

DOCUMENTATION CHECKLIST

As outlined in section 2.4 Minimum Qualifications in the solicitation document, please provide the following:

- Official documentation of active registration from the Arkansas Secretary of State's Office
- Certificate of good standing from the Arkansas Supreme Court
- Current copy of resume including information required in Section 2.4.D of the solicitation
- Official Bid Price Sheet
- All documents provided in the bid response packet
- Copy of Vendor's Equal Opportunity Policy
- Signed Addenda, if applicable
- EO 98-04 Disclosure Form (Attachment A)

**OFFICIAL DOCUMENTATION OF ACTIVE
REGISTRATION FROM THE ARKANSAS
SECRETARY OF STATE'S OFFICE**



Arkansas Secretary of State John Thurston

State Capitol Building ♦ Little Rock, Arkansas 72201-1094 ♦ 501-682-3409

Certificate of Good Standing

I, John Thurston, Secretary of State of the State of Arkansas, and as such, keeper of the records of domestic and foreign corporations, do hereby certify that the records of this office show

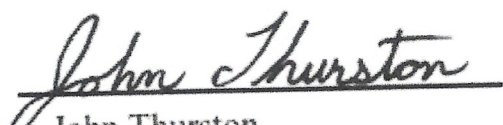
JEWEL H. HARPER, P.L.L.C.

authorized to transact business in the State of Arkansas as a Limited Liability Company, filed Articles of Organization in this office June 27, 2003.

Our records reflect that said entity, having complied with all statutory requirements in the State of Arkansas, is qualified to transact business in this State.



In Testimony Whereof, I have hereunto set my hand and affixed my official Seal. Done at my office in the City of Little Rock, this 6th day of January 2023.


John Thurston
Online Certificate Authorization Code: bd8137547cf0fa8
To verify the Authorization Code, visit sos.arkansas.gov

**CERTIFICATE OF GOOD STANDING
FROM
THE ARKANSAS SUPREME COURT**

Supreme Court

State of Arkansas

Little Rock

CERTIFICATE OF GOOD STANDING

State of Arkansas

in the Supreme Court

I, Kyle E. Burton, Clerk of the Supreme Court of Arkansas, do hereby certify that Jewel Holloway Harper was enrolled as an Attorney at Law and Solicitor in Chancery by the Supreme Court of this State on September 10, 1986 and that no disbarment proceedings nor adverse disciplinary actions have been filed against this attorney in this court during the past three year period.

In Testimony Whereof, I hereunto
set my hand as Clerk and affix the seal of Said Court
this the 6th day of January, 2023.

KYLE E. BURTON
(CLERK)

By _____
Deputy Clerk

Christina Flanigan



JEWEL HOLLOWAY HARPER
ATTORNEY AT LAW
Jewel Harper, PLLC
Sherwood, AR 72120
(501) 993-6428

PROFESSIONAL HISTORY:

I HAVE NEVER REPRESENTED A LONG-TERM CARE FACILITY IN ANY PROCEEDING OR IN ANY CAPACITY.

I HAVE BEEN A FULL-TIME STATE EMPLOYEE OF THE DEPARTMENT OF FINANCE & ADMINISTRATION SINCE 2016. AN ADVISORY OPINION NO. 2018-02 WAS ISSUED IN APRIL, 2018 WHICH STATES THAT MY PROPOSED SERVICES UNDER THIS HEARING OFFICE CONTRACT PRESENTS NO CONFLICT OF INTEREST UNDER ARK. CODE ANN. 19-11-701 ET SEQ AND IS DEEMED TO CONSTITUTE COMPLIANCE WITH THE EITHICAL STANDARDS OF ARK. CODE ANN. 19-11-701 ET SEQ. SAID ADVISORY OPINION IS ATTACHED TO THE REQUIRED CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM (EO-98-04 ATTACHMENT A).

Administrative Hearing Officer for Division of Medical Services, Arkansas Department of Human Services. 2004 to present.

- ◆ Have served as a hearing officer and conducted hearings and written recommended Orders and Administrative Orders for over 200 cases since 2009, including involuntary discharge hearings and the appeal by long-term care facilities of the assessment of civil penalties or other administrative penalties imposed by the Office of Long Term Care. These hearings have been conducted in all areas of the state. No deadlines have been missed and all orders were completed in a timely manner.

Attorney Supervisor, Office of Child Support Enforcement, November 2018 to present.

- ◆ Supervisor for 13 attorneys and their legal staff for northeast region of Arkansas (18-county area including Pulaski County)

Attorney Specialist, Office of Child Support Enforcement, August 2016 to November 2018.

- ◆ Field attorney managing child support cases in Pulaski and Perry Counties.

Attorney at Law, Jewel H. Harper, PLLC, July, 2003 to present.

- ◆ Primary areas of practice: Family law, juvenile law, probate law and mediation.
- ◆ Qualified by Arkansas Supreme Court to serve as attorney ad litem in dependency-neglect cases and in custody cases; on the Arkansas Dispute Resolution Commission list of qualified mediators for civil and domestic relations cases; completed over 175 hours of mediation training and more than 150 mediations.

- ◆ **Special Judge:** I have been sworn in as a special circuit judge pursuant to Article 2 of the Arkansas Constitution on approximately 420 dates in Pulaski, Perry, Jefferson, Garland and Lonoke Counties and have presided over more than 4,900 cases involving dependency-neglect, delinquency, Families in Need of Services, paternity, child support, guardianship, adoption, custody, domestic abuse, and authorization for emergency medical treatment over parental objection.
- ◆ **Hearing Officer:** I have served as a hearing officer for the Department of Human Services, Division of Behavioral Health Services, Division of Medical Services and Office of Long Term Care since 2004. In this capacity, I conduct hearings concerning regulatory decisions related to issues such as audit findings, certification for mental health services providers, appropriateness of placement and involuntary discharge, federal and state Medicaid regulations, et cetera.
- ◆ **Arkansas Commission on Child Abuse, Rape & Domestic Violence:** Appointed in 2002; served as Executive Board Member and Chairman of Child Abuse Committee.

Attorney Coordinator, Administrative Office of the Courts, Arkansas Supreme Court,
August, 1999 to July, 2003. Responsibilities included:

- ◆ Oversight and coordination of newly created statewide attorney ad litem program, including programmatic and fiscal responsibilities for 87 attorneys statewide. This program had a biennial appropriation of \$5.4 million and funded attorneys for every child in juvenile court dependency-neglect proceedings in Arkansas.
- ◆ Pursued legislative support for child welfare representation funding.
- ◆ Assisted with development of criteria for educational and training requirements for qualification as attorney ad litem and parent counsel in dependency-neglect cases; designed and implemented initial certification training and education for attorneys and ongoing training opportunities and provided technical assistance for attorneys; planned, coordinated and personally conducted sessions in training programs for attorneys, judges, foster parents and others on dozens of occasions.

Pulaski County Juvenile Court, 10th Division, Law Clerk to Judge Joyce Williams
Warren, August, 1989 to August, 1999. Some of my responsibilities included:

- ◆ Researching and writing legal opinions on a variety of issues including criminal law, search and seizure, rights of parents and other dependency-neglect issues, paternity and child support, adoption and rights of fathers.
- ◆ Coordinating programs funded by federal and state grant monies to address juvenile issues in Pulaski County; wrote grant that successfully obtained funding for three new positions (FINS case managers); responsible for ongoing fiscal grant reporting.
- ◆ Responsible for juvenile court's role in grant writing, planning, and implementation of extensive, four-year federally funded pilot program for dependency-neglect mediation program in collaboration with the AOC and the UALR School of Law.

Pulaski County Child Support Enforcement Unit, Staff Attorney, November, 1987 to August, 1989. Served as one of three staff attorneys for Pulaski County representing Title IV-D clients pursuing paternity, child support, medical support, et cetera.

During law school:

Research Assistant and Secretary, Rose Law Firm, January, 1983 to May, 1986. Worked on various clerking/research projects. Secretarial 1983 to 1984; then paralegal duties.

Law Clerk, Laser, Sharp & Mayes, P.A., April, 1983 to May, 1984. Responsible for insurance subrogation cases and general research projects.

Kaplan, Hollingsworth & Brewer, P.A., December, 1980 to December, 1982. Secretary to Philip E. Kaplan, then office manager/bookkeeper, full-time while attending law school.

Friday, Eldredge & Clark, scholarship recipient.

EDUCATION:

Juris Doctor degree, completed May, 1986, University of Arkansas at Little Rock School of Law.

Bachelor of Business Administration Degree in Business Management, completed in December, 1979 from Harding University, Searcy, Arkansas.

Bachelor of Arts Degree in Business Education, completed in December, 1980 from Harding University, Searcy, Arkansas. GPA: 3.90 on 4.00 scale.

ACTIVITIES AND ASSOCIATIONS:

Volunteer work: CASA (Court Appointed Special Advocates), Arkansas foster parent association, Scottish Rites Literacy Program, domestic violence shelter, Arkansas Food Bank.

Arkansas Association of Women Lawyers: past president; past CLE chair.

Legislative: Wrote, advocated and achieved passage of amendment to adoption law requiring FBI and state criminal background check for prospective adoptive parents in 1995 Arkansas legislative session (sponsor Vic Snyder). Negotiated compromise amendments (1997 session).

**ALL DOCUMENTS PROVIDED
IN BID RESPONSE PACKET:**

BID SIGNATURE PAGE

**SECTIONS 1-4 VENDOR AGREEMENT AND
COMPLIANCE**

PROPOSED SUBCONTRACTORS FORM

BID SIGNATURE PAGE

Type or Print the following information.

PROSPECTIVE CONTRACTOR'S INFORMATION				
Company:	Jewel H. Harper, PLLC			
Address:	P.O. Box 6570			
City:	Sherwood	State:	AR	Zip Code: 72120
Business Designation:	<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Public Service Corp <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit			
Minority and Women-Owned Designation*:	<input type="checkbox"/> Not Applicable <input type="checkbox"/> American Indian <input type="checkbox"/> Service Disabled Veteran <input type="checkbox"/> African American <input type="checkbox"/> Hispanic American <input checked="" type="checkbox"/> Women-Owned <input type="checkbox"/> Asian American <input type="checkbox"/> Pacific Islander American			
AR Certification #:		* See Minority and Women-Owned Business Policy		

PROSPECTIVE CONTRACTOR CONTACT INFORMATION		
Provide contact information to be used for bid solicitation related matters.		
Contact Person:	Jewel Harper	Title: Attorney / Owner
Phone:	501-993-6428	Alternate Phone: 501-834-3014
Email:	harperlaw@subell.net	

CONFIRMATION OF REDACTED COPY
<input type="checkbox"/> YES, a redacted copy of submission documents is enclosed. <input checked="" type="checkbox"/> NO, a redacted copy of submission documents is <u>not</u> enclosed. I understand a full copy of non-redacted submission documents will be released if requested. <i>Note: If a redacted copy of the submission documents is not provided with Prospective Contractor's response packet, and neither box is checked, a copy of the non-redacted documents, with the exception of financial data (other than pricing), will be released in response to any request made under the Arkansas Freedom of Information Act (FOIA). See Bid Solicitation for additional information.</i>
ILLEGAL IMMIGRANT CONFIRMATION
By signing and submitting a response to this <i>Bid Solicitation</i> , a Prospective Contractor agrees and certifies that they do not employ or contract with illegal immigrants. If selected, the Prospective Contractor certifies that they will not employ or contract with illegal immigrants during the aggregate term of a contract.
ISRAEL BOYCOTT RESTRICTION CONFIRMATION
By checking the box below, a Prospective Contractor agrees and certifies that they do not boycott Israel, and if selected, will not boycott Israel during the aggregate term of the contract. <input checked="" type="checkbox"/> Prospective Contractor does not and will not boycott Israel.

An official authorized to bind the Prospective Contractor to a resultant contract must sign below.

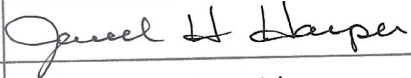
The signature below signifies agreement that any exception that conflicts with a Requirement of this *Bid Solicitation* will cause the Prospective Contractor's bid to be disqualified:

Authorized Signature: Jewel H. Harper Title: Attorney / Owner
 Printed/Typed Name: Jewel H. Harper Date: January 8, 2023

SECTIONS 1 - 4 VENDOR AGREEMENT AND COMPLIANCE

- Any requested exceptions to items in this section which are NON-mandatory **must** be declared below or as an attachment to this page. Vendor **must** clearly explain the requested exception and should label the request to reference the specific solicitation item number to which the exception applies.
- Exceptions to Requirements **shall** cause the vendor's proposal to be disqualified.

By signature below, vendor agrees to and **shall** fully comply with all requirements as shown in the bid solicitation.

Vendor Name:	Jewel H. Harper, PLLC	Date:	January 8, 2023
Signature:		Title:	Attorney/Owner
Printed Name:	Jewel H. Harper		

PROPOSED SUBCONTRACTORS FORM

- **Do not** include additional information relating to subcontractors on this form or as an attachment to this form.

PROSPECTIVE CONTRACTOR PROPOSES TO USE THE FOLLOWING SUBCONTRACTOR(S) TO PROVIDE SERVICES.

Type or Print the following information

Subcontractor's Company Name	Street Address	City, State, ZIP

☒ **PROSPECTIVE CONTRACTOR DOES NOT PROPOSE TO USE SUBCONTRACTORS TO PERFORM SERVICES.**

Jewel H. Harper, PLLC

Attorney at Law

P.O. Box 6570
Sherwood, AR 72120

Telephone (501) 993-6428
e-mail: harperlaw@swbell.net

JEWEL H. HARPER, PLLC EQUAL OPPORTUNITY POLICY

Jewel H. Harper, PLLC, provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws.

This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Contract Number _____
Attachment Number _____
Action Number _____

CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM

Failure to complete all of the following information may result in a delay in obtaining a contract, lease, purchase agreement, or grant award with any Arkansas State Agency.

SUBCONTRACTOR: _____
SUBCONTRACTOR NAME: _____

☐ Yes ☒ No

IS THIS FOR:

Goods? ☐ Services? ☒ Both? ☐

TAXPAYER ID NAME: Jewel H. Harper, PLLC

YOUR LAST NAME: Harper FIRST NAME: Jewel

M.I.: H

ADDRESS: PO Box 6570

CITY: Sherwood STATE: AR ZIP CODE: 72120

COUNTRY: USA

AS A CONDITION OF OBTAINING, EXTENDING, AMENDING, OR RENEWING A CONTRACT, LEASE, PURCHASE AGREEMENT, OR GRANT AWARD WITH ANY ARKANSAS STATE AGENCY, THE FOLLOWING INFORMATION MUST BE DISCLOSED:

FOR INDIVIDUALS *

Indicate below if: you, your spouse or the brother, sister, parent, or child of you or your spouse is a current or former: member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee:

Position Held	Mark (✓)		Name of Position of Job Held [senator, representative, name of board/ commission, data entry, etc.]	For How Long?		What is the person(s) name and how are they related to you? [i.e., Jane Q. Public, spouse, John Q. Public, Jr., child, etc.]	Person's Name(s)	Relation
	Current	Former		From MM/YY	To MM/YY			
General Assembly								
Constitutional Officer								
State Board or Commission Member								
State Employee	✓		Jewel - attorney - OEA Mark (spouse) - UAMS computer programmer	8/2016	current	Jewel Harper - self	Mark Harper - spouse	self spouse

☐ None of the above applies

FOR AN ENTITY (BUSINESS) *

Indicate below if any of the following persons, current or former, hold any position of control or hold any ownership interest of 10% or greater in the entity: member of the General Assembly, Constitutional Officer, State Board or Commission Member, State Employee, or the spouse, brother, sister, parent, or child of a member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee. Position of control means the power to direct the purchasing policies or influence the management of the entity.

Position Held	Mark (✓)		Name of Position of Job Held [senator, representative, name of board/ commission, data entry, etc.]	For How Long?		What is the person(s) name and what is his/her % of ownership interest and/or what is his/her position of control?	Ownership Interest (%)	Position of Control
	Current	Former		From MM/YY	To MM/YY			
General Assembly								
Constitutional Officer								
State Board or Commission Member								
State Employee								

☒ None of the above applies

Contract Number _____
Attachment Number _____
Action Number _____

Contract and Grant Disclosure and Certification Form

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the agency.

As an additional condition of obtaining, extending, amending, or renewing a contract with a state agency I agree as follows:

1. Prior to entering into any agreement with any subcontractor, prior or subsequent to the contract date, I will require the subcontractor to complete a **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM**. Subcontractor shall mean any person or entity with whom I enter an agreement whereby I assign or otherwise delegate to the person or entity, for consideration, all, or any part, of the performance required of me under the terms of my contract with the state agency.
2. I will include the following language as a part of any agreement with a subcontractor:
Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this subcontract. The party who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the contractor.
3. No later than ten (10) days after entering into any agreement with a subcontractor, whether prior or subsequent to the contract date, I will mail a copy of the **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM** completed by the subcontractor and a statement containing the dollar amount of the subcontract to the state agency.

I certify under penalty of perjury, to the best of my knowledge and belief, all of the above information is true and correct and that I agree to the subcontractor disclosure conditions stated herein.

Signature Janeel H. Harper Title Attorney / Counsel Date Jan. 8, 2023

Vendor Contact Person Janeel H. Harper Title Attorney / Counsel Phone No. 501-993-6428

Agency use only			
Agency Number <u>0710</u>	Agency Name <u>Department of Human Services</u>	Agency Contact Person _____	Contract or Grant No. _____
		Phone No. _____	



STATE OF ARKANSAS
Department of Finance
and Administration

OFFICE OF THE DIRECTOR
1509 West Seventh Street, Suite 401
Post Office Box 3278
Little Rock, Arkansas 72203-3278
Phone: (501) 682-2242
Fax: (501) 682-1029
www.dfa.arkansas.gov

April 6, 2018

Jewel H. Harper, PLLC
Attorney at Law
8406 Highway 107
Suite 5
Sherwood, AR 72120

RE: Advisory Opinion No. 2018-02

Dear Ms. Harper:

This letter is in response to your request for an advisory opinion or alternatively a waiver of a conflict of interest, pursuant to Ark. Code Ann. §19-11-715(b) and Ark. Code Ann. §19-11-715(c), respectively, sent in a letter dated January 8, 2018, regarding whether the circumstances described below involving your dual employment with the Arkansas Department of Finance and Administration ("DFA"), Office of Child Support Enforcement ("OCSE") and the Department of Human Services ("DHS"), Division of Medical Services ("DMS") violates ethical standards under Ark. Code Ann. §19-11-701 *et seq.* This opinion is based upon the following facts that have been presented to me in the attached and which I am relying upon. It should be noted that if one or more of these facts are later shown to be incorrect, that could result in a revised opinion.

1. Ms. Harper began working for DMS in 2004 as a hearing officer, conducting administrative hearings and appeals related to nursing home facilities and residents where a nursing home facility seeks to discharge a resident from the facility against the wishes of the resident, followed by issuing your findings in an administrative order;
2. In 2017, Ms. Harper was assigned sixteen cases by DMS, with six resulting in a hearing, while the remaining ten settled prior to hearing;
3. Ms. Harper and DHS/DMS now seek to renew the contract for your services as a hearing officer, for total compensation \$39,700.00. (*for a 3-year contract*);
4. Ms. Harper began working with OCSE in August, 2016 as an attorney specialist, working in the Little Rock Regional Office, handling cases related to the enforcement of child support obligations owed by payor parents on behalf of minor children, with an active caseload averaging 240 cases at any given time, and between 25 to 35 court appearances per month;
5. Ms. Harper has a work schedule with OCSE in which she works four days per week;
6. Ms. Harper controls the scheduling of the administrative hearings for DMS, and only holds them on her non-OCSE days, and also does not draft the administrative orders during OCSE work time.

Ark. Code Ann. §19-11-701 (8) defines "employee," for purposes of Ark. Code Ann. §19-11-701 *et seq.*, as an individual drawing a salary from a state agency, whether elected or not, and any nonsalaried individual performing personal services for any state agency.

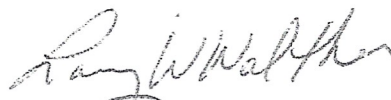
Ark. Code Ann. §19-11-705 (a)(1)(A) prohibits state employees from participating directly or indirectly in any particular matter pertaining to any state agency contracts in which an employee or an employee's immediate family member has a financial interest. See Ark. Code Ann. §19-11-705. Ark. Code Ann. §19-11-705 (a)(2) defines "direct or indirect participation" as including, but not being limited to, involvement through decision, approval, disapproval, recommendation, preparation of any part of a procurement request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.

Based on the above facts, your work for OCSE clearly classifies you as a state employee. However, in looking at the matter under Ark. Code Ann. §19-11-705, there is nothing before me to indicate that you had direct or indirect participation in any particular matter pertaining to the DMS contract, whether that be involvement in the decisions and approvals, influencing the procurement request, or otherwise serving in an advisory capacity. Your employment with OCSE would not have offered such an opportunity, and in any case, the contracting with DMS to be a hearing officer actually predates your OCSE employment by 12 years.

Furthermore, you preemptively took steps to ensure the duties under each employment contract would not impose conflicting time demands on you by establishing a four day workweek schedule with OCSE. As a hearing officer, you have the ability to schedule DMS hearings on the fifth weekday, thus avoiding conflicts in your time allocations. Also, based on their nature, it is unlikely the duties you owe the State under the contract or through your employment would cause any conflicts of interest. With OCSE, you advocate on behalf of minor children to enforce the child support obligations of the minor child's payor parent, while as a hearing officer, you hear disputes between nursing home facilities and nursing home residents concerning the discharge of residents from the nursing home facility. These two different areas are unlikely to overlap or cause conflicts of interest.

Accordingly, I am persuaded that your proposed service under the contract presents no actual conflict of interest under Ark. Code Ann. §19-11-701 et seq. This advisory opinion is issued in accordance with Ark. Code Ann. § 19-11-715(b). Compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Ark. Code Ann. §19-11-701 et seq.

Sincerely,



Larry W. Walther
Director

cc: Edward Armstrong, Office of State Procurement