

# ISSUING DEPARTMENT INPUT DOCUMENT

## CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

New   
  OTR   
  Sole Source   
  Bid Waiver   
  Emergency   
 Previous Contract/Project No. RFP816

Contract  
 Re-Bid   
  Other – Access of Other Entity Contract   
 LIVING WAGE APPLIES:  YES     NO

Requisition No./Project No.: RFP-01552   
 TERM OF CONTRACT 5 YEAR(S) WITH 0 YEAR(S) OTR

Requisition /Project Title: Title Company Services

Description: See attached Scope of Services

Issuing Department: Tax Collector   
 Contact Person: Flevaris Charalambos   
 Phone: 305.375.1387

Estimate Cost: 1,500,000.00

Funding Source: GENERAL    FEDERAL    OTHER Proprietary

### ANALYSIS

<b>Commodity Codes:</b>	<u>94646</u>	<u>95387</u>	<u>96150</u>	<u>96463</u>	
Contract/Project History of previous purchases three (3) years Check here <input type="checkbox"/> if this is a new contract/purchase with no previous history.					
	<b><u>EXISTING</u></b>	<b><u>2<sup>ND</sup> YEAR</u></b>	<b><u>3<sup>RD</sup> YEAR</u></b>		
<b>Contractor:</b>	<u></u>	<u></u>	<u></u>		
<b>Small Business Enterprise:</b>	<u></u>	<u></u>	<u></u>		
<b>Contract Value:</b>	<u></u>	<u></u>	<u></u>		
<b>Comments:</b>	<u></u>				

Continued on another page (s):     YES     NO

### RECOMMENDATIONS

	Set-Aside	Subcontractor Goal	Bid Preference	Selection Factor
<b>SBE</b>	<u></u>	<u></u>	<u></u>	<u></u>

Basis of Recommendation:

Signed: <u></u>	Date sent to SBD: <u></u>
	Date returned to SPD: <u></u>

## 2.0 SCOPE OF SERVICES

### 2.1 Background

The County, as represented by the Finance Department, requires the services of a title or abstract company, or law firm, with an office located in Miami-Dade County. Certified ownership and encumbrance (O&E) reports are required for tax deed applications in accordance with Section 197.502 of the Florida Statutes and Department of Revenue Regulation Rule 12D-13.061. Internal Services Department (ISD) also requires O&E reports on County-owned surplus property. Prior to conveying the properties to the purchasing public, the County ensures these County-owned surplus properties are free from liens. These however, account for a small portion of the required services.

Additional services, beyond the minimum requirements for O&E reports are also required, and include but are not limited to: a) search of probate records, if applicable; b) determination on the validity of deeds; c) thorough search of lunacy and foreclosure proceedings; and d) the offer for purchase of a title insurance policy to successful bidders at the tax deed sale.

The County will utilize the methods or technologies necessary to accomplish its purposes which will comply with the Uniform Electronic Transactions Act ("UETA"), including E-SIGN which permits the parties involved to decide whether electronic signatures will be used at all and what technologies to apply to the transaction.

Historical data indicates that there are approximately 4,500 O&E reports per year provided to the County, and approximately 10-15 O&E reports per year provided on County-owned surplus property. However, the County makes no guarantees with respect to the number of O&E reports to be completed by the selected Proposer, or the dollar amount to be paid to the selected Proposer.

### 2.2 Minimum Qualification Requirement

The minimum qualification requirement for this Solicitation is that the Proposer must possess a State of Florida title agency license at the time of the deadline for receipt of proposals. A copy of the title agency license **must** be provided with the proposal.

### 2.3 Requirements and Services to be Provided

A. O&E Reports (Approximately, but not limited to 4,500 reports annually)  
The selected Proposer shall:

- 1) Provide approximately 4,500 reports to the County per year. This amount typically is not spread evenly throughout the year, and the majority of the reports may fall within a one-to-two month period.
- 2) Upon request by the County, provide O&E reports for tax deed applications, including the following information and services required for O&E reports:
  - a) Legal title holders of record and the owner's address as it appears on the record of conveyance;

- b) Legal description of property;
- c) A complete 30-year record search listing names and last known addresses of all lien holders, including but not limited to, tax certificate number(s), vendees, and mortgages;
- d) A search of probate records, if applicable;
- e) All liens will be listed separately by the Official Record (OR) number;
- f) For each property search, a notation on all encumbrances as to whether they are still enforceable;
- g) All documents (hard copies and electronic copies) for all instruments on the Chain of Title.

Notes: a) The O&E reports for tax deed applications shall be certified as any title or abstract search is certified; and b) All reports must be submitted manually and electronically in XML format.

- 3) Upon request by the County, provide O&E reports for County-owned surplus properties with the following information and services:
  - h) All information generally required for tax deed search, including but not limited to, a minimum 30-year search and/or until a valid title.
  - i) Copies of last known and/or most recent deeds;
  - j) Notice of break in Chain of Title;
  - k) Reverted clauses and/or restrictions in the deed and/or title;
  - l) Location map, photographs, and/or sketch of subject property;
  - m) A statement of all outstanding ad valorem taxes and liens, if applicable;
  - n) All liens shall be listed separately by OR number; and
  - o) For each property search, a notation on all encumbrances as to whether it is still enforceable;
- 4) Include the following information on all O&E reports:
  - a) A minimum thirty-year search of probate records if applicable;
  - b) Determination regarding the validity of deeds;
  - c) Provide a thorough search of lunacy and foreclosure proceedings, and;
  - d) Offer for purchase, a title insurance policy to successful bidders at the tax deed sale.
- 5) Complete and return to the County the initial search and abstract within five (5) County business days from the original date of request. If there are more than 50 requests received from the County within the preceding five (5) County business days, an additional day will be added for every ten requests exceeding the 50 requests. When the total amount of outstanding requests falls below the 50 level, the five business day completion requirements will be automatically re-established.

Notwithstanding the above mentioned timeframes, the County reserves the right to prioritize the workload, if it desires, at its sole discretion. In addition, notwithstanding the above and applying reasonableness, the selected Proposer shall provide the County with an abstract in less than five (5) County business days, upon the County's request. Documentation (hard copies) for

all instruments on the Chain of Title, if excluded from the O&E report, shall be delivered within five (5) business days following the delivery of the O&E report.

- 6) Prepare O&E reports utilizing the selected Proposer's stationary and/or letterhead.
- 7) Obtain tax deed application files from the County's Tax Collector's Office.
- 8) Deliver to the County's Tax Collector's Office completed tax deed application files and completed O&E reports.
- 9) Complete any incomplete searches submitted to the County. Incomplete searches shall be returned to the selected Proposer for correction, at no cost to the County.
- 10) Certify and initialize the O&E reports cover page, prior to delivery to the County's Tax Collector's Office. This shall be done by a representative and/or designated officer, employed by the selected Proposer,

**B. Update O&E Reports** (Approximately, but not limited to 3,600 reports per year)  
The Selected Proposer shall:

- 1) Upon request from the Clerk of the Circuit Court, update O&E reports. Conditions that precipitate this updated report are:
  - a) The property owner's name on the Property Appraiser's file differs from the owner's named listed on the most recent O&E report; and
  - b) O&E report is sixty (60) days or older.
- 2) Provide the County with updated O&E reports within five County business days from the date of the original request.
- 3) Prepare O&E reports that shall cover the period immediately following the ending date and time of the original O&E report provided to the County, up to the date and time certified by the selected Proposer on the O&E report. The updated O&E report shall be conducted and prepared in the same format and manner as all other O&E reports and include all required information requested herein.

**C. Courthouse Research** (Approximately 40 per year)  
The County may request additional similar services from the selected Proposer regarding reports that may need courthouse researches.

The Selected Proposer shall:

- 1) Order, and physically search court files when a discrepancy exists between hard copy of recorded documents included in report, and making copies if necessary, for files held by:
  - a. Clerk of the County and Circuit Court,

- b. Clerk of United States District Court, and
- c. Clerk of United States Bankruptcy Court

2) Provide other copies that may become necessary because an electronic or microfilmed copy may not be available at the time of the report.

**D. Additional Services**

If additional services are required for the types of projects identified herein which in the sole determination of the County are related to, but not included in providing the above services, the County may request the selected Proposer to provide the additional services.