

OFFER FORMS

Indigent Non-Capital Criminal Cases and Treatment Courts in Districts 3A, 8A, 8B, 11A, and 11B (Qualifying Offers Only)

These Offer Forms must be used for submitting all qualifying offers for providing indigent defense services in adult criminal cases and treatment courts in Districts 3A (Pitt County), 8A (Greene and Lenoir Counties), 8B (Wayne County), 11A (Harnett and Lee Counties), and 11B (Johnston County). All offerors are responsible for reviewing the terms and conditions of the applicable RFP(s), including the standard contract terms and conditions in Part IV of the RFP(s). Part III of the applicable RFP(s) contain(s) the instructions for submitting offers. By signing and submitting these Offer Forms, offerors acknowledge that they accept and intend to abide by the terms and conditions of the RFP(s) and, unless an offeror proposes in Section II.C. of this offer and IDS agrees to one or more modifications, the standard contract terms and conditions.

These forms must be completed on a computer, and handwritten offers will not be accepted. Other than the optional questions in Section II., all questions must be answered and all requested information must be provided. If a specific question or requested information is not applicable to an offeror's proposal, please indicate N/A. This is a fillable .pdf document. Offerors cannot modify or alter any text unless they are in fillable fields, which have been provided for offerors to use in responding to each question. A fillable field appears on a computer screen as: or . Offerors can type as much as desired in a fillable field (other than a check box field), and the text will wrap until the offeror has completed the response.

Please remember that the attorneys who will evaluate this offer likely will not be directly familiar with the experience and skills of all offerors, and that this is your opportunity to demonstrate your experience and skills. Offerors are encouraged to provide detailed and meaningful answers, including specific examples of relevant cases and client interactions. Generic answers such as "I have practiced law for 20 years" are unlikely to result in favorable ratings by the evaluators. Writing samples submitted with high-level felony offers should be substantive, rather than boilerplate motions, and preferably should involve criminal matters.

One original sealed offer must be received by IDS or postmarked by the deadline submission date that is specified in the applicable RFP(s). *Offers for treatment court cases only must be accompanied by one original and separately sealed cost/price offer with a proposed per session price.* Telephone, facsimile, and electronically transmitted offers will not be accepted. Offerors should indicate the attorney, law firm, or non-profit name and the RFP number(s) on the front of the sealed proposal envelope or package. Sealed offers must be mailed or otherwise delivered to: **Mario Richardson, IDS Contracts Administrator, 123 West Main Street, Suite 400, Durham, North Carolina 27701.**

These Offer Forms consist of:

- I. Mandatory Offer Forms
 - A. Offer Summary
 - B. Contract Categories and Number of Caseload Units or Sessions Covered by Offer
 - C. Office Facilities and Research Capabilities
 - D. Offeror Qualifications, Experience, Commitment to Indigent Defense, and Legal Practice
 - E. Training Programs
 - F. References
 - G. Attached Submissions
- II. Optional Offer Forms
 - A. Encouraged Elements
 - B. Request for Waiver of Requirements or Submissions
 - C. Proposed Modifications to Standard Contract Terms and Conditions
 - D. Other Information
- III. Execution (Mandatory)
 - Attachment A: Optional Mentor Agreement

Sections I. and III. of these Offer Forms must be completed. If an offeror is a law firm or non-profit with multiple attorneys participating in the offer, Sections I.D. through I.G. must be completed by every participating attorney and Section II.B. must be completed by every participating attorney who is requesting a waiver.

Before submitting your offer, please double check it to ensure that it complies with the following requirements:

- Is your offer on the correct form for the county or district and the contract category(ies) offered?
- Have you completed your offer on a computer using the fillable form? (Please do *not* submit handwritten offers or offers completed on a typewriter.)
- Do you meet the minimum attorney qualifications for the contract categories specifically covered by your offer and, if not, have you listed the qualifications you do not meet and requested a waiver of those qualifications? (For law firms with multiple participating attorneys, does each participating attorney meet the minimum attorney qualifications for the contract categories specifically covered by their offer and, if not, have the participating attorneys requested a waiver?)
- Have you signed the mandatory execution in Section III.?
- Have you enclosed a resume?
- If you are submitting an offer for any per session case types, have you enclosed a separately sealed cost/price offer with a proposed per session price? (This is simply a separately sealed letter identifying the amount you propose to be paid for each session.)
- If you are submitting an offer for high-level felonies, have you enclosed the required writing samples or transcripts, or requested a waiver of that requirement?
- Have you alerted the references you listed in Section I.F. to the fact that IDS will be contacting them?

Once opened, offers are public records. Please do not include any information that is confidential or attorney-client privileged, either in your answers to questions or in any attachments.

I. MANDATORY OFFER FORMS

A. Offer Summary

	Offer Summary
RFP #(s) <i>(list all RFP #s to which this offer applies)</i>	
Counties <i>(check all counties covered by this offer)</i>	District 3A: <input type="checkbox"/> Pitt District 8A: <input type="checkbox"/> Greene <input type="checkbox"/> Lenoir District 8B: <input type="checkbox"/> Wayne District 11A: <input type="checkbox"/> Harnett <input type="checkbox"/> Lee District 11B: <input type="checkbox"/> Johnston
Type of Entity	<input type="checkbox"/> Solo Practitioner <input type="checkbox"/> Non-Profit Organization <input type="checkbox"/> Law Firm with Multiple Attorneys
Name Under Which Business is Conducted	
If Solo Practitioner, List Name and State Bar Number of Offeror	
If Law Firm or Non-Profit, List Names and State Bar Numbers of all Participating Attorneys	
Federal Tax ID of Payee*	
Contact Person for Offer	
Mailing Address of Contact Person	
Office Phone # of Contact Person	
Cell Phone # of Contact Person	
Fax # of Contact Person	
Email Address of Contact Person	

* If an offeror does not currently have a federal tax identification number, this field may be left blank. However, a federal tax identification number will be required prior to execution of any contract.

- Check here if you are also submitting or intend to submit one or more offers in response to another RFP. Please identify the county(ies), provide a brief description of the other offer(s) you are submitting or intend to submit, and state whether this offer is in addition to the other offer(s) or is an alternative offer.

- Check here if you are submitting alternative offers in response to this RFP, and please rank your preferences below.

- Check here if you are submitting one or more offers for more than five 20% caseload units per participating attorney. While IDS will not award contracts for more than five caseload units per attorney (or approximately 100% of any attorney's time), you can submit alternative offers totaling more than five units per attorney and indicate your preference. If you are submitting one or more offers totaling more than five units per participating attorney, please rank your preferences below.

B. Contract Categories and Number of Units or Sessions Covered by Offer

Caseload Unit Offers

Please check all applicable boxes below and indicate the number of caseload units of each contract category that are covered by this offer. As explained in all RFPs, each unit represents approximately 20% of one attorney's time (an estimated 360 billable hours per year) based on IDS' existing case and cost data. The estimate of 360 annual billable hours is based on statewide averages, and the precise amount of time required by each unit will depend on the actual case assignments and the efficiency of the courts and contractor. See Section 2.2 of the applicable RFP(s) for specific definitions of each contract category.

Contract Category	County (check all that apply)	# of Units Offered
Adult Misdemeanor Cases	<input type="checkbox"/> Pitt	
	<input type="checkbox"/> Greene	
	<input type="checkbox"/> Lenoir	
	<input type="checkbox"/> Wayne	
	<input type="checkbox"/> Harnett	
	<input type="checkbox"/> Lee	
	<input type="checkbox"/> Johnston	
Adult Low-Level Felony Cases	<input type="checkbox"/> Pitt	
	<input type="checkbox"/> Greene	
	<input type="checkbox"/> Lenoir	
	<input type="checkbox"/> Wayne	
	<input type="checkbox"/> Harnett	
	<input type="checkbox"/> Lee	
	<input type="checkbox"/> Johnston	
Adult High-Level Felony Cases	<input type="checkbox"/> Pitt	
	<input type="checkbox"/> Greene	
	<input type="checkbox"/> Lenoir	
	<input type="checkbox"/> Wayne	
	<input type="checkbox"/> Harnett	
	<input type="checkbox"/> Lee	
	<input type="checkbox"/> Johnston	

Session Offers

Please check all applicable box(es) below and indicate the annual number of sessions for each contract category that are covered by this offer. Preference will be given to qualified offerors who are willing to cover all sessions. See Section 2.2 of the applicable RFP(s) for specific definitions of each contract category. See Section 3.7 of the applicable RFP(s) for definitions of a session. ***Per session offers for the following contract categories must be accompanied by one original separately sealed cost/price offer with a proposed per session price.***

Contract Category	Type of Court	County (check all that apply)	Annual # Sessions Offered	Specify Any Limitations on Willingness to Cover Sessions (e.g., days of the week or times of day)
Treatment Court Cases	Family Drug Treatment Court	<input type="checkbox"/> Lenoir		
		<input type="checkbox"/> Wayne		

Contract Category	Type of Court	County <i>(check all that apply)</i>	Annual # Sessions Offered	Specify Any Limitations on Willingness to Cover Sessions <i>(e.g., days of the week or times of day)</i>
Other Per Session Courts	District Court Probation Violations	<input type="checkbox"/> Greene		
		<input type="checkbox"/> Lenoir		
	Superior Court Probation Violations	<input type="checkbox"/> Greene		
		<input type="checkbox"/> Lenoir		

Willingness to Handle Overflow or Non-Covered Conflict Cases

Based on data from the past three fiscal years, all RFPs seek offers for a number of caseload units and sessions that IDS projects will cover the full indigent caseload. However, the actual caseload in a district or contract category may exceed projections or there may be an insufficient number of contractors to handle all cases due to conflicts. Please indicate below whether and under what circumstances you would be interested in IDS contacting you about overflow or non-covered conflict cases, including if you may be interested in handling cases for which you do not currently meet the minimum attorney qualifications but are willing to handle in consultation with the Regional Defender or another attorney in your area. Please also indicate the county or counties in which you would be willing to handle overflow or non-covered conflict cases.

Note About Offers from Law Firms or Non-Profits with Multiple Attorneys

Pursuant to Section 1.5 of the standard contract terms and conditions, a case "assignment" means the appointment of a contractor to represent a specific eligible client in any matter under the terms of the contract. If the contractor is a law firm or non-profit with multiple named attorneys, an assignment to a specific case will be to an individual attorney named in the contract, not the law firm or non-profit. While law firms and non-profits are not required to specify in their original offer the precise allocation of units or sessions among named attorneys they are required, in Section I.D, to identify which specific contract category(ies) each named attorney is offering to cover. Information on the precise allocation of units or sessions among named attorneys will be required at the time any contract is executed for case assignment purposes.

C. Office Facilities and Research Capabilities

1. List each county where you maintain a physical office and the hours that each office is open to the public.

2. Does each physical office have adequate space for confidential client meetings?

Yes No

If No, provide additional information below, such as whether you have access to other space for meeting with clients.

3. Are any of your offices housed in a residence?

Yes No

4. Are you submitting an offer to cover cases in a county or counties where you do not have a physical office?

Yes No

If Yes, describe your plans for meeting with appointed clients in the county or counties, including clients who are incarcerated and clients who are not incarcerated.

5. Do you have any full- or part-time support staff in your office?

Yes No

If Yes, describe the level of support staff, the basic functions they perform, and the supervision that is provided to them.

If No, describe any plans you may have for providing necessary support services in appropriate cases.

6. Are you submitting an offer on behalf of a law firm or non-profit with multiple attorneys?

Yes No

If Yes, describe the supervision that is provided to those attorneys.

7. Describe your current case management system, the basic information that is recorded in that system, and how you will identify conflicts of interest as of the proposed contract effective date.

8. Describe any protocols you have for client intake, such as what you attempt to accomplish at the first client interview and how you attempt to accomplish it, as well as any general follow-up procedures you have.

9. Describe your policies and practices governing client contact, such as how quickly you see appointed clients after receiving notification of appointment, any affirmative steps you take to initiate client contact, how and when you schedule appointments with clients, and how you provide phone coverage for calls from clients.

10. Describe your access to legal research tools, including a law library or online legal research tools.

11. Describe what you would need to do to be ready and able to begin accepting case (or session) assignments and providing services on the proposed contract effective date, including how you would handle any impact of a contract on other areas of your legal practice.

12. Do you or your law firm or non-profit carry malpractice insurance?

Yes No

If Yes, provide the name of the carrier and the limits of coverage.

If No, please note that you will be required to obtain malpractice insurance prior to the proposed contract effective date.

D. Offeror Qualifications, Experience, Commitment to Indigent Defense, and Legal Practice

If the offeror is a law firm or non-profit with multiple attorneys, Section I.D. must be completed by every participating attorney. Provide the name of the individual attorney completing this section and the contract category(ies) that this attorney is offering to cover.

Name	Contract Category(ies)

1. Year you were licensed to practice law in North Carolina.

2. Number of years of active legal practice in North Carolina.

3. Have you ever been licensed to practice law in another state?

Yes No

If Yes, what state and what year did you receive that license?

4. Do you certify that you have reviewed the minimum attorney qualifications for each contract category in Section 2.3 of the applicable RFP(s) and that you meet the minimum attorney qualifications for all contract categories listed above (if the offeror is a law firm or non-profit with multiple participating attorneys) or for all contract categories covered by this offer (if the offeror is an individual attorney)?

Yes No (If *No*, attorney *must* complete Section II.B. below to request a waiver)

5. Other than the information already included on your resume, which must be submitted in accordance with Section I. G., below, generally describe your background and experience as an attorney. Include information to demonstrate that you have the required legal knowledge and skill necessary for representation in the contract categories covered by this offer, and any information demonstrating that you exceed the minimum attorney qualifications in Section 2.3 of the applicable RFP(s).

6. Unless covered in your response to question number 5., above, describe any trial experience that you have, including the approximate number and type of bench trials in district court, the approximate number and type of criminal jury trials (both trials that went to verdict and cases in which the defendant entered a plea or the case was otherwise disposed before verdict), the approximate number and type of civil trials, and any other information about the cases that you think is important.

7. Describe your current legal practice, including the types of matters handled, the percentage of your practice that is devoted to indigent representation, whether you are currently accepting appointments from any indigent rosters (including the statewide Capital Trial Roster, the statewide Appellate Roster, and any federal CJA panel), whether you currently have a contract with IDS, and how you would prioritize contract cases vis-a-vis the rest of your practice.

8. Have you had any case-related experience(s) with mental health and substance abuse issues?

Yes No

If Yes, describe those experience(s) and the steps you take to address those issues, including any experience you have had with mental health defenses, consulting with mental health experts, and/or conducting direct- or cross-examinations of such experts.

9. Have you had any case-related experience(s) with domestic violence issues?

Yes No

If Yes, describe those experience(s) and the steps you take to address those issues, including any experience you have had with presenting a self-defense or battered spouse defense and/or your familiarity with anger management treatment.

10. Have you had any case-related experience(s) with scientific/forensic evidence issues, including but not limited to DNA, drug analysis, retrograde extrapolation, fingerprints, firearms, and blood spatter?

Yes No

If Yes, describe those experience(s) and the steps you take to address those issues, including any experience you have had consulting with scientific experts or conducting direct- or cross-examinations of such experts, and whether you utilize IDS' Forensic Resources website.

11. Have you had any experience(s) representing clients who do not speak English?

Yes No

If Yes, describe those experience(s) and the steps you take to address that issue.

12. Are you are submitting an offer for low- or high-level felonies?

Yes No

If Yes, describe the steps you take to preserve the record for appeal.

13. Describe how you will cover all court schedules associated with this offer.

14. Has the North Carolina State Bar, any other State Bar, or a judge ever found you in violation of a Rule of Professional Conduct and issued a public sanction?

Yes No

If Yes, describe the violation and the fact-finder, and provide the date of the decision.

15. To your knowledge, is there currently any complaint against you pending with the North Carolina State Bar?

Yes No

If Yes, describe the complaint and its status.

16. Has a judge ever found that you provided ineffective assistance of counsel in any case?

Yes No

If Yes, describe that finding and provide the date of the decision.

- 17. Please provide any additional information that you believe would help IDS evaluate this offer, such as why you want to handle indigent cases; a description of your most challenging case, how you handled it, and what you learned from it; or a description of any life experiences that have shaped your legal career and philosophy.

E. Training Programs

If the offeror is a law firm or non-profit with multiple attorneys, Section I.E. must be completed by every participating attorney. Provide the name of the individual attorney completing this section.

Name	
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List below any specialized training programs you have attended or taught within the past three years that are relevant to the case categories covered by this offer. (Attach an additional sheet if necessary.)

1. Date	
Program	
Sponsor	
# of CLE Hours (if known)	
	<input type="checkbox"/> Check here if you taught this program

2. Date	
Program	
Sponsor	
# of CLE Hours (if known)	
	<input type="checkbox"/> Check here if you taught this program

3. Date	
Program	
Sponsor	
# of CLE Hours (if known)	
	<input type="checkbox"/> Check here if you taught this program

4. Date	
Program	
Sponsor	
# of CLE Hours (if known)	
	<input type="checkbox"/> Check here if you taught this program

5. Date	
Program	
Sponsor	
# of CLE Hours (if known)	
	<input type="checkbox"/> Check here if you taught this program

6. Date	
Program	
Sponsor	
# of CLE Hours (if known)	
	<input type="checkbox"/> Check here if you taught this program

F. References

If the offeror is a law firm or non-profit with multiple attorneys, Section I.F. must be completed by every participating attorney. Provide the name of the individual attorney completing this section.

Name	
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Provide the name, mailing address, email address, and phone number of defense/respondent attorneys, judges, and other system actors who are familiar with your professional work. Do not list as a reference partners or associates in your law firm, your relatives by blood or marriage, or persons with whom you are involved in any continuing commercial relationship.

Defense/Respondent Attorneys

1. Name	
Mailing Address	
Email Address	
Phone Number	

2. Name	
Mailing Address	
Email Address	
Phone Number	

Judges *(Optional - Please note that IDS intends to contact the judges who are resident in the district where you are submitting an offer as a matter of course. If you have a particular resident judge that you want us to hear from, please encourage that judge to respond to our inquiry. If you would like us to contact any judges who are not resident in the district where you are submitting an offer, please list them below.)*

1. Name	
Mailing Address	
Email Address	
Phone Number	

2. Name	
Mailing Address	
Email Address	
Phone Number	

Others (Optional. May include client references.)

1. Name	
Mailing Address	
Email Address	
Phone Number	
Relationship to Offeror	

2. Name	
Mailing Address	
Email Address	
Phone Number	
Relationship to Offeror	

G. Attached Submissions

If the offeror is a law firm or non-profit with multiple attorneys, Section I.G. must be completed by every participating attorney. Provide the name of the individual attorney completing this section.

Name	
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- I have attached a complete resume of my educational and legal experience.

- Adult High-Level Felonies Only:* I have attached two examples of substantial written legal work product prepared by myself at the trial or appellate level, including substantive motions, *or* excerpts from two transcripts of trials in which I was counsel of record.

- I am seeking a waiver of a required submission in Section II.B., below.

II. OPTIONAL OFFER FORMS

A. **Encouraged Elements (Optional)**

The following questions address issues that are not requirements for an offer, and completion of this section is optional. However, affirmative answers will be given some additional positive weight in the evaluation process. Offerors may answer any or all of the questions in this Section.

1. Particularly if you are submitting an offer to handle high-level felonies or specialized case types, are you (or, if a law firm or non-profit, any participating attorney) willing to serve as a trainer at continuing legal education programs or as a mentor for less experienced attorneys?

Yes No

If Yes, describe.

2. Do you have any specific plans to ensure that you or your organization render quality services pursuant to a contract or to self-monitor your performance?

Yes No

If Yes, describe those plans.

3. Do you have any in-house capacity to handle non-English speaking clients, such as being bilingual or having bilingual support staff?

Yes No

If Yes, describe the capacity.

4. Have you developed or implemented any innovative or holistic approaches to representation of indigent clients?

Yes No

If Yes, describe those approaches and how you would incorporate them into any contract work.

5. Are you submitting an offer on behalf of a law firm or non-profit?

Yes No

If Yes, describe any in-house training or mentoring plans that are in place.

B. Request for Waiver of Requirements or Submissions (Optional)

If the offeror is a law firm or non-profit with multiple attorneys, Section II.C. must be completed by every participating attorney who is requesting a waiver. Provide the name of the individual attorney completing this section.

Name	
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- I am unable to satisfy the following requirement(s) or make the following submission(s), and request that said requirement(s) or submission(s) be waived.

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I possess the following qualifications or have the following plans that justify waiver of the above requirement(s) or submission(s). Please be specific in your response.

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C. Proposed Modifications to Standard Contract Terms and Conditions (Optional)

If you want to propose any modifications to the standard contract terms and conditions in Part IV of the RFP(s), outline those proposals here. Include the number of every contract term that you propose to modify. Provide an explanation of the purpose of and need for every proposed modification, and indicate whether your offer is contingent on IDS' acceptance of any proposed modifications. Please note that no modifications will be made unless specifically agreed to by IDS.

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D. Other Information (Optional)

Provide any other information that you believe is important or relevant to IDS' evaluation of this offer, including whether there is a minimum number of caseload units/sessions that you would be willing to accept on a contract basis.

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III. EXECUTION (MANDATORY)

By executing this offer, I certify that the offer is signed by me or an authorized representative of the law firm or non-profit submitting the offer, that the offer is complete and accurate, and that the offer is submitted competitively and without collusion.

I certify that I have read, understand, and agree to all of the conditions set forth in the applicable RFP(s). I further certify that I have read, understand, and agree to the standard contract terms and conditions in Part IV of the RFP(s), unless IDS agrees to any modification(s) proposed in Section II.C., above.

I acknowledge that IDS intends to seek confidential references about me, both from people identified in this offer and from others not identified in this offer. I consent to a confidential inquiry by IDS of persons familiar with my competence. I explicitly waive any right to review reference information obtained by IDS.

I understand that, if this offer covers any per session court cases, it must be accompanied by a separately sealed cost/price offer with a proposed per session price, which shall be opened only if this offer is deemed qualified by IDS.

I have read and understand the Protest Procedures set forth in Section .0800 of IDS' Policy for the Issuance of Requests for Proposals and Establishment of Legal Services Contracts, which is available at www.ncids.org. In the event that I am not awarded a contract and I choose to protest that decision, I agree to abide by those Protest Procedures. I further agree that venue for any legal challenges shall lie in Durham County, North Carolina.

Name of Offeror or Authorized Representative

Title (if Authorized Representative)

Signature

Date

<input type="text"/>	<input type="text"/>
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