

## **Questions and Answers for Request for Proposals (RFP) 2010-05 Hearing Officer Services**

### **Question 1:**

Is the Offeror to provide court reporting and transcription for the hearings? Can that service be contracted?

### **Answer:**

Florida Housing will provide a court reporter for each hearing.

### **Question 2:**

Will the hearings all take place in Tallahassee, or will Offeror be required to provide video conferencing or travel outside Tallahassee?

### **Answer:**

All informal hearings will be held in Tallahassee at the offices of Florida Housing.

### **Question 3:**

What percentage of the hearings are held in which regions of the State?

### **Answer:**

Not applicable.

### **Question 4:**

How many hearings were held for each year in the past three years, in the same category as this RFP, and were they evenly distributed throughout the year?

### **Answer:**

The Universal Application Cycle hearings are usually held within a short time frame (usually 2 weeks) with the Recommended Orders being due within a month.

The number of hearings held for the last three years were:

2007-9

2008- 13

2009 – 9 – 26 Petitions were received and 17 were either withdrawn, sent to DOAH or settled by Consent Agreement.

**Question 5:**

Do you expect any changes in the number of hearings during the three (1) year periods of the contract, or the timing throughout the year?

**Answer:**

Florida Housing has no way to determine how many hearings will be held. In 2002, Florida Housing held 42 hearings. However, the number has decreased since that time period. The average number of hearings for the past three years is ten.

Copies of previous recommended orders may be found on Florida Housing's website at: [http://apps.floridahousing.org/StandAlone/FHFC\\_ECM/AppPage\\_LegalUAProceedings.aspx](http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalUAProceedings.aspx)

**Question 6:**

Will the Offeror be expected to provide interpreters as needed for the hearings?

**Answer:**

No.

**Question 7:**

The RFP mentions annual evaluations for renewal periods. What will be the criteria for those evaluations?

**Answer:**

The criteria for annual evaluations will include, at a minimum: the timeliness and quality of Recommended Orders produced (regardless of outcome), the efficiency with which informal hearings are conducted; and knowledge of Florida Housing's rules, policies, and previous Final Orders.

**Question 8:**

Who is on the selection committee?

**Answer:**

Wellington Meffert, Robert Pierce and Wayne Conner

**Question 9:**

Who are the current providers of these Hearing Officer services to FHFC?

**Answer:**

Rose, Sundstrom & Bentley, LLC – Chris Bentley and Diane Tremor  
David Ramba, Ramba Law Group, LLC

**Question 10:**

What hourly rates are they paid?

**Answer:**

The current contract is for \$175 per hour; however, the new contract fees will be subject to negotiation with Florida Housing. The Hearing Officer shall charge all costs and expenses of the law firm ordinarily charged to clients, such as telephone, fax and copying charges. Only the actual expenses shall be charged to and reimbursed by Florida Housing. No additional amount will be added to the expenses. Inasmuch as all hearings are to be held in Tallahassee, there will be no travel or transportation charges.

**Question 11:**

How much was each such provider paid in the last fiscal year?

**Answer:**

Rose, Sundstrom & Bentley  
2007 - \$17,127.50  
2008 - \$22,853.45  
2009 - \$10,863.50

Ramba Law Firm  
2010 (through May)- \$2200

Rose Sundstrom & Bentley  
2010 (through May) - \$9,463.01

**Question 12:**

Does Florida Housing currently employ or contract with other hearing officers?

**Answer:**

See answer to Question 9.

**Question 13:**

How are the hearing officers compensated, and how many hours per month, individually, do they typically work for Florida Housing?

**Answer:**

The current contract is for \$175 per hour with normal expenses. The hearing officers are specifically utilized for the Universal Cycle Application hearings. These hearings are typically held during August or September of each year. The hearings are usually held over a one week period and then the Recommended Orders are then due within two weeks.

**Question 14:**

Does Florida Housing expect that the bulk of the informal hearings will occur during a particular month or quarter?

**Answer:**

The majority of the informal hearings are usually held in the Fall because of the timing of the Universal Application Cycle. Other cases may intermittently arise through the year, e.g., informal hearing on a bid protest, or other issue not directly involved in the Universal Cycle.

**Question 15:**

Is there any useful estimate of how many informal hearings might be requested?

**Answer:**

See Answer to Question 4.