



**THE EATON COUNTY TREASURER, MICHIGAN**  
**REQUEST FOR PROPOSAL**  
**FOR**  
**TITLE SEARCH SERVICES**

**RFP TIMETABLE**

ACTION	DATE	TIME
RFP Issue Date	03-01-2019	
Proposer's Questions Due	03-18-2019	5:00 p.m.
Responses to Proposer's Questions	03-25-2019	5:00 p.m.
Proposals Due	03-29-2019	5:00 p.m.
Contract Award Date	04-10-2019	5:00 p.m.

**Contact Person:** Bob Robinson, Treasurer  
Phone: 517-543-4262  
Fax: 517-543-9983  
Email: [rrobinson@eatoncounty.org](mailto:rrobinson@eatoncounty.org)

**Description:** The Eaton County Treasurer is requesting proposals for providing Title Search services to the Treasurer in conjunction with the tax foreclosure procedures of Public Act 123 of 1999, as amended.

**Contract Opportunity**  
**Title Company Services**

**Table of Contents**

1. Introduction
2. Scope of Services
3. Schedule
4. Proposal Requirements
5. Evaluation/Selection
6. Declarations and Other Information
7. Application Process

**RFP Submittal Requirements Checklist**

- a. Business/Contact Information
- b. Main Proposal
- c. Certificate of Good Standing for Corporation issued by the Michigan Secretary of State; or Certificate of Existence for Limited Liability Companies issued by the Michigan Secretary of State; or a Certificate of Good Standing or Certificate of Existence for Joint Ventures for each entity comprising the joint venture; and all Documentation and certifications for Respondents "Doing Business As."
- d. Evidence of Insurance
- e. Pricing Proposal
- f. References and Description of Service Provided
- g. Non-Collusion Affidavit
- h. RFP Submittal Requirements Checklist

# REQUEST FOR PROPOSAL (RFP)

## Introduction/Background

Through this request for Proposal (RFP), the Eaton County Treasurer hereby invites businesses who meet the qualifications and specifications set forth herein to submit proposals to provide title search services to the Eaton County Treasurer in conjunction with the tax foreclosure procedures of Public Act 123 of 1999, as amended.

## Scope

Eaton County Treasurer will award to one contractor in the category of title search services.

- The Treasurer reserves the right to select the contractor(s) that best meets the Treasurer's goals and objectives, quality levels, and service level expectations. Additionally, the Treasurer reserves the right, in his sole discretion, to reject and/or all proposals, to waive any irregularities and technical defects contained therein, to award the contract in its entirety, in part, or not at all/or determine which proposal is the lowest and/or best to enter into a Contract, as deemed to be in the best interest of the Treasurer.

The general objective of this solicitation are the following:

- Competitively award a contract to provide title search services for the Treasurer in conjunction with the tax foreclosure procedures of Public Act 123 of 1999, as amended.
- Ensure there is a fair process at every step of the procurement process.
- Ensure taxpayers dollars are spent wisely.

The specific objectives of the solicitation are the following:

- To obtain proposals to provide title search services to the Treasurer in conjunction with the tax foreclosure procedures of Public Act 123 of 1999, as amended.

## **Scope of Services**

The services provided by the Contractor pursuant to this RFP shall include the following:

### **40-Year Title Search – Included in Each Title Search**

- Legal description of property
- Primary Residential Exemption designation
- State Equalized Value (SEV) of property
- 40-year search using title plants and/or Eaton County Treasurer or Register of Deeds website.
- Search shall be 40-years to locate all recorded owners of interest, and documents recorded with Register of Deeds, including: certificate of forfeitures, divorce decrees, bankruptcy proceedings and other court actions, open liens, mortgages, open oil and gas leases, and federal and state tax liens.
- Upon completion of a 40-year search, a written summary report of chain of title will be produced
- The written summary report of the chain of title will list in chronological order, the document type, liber and pages, date of document, recorded date of document, and names of the grantor and grantee and mortgagor and mortgagee, and names of all parties of interest
- The written report will not include any discharged or released documents
- A copy of all relevant documents will be submitted with the report
- Copies of documents will include the first page of document, legal description and names and addresses of interested parties in documents

### **1 to 2 Year Updates on Parcels Previously Searched**

- Same information as listed above only a 1 to 2 year search to identify any intervening parties of interest after the 40-year search was conducted.

### **Current Owner**

- Legal description of the property
- Primary Residential Exemption designation
- State Equalized Value (SEV) of the property
- Search back to Warranty Deed using title plants and/or Eaton County Register of Deeds website.

- Search shall go back to Warranty Deed and will locate all recorded owners of interest, certificate of forfeitures, divorce decrees, bankruptcy proceedings and other court actions, open liens, mortgages, open oil and gas leases and federal and state tax liens recorded at the Register of Deeds from the current effective date back to a Warranty Deed
- Upon completion of current owner, a written summary report of the chain of title will be produced
- The written summary report of the chain of title will list in chronological order, the document type, liber and pages, date of document, recorded date of document, and names of the grantor and grantee and mortgagor and mortgagee, and other names of interested parties.
- The written report will not include any discharged or released documents
- A copy of all relevant documents will be submitted with the report
- Copies of documents will include first page of document, legal description and names and addresses of interested parties in documents

#### **Title Insurance Services**

- Eaton County Treasurer will provide tax foreclosure file to title company
- Perform 40-year search on all foreclosed properties
- Eaton County Treasurer will identify parcels which title insurance is desired no later than May 2019
- Title Company will review 40-year search and foreclosure packet to determine insurability
- The title company will determine what procedures will be used to correct defects in the chains of title to ensure the use and possession of the land are consistent with record title in order to assemble a title commitment
- Title Company will determine insurability through the issuance of a commitment
- Title Company will provide commitment for properties that are not insurable, which a purchaser can use as basis to pursue a quiet title action

When responding to this RFP, applicants should provide a sample title search that satisfies these requirements.

## Schedule

The timeline for this RFP is as follows:

ACTION	DATE	TIME
RFP Issue Date	<u>03-01-2019</u>	
Proposer's Questions Due	<u>03-18-2019</u>	<u>5:00 p.m.</u>
Responses to Proposer's Questions	<u>03-25-2019</u>	
Proposals Due	<u>03-29-2019</u>	<u>5:00 p.m.</u>
Contract Award Date	<u>04-10-2019</u>	<u>5:00 p.m.</u>

The Eaton County Treasurer reserves the right, in his sole discretion, to alter this schedule, as it deems necessary or appropriate.

## Proposal Requirements

Proposals must include:

- A sample title search
- A sample title commitment
- Proposed total cost per property that itemizes the cost for each deliverable, i.e., last warranty deed of record, title search, title commitment and all other expenses that may be incurred
- Estimated times for completing title search from the date an order is placed (The Eaton County Treasurer will expect timely delivery of title services and will reserve the right to terminate a contract if the title company does not meet the time commitments.)
- Evidence of Insurance
- Submittal requirements checklist located under table of contents

## Evaluation/Selection

The Eaton County Treasurer intends to award a contract to an applicant who demonstrates the level of experience, skill and competence required to perform the services called for in this RFP in the most efficient, cost effective, and professional manner. The successful applicant will be willing to work pursuant to the Treasurer's contract terms and conditions – which include – without limitations – non-discrimination requirements, indemnification of the County and the Treasurer, and insurance coverage. The successful applicant will execute a contract with the Eaton County Treasurer. The Treasurer reserves the right not to award contracts or to award for part of this scope.

- Superior ability or capacity to meet particular requirements of this contract opportunity and needs of the Eaton County Treasurer Superior prior experiences of various scales; demonstrated relative strength, reputation and successful experience providing services

- Compliance with Eaton County Treasurer's standards for contracting, such as indemnification and non-discrimination
- Competence and proven track record working with private sector, governments and development organizations
- Demonstrated ability to meet timelines
- Any other factors the Eaton County Treasurer considers relevant to the evaluation of the responses from applicants.

### **Declarations and Other Information**

Nothing in this RFP shall create any legal obligations on the part of the Treasurer or any respondents. The Treasurer reserves the right, in his sole discretion, to amend, suspend, terminate, or reissue this RFP in whole or in part, at any stage. In no event shall the Treasurer be liable to respondents for any cost or damages incurred in connection with the RFP or any other costs of preparing a response to this RFP or any other costs incurred in reliance of this RFP. All supporting documentation submitted in response to this RFP, in writing, at any point in time, as more information becomes known. Bids are to be firm and cannot be withdrawn for a period of thirty-(30) calendar days after opening.

The Eaton County Treasurer has adopted purchasing policies and procedures for procurement process. For further information on this requirement, contact the Eaton County Treasurer.

### **Indemnification and Hold Harmless**

In the preparation of this proposal, Contractor shall, at its own expense, protect, defend, indemnify, save and hold harmless Eaton County, its elected and appointed officers, employees, and agents from all claims, damages, lawsuits, costs and expenses, including, but not limited to, all costs from administrative proceedings, court costs and attorney fees, that the Eaton County and its elected and appointed officers, employees, and agents may incur as a result of any breach of this Agreement, criminal acts, intentional torts, acts or omissions which by statute give rise to strict liability, or negligent acts or omissions of Contractor or any of its employees, agents or subcontractors that may arise out of this Agreement.

### **Time of Completion**

Any contract awarded to Respondent pursuant to this RFP solicitation shall agree to complete the work as outlined in the Scope of Services.

### **Term of Contract**

Proposals shall be guaranteed for a period of twelve (12) months with an option to renew for two additional twelve (12) month periods; renewal notification must be given by February 1, 2020.

### **Economic Sanctions Acts**

The undersigned, acting either individually or as a duly authorized representative of the entity submitting the enclosed RFP/proposal hereby verified that he/she/it is not an Iran linked business defined as follows in the Iran Economic Sanctions Act, Public Act 517 of 2012, MCL 129.311, et.seq. (i) A person engaging in investment activities in the energy sector of Iran, including a person that provided oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for energy sector of Iran and/or (ii) A financial institution that extends credit to another person, if that person will use the credit to engage in investment activities in the energy sector of Iran.

### **Non-Discriminatory Policy**

Contractor, as required by law, and/or the Eaton County Treasurer and Eaton County Equal Opportunity Employment and Non-Discrimination Policy, shall not discriminate against a person to be served or an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, gender identity, sexual orientation, disability that is unrelated to the individual's ability to perform the duties of a particular job or position, height, weight, marital status, or political affiliation (except where age, sex or lack of disability constitutes a bona fide occupational qualification). CONTRACTOR shall adhere to all applicable federal, state and local laws, ordinances, rule, regulations and policies prohibiting discrimination, including, but not limited to, the following:

1. The Elliott-Larsen Civil Rights Act, 1976 PA453, as amended.
2. The Michigan Persons with Disabilities Civil Rights Act, 1976 PA 220, as amended.
3. Section 504 of the Federal Rehabilitation Act of 1973, P.L. 93-112, 87 Stat 355, and regulations promulgated there under.

### **Reservation of Rights**

By submitting a proposal in response to this RFP, an applicant affirmatively acknowledges: (1) its acceptance of the terms and conditions of this RFP; (2) the Eaton County Treasurer may exercise his full discretion the following rights; and (3) the Eaton County Treasurer may exercise the following rights at any time and without notice to any applicant:

- To reject any and all proposals
- To supplement, amend, substitute, modify or re-issue the RFP with terms and conditions materially different from those set forth here
- To cancel this RFP with or without issuing another RFP
- To extend the time period for responding to the RFP
- To solicit new proposals
- To conduct personal interviews with any applicant to assess compliance with the selection criteria

- To request additional material, clarification, confirmation or modification of any information in any and all proposals
- To negotiate any aspect of a proposal, including price
- To terminate negotiations regarding any and all proposals at any time
- To expressly waive any defects or technicality in any proposals
- To rescind a selection prior to contract execution if the Eaton County Treasurer determines that the proposal does not conform to the specifications of this RFP
- To rescind a selection prior to contract execution if the Eaton County Treasurer determines that the specifications contained in this RFP are not in conformity with law or with the legal obligations of the Eaton County Treasurer
- In the event a contract is awarded, all applicant or applicants shall procure and maintain during the life of the contract liability insurance
- In the event a contract is awarded, all applicants agree to perform their services as an independent contractor and not as an employee or agent of the Eaton County Treasurer Office
- In the event a contract is awarded, all applicants agree that no portion of performance of the contract shall be subcontracted without the prior written approval of the Eaton County Treasurer
- Each applicant agrees to indemnify, protect and hold harmless the Eaton County Treasurer and Eaton County from any and all losses, injuries, expenses, demands and claims against the Eaton County Treasurer and Eaton County sustained or alleged to have been sustained in connection with or resulting from (1) the submission of the applicants proposal; (2) the delivery by the applicant to the Eaton County Treasurer of any other documents or information; and (3) any other conduct undertaken by the applicant in furtherance of or in relation to the applicants proposal. Each applicant agrees that its duty to indemnify and hold harmless shall not be limited to the terms of any liability insurance, if any, required under this RFP or subsequent contract.

## **Application Process**

Applicants must submit proposals to the Eaton County Treasurer no later than March 29, 2019 at 5:00 p.m. Absolutely no proposals will be accepted after that time.

Proposal submission will be accepted as follows:

1. Email – [rrobinson@eatoncounty.org](mailto:rrobinson@eatoncounty.org)

Or

2. Hard Copy Submission – Applicants may hand deliver or send proposals via registered mail to:

Robert Robinson, Treasurer  
1045 Independence Blvd.  
Charlotte, MI 48813

### **Contact for Additional Information:**

All questions and requests for additional information should be directed in writing to Robert Robinson, at [rrobinson@eatoncounty.org](mailto:rrobinson@eatoncounty.org). Questions will only be accepted until March 18, 2019.

## Minimum Qualifications

### References that Demonstrate Minimum Qualifications

Complete the following information for a minimum of three customer references for Title Search services of similar scope dating within the past 3 years.

#### Reference 1:

Entity Name:	Contact Name and Title:
City:	State:
Phone Number:	Email Address:
Years Served:	Annual Volume:
Description of Services:	

#### Reference 2:

Entity Name:	Contact Name and Title:
City:	State:
Phone Number:	Email Address:
Years Served:	Annual Volume:
Description of Services:	

#### Reference 3:

Entity Name:	Contact Name and Title:
City:	State:
Phone Number:	Email Address:
Years Served:	Annual Volume:
Description of Services:	