI of the affected payments.

PLEASE NOTE: The pro forma contract contains a typographical error. The words "Department of Human Services" in the first introductory paragraph should be "Administrative Office of the Courts".