STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

DCF Contracting and Procurement Guide

Dec. 2012

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Introduction

The purpose of this **GUIDE** is to inform DCF staff regarding the various activities involved in contracting with private agencies to provide services to children and families. Staff with particular interest in the contracting process will be:

- administrators and managers who want to purchase new or expand existing services;
- program leads and who are involved in overseeing new or expanding existing services;
- administrators and managers who will serve or assign staff to serve on RFP Review Teams;
- staff who will serve on RFP Review Teams.

DCF's Division of Contract Management (DCM) staff members are available to help program staff throughout the contracting / procurement process.

Chapter One: Overview of DCF Contracting

DCF's Mandated Responsibilities

By state statute, DCF's mandated responsibilities include: children's protective services, children's behavioral health, juvenile justice, and prevention of child abuse and neglect. The number and intensity of these responsibilities are such that we cannot accomplish the mission with department staff alone, even though we have over 3,000 employees. Thus, we turn to others who are also working to help youth and families, i.e., private agencies, other public agencies, and individuals.

When state money is paid to private agencies and individuals it should result in the most appropriate benefit for state citizens, i.e., the most appropriate benefit for the dollars expended. To ensure that those who receive state money will use it according to the expected intentions, those intentions are written into contracts, or signed legal documents which have the backing of law and the courts.

There are two types of contracts:

Purchase of Service (POS) and Personal Service Agreements (PSA)

Purchase of Service (POS) contracts are those that deliver direct social services through private agencies to children and/or their families. These include such services as:

- therapeutic foster care
- extended day treatment
- intensive family preservation
- multidisciplinary examination clinics

Personal Service Agreements (PSA) contracts are those with individuals or agencies that support, train, consult with, evaluate, or collect data for those who serve clients. On rare occasion, a PSA is used to purchase equipment or materials. PSAs cannot be used to purchase direct services. Examples of current PSAs include:

- credentialing of service providers via ABH
- data collection PSDCRS via KJMB
- managing residential placements via Value Options

DCF's contract work is regulated by State Statute and the Office of Policy and Management (OPM)

Within the Executive Branch of state government, the Office of Policy and Management (OPM) is charged by statute (C.G.S. 4-70b and 4-212) to “establish uniform policies and procedures for obtaining, managing and evaluating the quality and cost effectiveness of human services purchased from private providers" and also to "ensure all state agencies which purchase human services comply with such policies and procedures.”

For a number of years, OPM has published *Procurement Standards*; the latest revision is dated 5/14/12. The *Standards* cover a variety of areas such as format, ethics, selection committee processes, and appeals. According to these standards, DCF and other departments have some flexibility in how contracts are written, but much of the format and processes are proscribed.

Here are two areas, among many, that are addressed in the OPM *Standards*

1. Re-procurement Plan required of each State Agency

Any newly-funded health or human service must be competitively procured. Existing POS services must be competitively re-procured according to each state agency's POS procurement plan that is submitted to OPM for approval every three years. (DCF's current plan covers SFYs 13, 14, and 15.) As required, this plan must be published on the DCF website so that all providers know when a re-procurement is scheduled to occur; it is also published on the OPM website.

The re-procurement plan must show the planned re-bid date (year and quarter) for each service type as well as the re-bid cycle or the number of years from the last re-bid to the next. In the current plan: 25% are on a five-year re-bid cycle, 18% are on a seven-year re-bid cycle and the rest, approximately 57%, have been approved for “waiver.”

A “waiver” means that OPM has approved a delay in re-procurement for up to five years. Waivers are approved for a limited number of reasons, including:

- service is to clients with chronic conditions requiring ongoing care;
- the state has invested a significant amount of bond money in property or facility;
- zoning or siting issues make location or re-location problematic;
- the agency proposes an alternative procurement strategy as being superior (e.g., redesign of a service type to an evidence-based model where no current providers are eliminated);
- use of a proprietary and/or evidence-based model which requires significant funds be expended for initial staff training.

Here are two areas, among many, that are addressed in the *Standards*

(cont.)

2. Sole Source Criteria

Under certain conditions, DCF does not have to follow the RFP process and can apply to OPM for permission to use an identified contractor, known as a “sole source.” Such permission may be given if OPM believes that DCF has adequately explained that one or more of the following “sole source” criteria are applicable:

- the cost to the State of a competitive solicitation process would outweigh the benefits of such a process;
- the desired contractor has special capability, unique experience, proprietary services or patent rights;
- the services will be provided by a contractor mandated by CT General Statutes, a public act or a special act (also know an “ear mark”);
- the contractor will provide emergency services, including those needed for the protection of life or health;
- a contract is being pursued for child-specific services.

No matter what the amount of the contract, if a program lead wants to use an identified (sole source) contractor, s/he must submit a written detailed justification, using the criteria listed above, as to why it is proposed that the RFP process will not be followed. This must be approved by DCF's Fiscal Division and the Commissioner before submission can be made to OPM for its approval.

Key Steps in the Contracting Process

Here is a list of most of the key steps in the contracting process and who is responsible to ensure that they are completed appropriately.

Task	Responsible Person(s)
1. From needs assessment and evaluation of existing services, determine what is to be purchased, including outcomes	PL / RA / Commissioners
2. Determine funding source and amount	PL / RA / Fiscal
3. Request OPM approval	DCM
4. Develop the Request for Proposals (RFP) and Proposal Score Sheet	PL with DCM
5. Post the RFP on the web	DCM
6. Draft new or revised Scope of Services: ensure RBA-consistent outcomes; data that can be tracked	PL with DCM
7. Select / appoint the Proposals Review Team members	RA / DCM
8. Hold the Technical Assistance (TA) meeting with potential bidders	DCM and PL
9. Receive Letters of Intent from potential bidders	DCM
10. Receive proposals from bidders	DCM
11. Hold Review Committee Orientation Meeting	DCM and PL
12. Hold proposal reviews	Review Team
13. Submit Review Summary to Commissioner	DCM
14. Select provider(s)	Commissioner
15. Send Award Letter(s) to potential providers	DCM
16. Hold negotiations with awardees	DCM / PL / RA
17. Submit final draft of Scope to Asst. Att. Gen. for approval	DCM
18. Submit Contract Request Form and, if appropriate, Sole Source Memo to DCM along with program specific information of Scope(s)	PL
19. Final approval of dollar amount for the program	Fiscal
20. Request and receive contractor's budget	DCM FL
21. Prepare contract packet and mail to provider(s)	DCM FL
22. Receive signed contract from provider(s)	DCM FL
23. Circulate contract for signature by appropriate DCF staff	DCM
24. Contract sent to and signed by AAG, if applicable	DCM
25. DCF staff notified that contract is finalized	DCM
26. Copy of contract sent to provider(s)	DCM

Codes

DCM =	Division of Contract Management
PL =	program lead (CO or AO)
RA =	Regional Administrator or designee
DCM FL =	DCM fiscal lead
Fiscal =	DCF's CFO or designee
Review Team =	RFP Proposal Review Team

Note: The complete contracting process takes approximately five to seven months.

Contents of a POS Contract

Contract Summary (face page)

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Part I DCF CONTRACT DOCUMENTS

- **Scope of Services**

  Face Page

  Section **A** DESCRIPTION, CONTRACT CAPACITY, UNIT OF SERVICE

  Section **B** SERVICE DELIVERY REQUIREMENTS

  Section **C** DATA, CONTRACT COMPLIANCE, OUTCOME MEASURES

- **Department Specific Provisions (Specific to DCF)**

  Section **D** Department specific provisions for all contracts

  Section **E** Financial matters for non fee-for-service contracts

  Section **F** Financial matters for fee-for-service contracts

- **Budget / Budget Narrative(s)**

Part II MANDATORY TERMS AND CONDITIONS (for all state agencies)

A. Definitions
B. Client-related safeguards
C. Contractor obligations
D. Contract changes, termination, cancellation and expiration
E. Statutory and regulatory compliance (including HIPAA)

Signature Page (final page)

Note

- Part I includes documents for which DCF has authority over the language; however, if the language does not conform with Part II, Part II overrides Part I
- Part II comes from OPM and cannot be altered
- Signatures must be by legally identified signers

Other Legal Agreements: Rate Letters and MOUs

Rate Letters

For many reasons, primarily financial, certain client-serving programs do not have POS contracts, but operate under "rate letters."   Rate letters are not contracts but are legal notices that promise to pay a particular amount, typically per diem, for a specific service. However, these notices do not guarantee referrals to a program nor the payment of a total amount of dollars. While a contract is signed by the two parties involved, rate letters are signed only by the funding source.

Examples of programs that currently have rate letters include:

- most residential treatment programs;
- housing assistance for older teens and young adults leaving DCF care.

Rates are determined by the DCF rate setting unit using open and competitive market price levels.

MOU / MOAs

Memoranda of Understanding (MOU) or Agreement (MOA) are contracts between state agencies and/or state educational institutions (universities, colleges, etc.). Sometimes these do not involve money but simply outline how the parties will coordinate efforts for a particular goal. More than two agencies can be involved. Agency heads, e.g., commissioners, are typically the signers.

Other Ways to Solicit Help from Private Agencies

There will be times when DCF is not ready to publish an RFP but wants to begin the process of gathering information from the public about a potential service or about the availability of existing expertise for a potential service. There are three avenues for collecting such information open to DCF.

1. Request For Application (RFA)

A Request For Application (RFA) is utilized when the Department is seeking a pool of applicants available to develop and implement a service or treatment model. With an RFA, the Department is not committed to a specific service design or therapeutic approach, and is seeking creative, innovative ways to provide effective services to the population(s) described in the RFA. Responses submitted during this process may be catalogued by the Department and utilized for up to two (2) years.

The Department may issue an RFA without pre-approved funding in place. The potential funding of any applicant is dependent upon the quality of the responses and the prioritization of both service delivery and fiscal needs. The Department may proceed to a contract with an awarded applicant when funding becomes available within the two years. Required components:

- legal notice including DCF internet posting;
- a completed RFA available at the time of the legal notice and internet posting;
- bidders'/technical assistance conference;
- RFA review team consisting of a minimum of three (3) scoring members, including a designated review team chair;
- written recommendations to the Commissioner for review and decision making;
- written results to all applicants.

2. Request For Information (RFI)

A Request For Information (RFI) is a systematic method for gathering feedback and input from experts in the field regarding a model or concept being considered and/or developed. Information submitted to the Department during an RFI is not proprietary (unless copyrighted) and may be utilized in any form by the Department.

There is no funding associated with an RFI process. However, information gathered during the course of the RFI may lead to the development of an RFP.

Other Ways to Solicit Help from Private Agencies

(cont.)

Required components for this process are as follows:

- legal notice including DCF internet posting;
- a completed RFI available at the time of the legal notice and internet posting;
- bidders'/technical assistance conference;
- formal feedback session.

3. Request For Qualification (RFQ)

A Request For Qualification (RFQ) is utilized when the Department is looking for a specific set of qualifications and or a specific expertise in order to support the development and/or operationalizing of a project or initiative. The specific expertise may be research, data/information systems and/or research methodology in focus. An RFQ may also be utilized to evaluate the future ability of a vendor to assist with a project and or initiative. A RFQ may be posted with no assurance of funding.

Required components for this process are as follows:

- legal notice including DCF internet posting;
- a completed RFQ available at the time of the legal notice and internet posting;
- bidders'/technical assistance conference;
- RFQ review team consisting of a minimum of three (3) scoring members, including a designated review team lead;
- written recommendations to the Commissioner for approval;
- written results to all applicants.

Chapter Two: The Request for Proposals (RFP) Process

The Request for Proposal

A key part of the larger contracting process is the procurement of services through a **Request for Proposal (RFP).** An RFP is a detailed document prepared by DCF to solicit proposals (also known as “applications” or “bids”) from perspective providers of an identified service. The proposals are then scored according to pre-established criteria and one or more private agencies or individual are awarded contracts.

The RFP process has detailed guidelines found in C.G.S. §§4-212 - 4-219 and C.G.S. §§4a-50 - 4a-82, Regulations of Connecticut State Agencies §§4a-52-1 - 4a-52-22 and the *OPM Standards.*

The publishing of an RFP is required prior to funding any new or expanded service, except under the above-noted “sole source” conditions.

RFP development, prior to RFP publishing, must include:

- identification of a defined service and/or program model with best practices, if applicable;
- consultation with appropriate Department divisions/units and other state agencies, as appropriate;
- confirmation of funding and funding source(s); and
- inclusion of standard and optional RFP components.

Bidder Equality: a level playing field

Information is given to potential bidders through three avenues: (1) in the RFP itself, (2) at the Technical Assistance (TA) conference (also known as the Bidders' Conference) and (3) in a Question / Answer Format on the DAS and DCF websites following the TA. Information must also be forwarded to those who attend the technical assistance/bidders' conference and/or submit a letter of intent.

To ensure the equitable treatment of potential bidders, each must receive the same, accurate, and authorized information about the potential program throughout the RFP process – no more, no less. For this reason, steps must be taken to prevent “unwarranted communications” with outside parties. An unwarranted communication is an exchange of information about the potential program between DCF staff and any individual outside of the RFP process except as provided by the RFP document itself.

An unwarranted communication can even occur when an RFP is being considered for the future. DCF staff should not consult with potential providers as part of RFP development as that would eliminate them from making a proposal.

Occasions might arise when an outside party attempts to communicate with the program lead, a committee member, or others within DCF about an RFP. The outsider may be a potential or actual proposer, but it could be anyone (e.g., current contractor, lobbyist, newspaper reporter, legislator, an agency employee, an employee of another State agency). DCF employees are to refrain from discussing the RFP with outside parties, especially any current contractor or prospective bidder and are to refer all communications about the RFP to the official agency contact. This is typically a DCF DCM manager and either the manager or designee is generally the person identified in the RFP as the “contact person.” The official agency contact will instruct the party regarding how information can be gained through the established RFP process.

The established process must be followed or negative consequences may ensue. For example, on one occasion information shared by a DCF staff person to a potential bidder caused the RFP process to be stopped and a new process initiated. The potential bidder was deemed ineligible to apply.

Key Steps in the RFP Process

Here is a list of most of the key steps in the RFP process and who is responsible to ensure that they are completed appropriately.

Task	Responsible Person(s)
1. Request RFP process to begin	PL
2. Request DCF Fiscal approval and then OPM approval for RFP	DCM
3. Develop the Request for Proposals (RFP) and Review Criteria	PL with DCM
4. Post the RFP on the DAS website and in appropriate newspapers	DCM
5. Draft new or revised Scope of Services	PL with DCM
6. Select / appoint the Proposals Review Team members	RA / PL / DCM
7. Hold the Technical Assistance (TA) meeting with potential bidders	DCM and PL
8. Receive Letters of Intent from potential bidders	DCM
9. Receive proposals from bidders	DCM
10. Insure that all bids meet stated requirements and that no bids are considered from bidders who are prohibited through state or federal exclusion requirements	DCM
11. Hold Review Team orientation meeting	DCM and PL
12. Hold proposal reviews	RTL / DCM
13. Submit Review Summary to Commissioner	RTL and DCM
14. Select provider(s)	Commissioner
15. Send Award Letter(s) to potential providers	DCM
16. Hold negotiations with awardees	DCM / PL / RA or designee

Codes

PL = DCF Program Lead
RA = Regional Administrator or designee
DCM FL = DCM fiscal lead
Fiscal = DCF's CFO or designee
Review Team = RFP Proposal Review Team
RTL = Proposal Review Team Leader

Note: The complete contracting process takes approximately five to seven months.

Roles in the Procurement Process

A number of DCF staff have important roles in the procurement process.

The Role of DCF Administrators

The DCF Central and Regional Directors/Administrators have responsibility for identifying the need for a new service or the redesign of an existing service. Regional Administrators or their designees will also select members for the proposal's review team. For each RFP process, a Director/Administrator, typically from DCM, will be identified as the official agency contact (OAC). The OAC will handle all communications with outside parties concerning the RFP.

The Role of the DCF Program Lead

Once the new service or the service to be re-procured is identified and approved by appropriate administrators, the program lead notifies the OAC of the intent to issue an RFP using the RFP request form. The form is logged in and returned to the program lead. The OAC contacts the Chief Fiscal Administrator to ensure that appropriate funds are available.

Once the approval to request proposals has been made official, the program lead will ensure that anyone he/she works with in developing the RFP understands that there are to be no unwarranted communications with potential applicants.

The Role of DCF's Division of Contract Management (DCM)

The DCF Division of Contract Management (DCM) within Fiscal Services at Central Office is responsible for ensuring that the statutory and regulatory requirements for procurement processes are met.

Upon receipt of an RFP request form from a program lead / Regional Director, DCM ensures that the necessary approvals are obtained.

DCM provides consultation during each procurement process regarding technical aspects, ethical conduct and exclusionary criteria for bids.

Upon receipt of applications from bidders, an identified DCM staff ensures that the applications are: stamped (receipt and date); complete (making note of what is lacking); eligible for review; and distributed to review committee members at orientation.

When the submission deadline for proposals has passed, DCF may disclose the number of proposals received in response to the RFP. After the proposals have been opened, DCF may also disclose the names of the proposers.

DCM keeps files of all the RFP documents. Records in connection with the RFP are discloseable under the Freedom of Information Act (FOIA) subject to certain exemptions.

Roles in the Procurement Process (cont.)

The Role of the Proposal Review Team

It is the role of a “proposal review team” (“review team” or “the team”) to read, discuss and score each proposal using criteria established in the RFP.

Organizing the Review Team

The program lead, in conjunction with the official DCF contact person for purposes of the RFP, will organize the review team with, ideally, five to seven members (minimum of three). The program lead will approach Regional leadership for the assignment of Area Office staff to the team. Preferably, only those staff who have taken the procurement training should be assigned.

If there is a social worker on the team, the worker's supervisor, program supervisor, program manager, or program director should not be on the team. This is to prevent influence on scoring, real or perceived.

Those selected for team membership should meet one or more of the following criteria:

a. has knowledge/expertise in the RFP topic;

b. is an Area/Regional office staff from the geographical area of the RFP;

c. is a Central Office contracts/fiscal staff;

d. brings racial/ethnic/gender diversity to the committee;

e. is a DCF legal staff;

f. is a community member or consumer with knowledge of the specific program area or the target populations to be served by the program.

Review Team Member Roles

Each member of the Review Team has a role.

Program Lead The role of the program lead is to create or oversee the creation of the RFP document, to educate the review team at orientation as to the purposes of the service, to answer program related questions from potential bidders and to participate in contract negotiations. ***Any individual with significant responsibility for the RFP development is prohibited from sitting on the review team (generally the program lead)***.

Team Lead The role of the team lead is to oversee the proposal review meetings by keeping to the task in the established time frame and to complete the report (strengths and weaknesses and score for each proposal) that goes to DCM and then on to the Commissioner.

Review Team Member Roles (cont.)

Fiscal Lead The role of the fiscal lead, with the assistance of the team lead, is to ensure that personal opinions or historical information is kept out of the review process. The fiscal lead also ensures that scores are recorded accurately in summary form.

Team Members The role of the team members is to be actively involved in the process of reading, discussing and scoring of each proposal.

Orientation for Review Team Members

Prior to the review team meeting(s) where proposals are discussed and final scores are determined, there will be an orientation meeting. Each prospective team member is required to attend. At the orientation meeting, the program lead should discuss the following:

a. the purpose / scope of the potential program and the estimated RFP timelines;

b. “unwarranted communications”;

c. Freedom of Information Act relationship;

d. confidentiality statement;

e. prohibited and illegal activities;

f. that each team member must sign an ethics and confidentially agreement form which needs to be notarized on the day of orientation. These forms are collected by the DCM representative at the meeting;

g. proposals can be written on, highlighted, etc. as they will be discarded at the end of the review day;

h. All review Team members will receive a reviewer’s packet, which includes:
   - reviewer responsibilities;
   - a copy of the RFP;
   - a copy of the Questions/Answers (i.e., questions raised by bidders);
   - score sheets;
   - a copy of each proposal;
   - an Ethics and Confidentiality form (to sign and submit).

Procedures for Review Day(s)

1. All review team members must report on time.

2. All proposals must be already read and scored by each team member prior to the review day.

3. If the RFP process has already begun and a team member shows up late, they are unable to participate in any way, including voting. If they elect to stay, they may sit and listen but cannot speak during the process.

4. If during the RFP process a team member must leave for an emergency, all previously completed proposals with score sheets will be removed from scoring. It would be as if this person was not involved with this RFP at all. All team members must be there for the entire time or their scores do not count.

5. A score sheet needs to be:
   - completed by each team member for each proposal;
   - completed in their entirety with points for each domain, reviewer initials on every page and signed in ink;
   - checked for math before turning into the fiscal lead. (Errors on score sheets would impact the results of the procurement process.)

   Note: All documents (including score sheets) associated with the procurement can be requested under the Freedom of Information Act.

6. Team members will each give their score which will be recorded by the fiscal lead. A team member's score can be changed at any time during the conversation/comment duration of the particular domain. Once conversation about this particular domain has ended, the fiscal lead will ask once again for scores. Once scores for a domain are finalized and discussion has proceeded to the next domain, those scores can no longer be changed.

7. The strengths and weaknesses of each proposal in each domain will be recorded by the team leader or a selected recorder who has no other duties in the process.

8. The strengths and weaknesses that are recorded must be tied to specific information provided in the proposal and not to general feelings or opinions of the team members.

9. If a team member finds that he/she cannot keep personal experiences and or opinions about a provider separate from his/her scoring process, that member should excuse him/herself or may be asked to leave by the

team lead or fiscal lead.

Procedures for Review Day(s)

(cont.)

10. The team lead or fiscal lead will stop any team member who offers their opinion or what they personally think about a provider. The team's discussion about each provider and each domain must focus on what is written in the proposal. Nothing can be stated that can persuade or influence the group unless it is stated in the proposal. If the fiscal or team lead has a question as to how to handle a given situation during the review (unrelated to scores), they should stop the review for a brief time and contact the designated DCM Manager by phone.

11. Once all score sheets are turned in, the fiscal lead will total each member's scores for each proposal and will check these with each member.

12. Following the review meeting(s), the team members must not share the results with anyone outside of the team.

13. The team lead will summarize the review results in a memo to the Commissioner via DCM.

Report to the Commissioner

A report is prepared by the team leader staff person after the review, containing the following information:

a. Region(s), area office(s) and/or facility(s);

b. title of RFP;

c. date(s) of Review Team meeting;

d. team members (name, title, affiliation);

e. listing of ALL applicants and overall rank;

f. top three scoring bidders, with:
   - name of agency;
   - brief description of program;
   - summary of major strengths;
   - summary of major weaknesses;
   - score;
   - identification of revisions and/or clarifications required prior to funding;

g. rationale for selection; and

h. recommended funding level.

This report is submitted to the DCM Manager.

Role of the Commissioner

The DCM Manager will submit the report from the team lead along with related information to the DCF Commissioner. The Commissioner may select any of the proposals or may even decide that none of the proposals are acceptable. In some cases, a re-bid process is initiated.

Filing of RFP Documents

At the end of the procurement/contracting process, all original documents must be retained and placed in the project file. Any duplicate copies may be retained by committee members or shredded (destroyed). Team members should not have any original documents in their possession at the conclusion of the process.

Contract Negotiations Between Applicants and DCF

Following the final selection by the Commissioner, a contract will be developed between the applicant and the DCF program and fiscal leads and, as applicable, a designated regional manager. This document shall detail the program structure, services, budget, and reporting requirements. No financial obligation by the State can be incurred until the contract is fully executed.

All review materials are subject to Freedom of Information laws and will be maintained on file for at least three (3) years or until audited.

Debriefings

Within ten (10) days of receiving notification from the agency about the proposer selection, unsuccessful proposers may contact the official agency contact and request additional information about the evaluation and proposer selection process. The email sent date or the postmark date on the notification envelope shall be considered “day one” of the ten (10) days.

Several provisions of the Connecticut Freedom of Information Act (FOIA) may be applicable to an agency’s RFP. The Connecticut FOIA generally requires the disclosure of documents in the possession of a State agency upon the written request of any citizen, unless some “exemptive provision” exists to allow non-disclosure. Before its issuance, an agency may be able to claim an exemption the RFP document from the FOIA using the “preliminary drafts or notes” exemption found in C.G.S. § 1-210(b)(1). Preliminary drafts or notes relate to advisory opinions, recommendations, and deliberations comprising part of the process by which government decisions and policies are formulated. This means that the RFP should be labeled “DRAFT” and treated accordingly until the issue date. Labeling the RFP “DRAFT” and treating it as an “advisory opinion, recommendation, and deliberation” prior to the issue date *may help* the document qualify under the preliminary draft or notes exemption. However, FOIC procedures determine what may be exempted. Once issued, however, the RFP will be considered a final and public document subject to the FOIA under C.G.S. §1-210(b)(24).

Debriefings

(cont.)

If unsuccessful proposers still have questions after receiving this additional information, they may contact the official agency contact and request a meeting with the agency to discuss the evaluation process and their proposals. If held, the debriefing meeting must not include any comparisons of unsuccessful proposals with other proposals. The agency must schedule and hold the debriefing meeting within fifteen (15) days of the request.

DCF cannot change, alter, or modify the outcome of the evaluation or selection process as a result of any debriefing meeting.

Appeals

Proposers may appeal any aspect of DCF's competitive procurement process, including the evaluation and proposer selection process. Such an appeal must be submitted by a proposer, in writing, to the DCF Commissioner. The proposer must set forth facts or evidence in sufficient and convincing detail for the agency head to determine whether DCF's process failed to comply with the State's statutes, regulations, or standards concerning competitive procurement or the provisions of the RFP.

A proposer may file an appeal at any time after the proposal due date, but not later than thirty (30) days after an agency notifies unsuccessful proposers about the outcome of the evaluation and proposer selection process. The e-mail sent date or the postmark date on the notification envelope shall be considered "day one" of the thirty (30) days. The filing of an appeal shall not be deemed sufficient reason for DCF to delay, suspend, cancel, or terminate the procurement process or execution of a contract.

The DCF Commissioner must issue a decision, in writing, not later than thirty days after receipt of any such appeal. A copy of the decision must be given to the proposer who filed the appeal and any other interested party. The decision shall:

1. summarize the agency's process for the procurement in question; and
2. indicate the agency head's finding(s) as to the merits of the proposer's appeal.

In the event that the DCF Commissioner determines that a process violation has occurred and that the violation had a substantial effect on the procurement, he/she will take corrective action (up to and including the possibility of voiding the process and deciding to reissue the RFP) not later than thirty days after the date of such a determination.

In the event such appeal is found to be frivolous, the Commissioner may dismiss the appeal.

Any decision issued by the DCF Commissioner will be final and not subject to further appeal, except that effective June 1, 2010, any bidder or proposer on a State contract may appeal the procurement or award of a contract to a subcommittee of the State Contracting Standards Board.

Chapter Three: Developing the RFP

Planning for an RFP

The program lead, with others if desired or appropriate, is responsible for developing the RFP. This process begins by defining the project and the parameters and/or limitations. Questions to ask and answer prior to writing the RFP include, but are not limited to:

a. What is the service to be procured?

b. What are the program objectives?

c. Are there secondary objectives?

d. What are unique features?

e. What data will be collected and how?

f. What are the deliverables (contract compliance)?

g. What are the desired outcomes, in RBA format?

Guidelines for Developing an RFP

Pursuant to state statutes and DCF protocol, the RFP format includes some boiler plate language that cannot be modified. There is a standard RFP format and many sections have required language. The rest will be specific to the service being procured. (A sample RFP is attached for reference.)

Guidelines for Developing an RFP (Cont.)

Listed below is a typical RFP “table of contents”; alongside each numbered section are instructions for completing those sections that require information or text.

General Information

Program Title Write the “service type” name that has been selected for the proposed program or the name of the service type being re-procured.

Overview Write a brief explanation of the needs the service will address, target population, its basic components and the desired outcomes.

Schedule (of the RFP process) Fill in dates: (approximates)

- months RFP was being developed
- date RFP published on web/newspapers
- from publication to TA - about 1 week
- from TA to Questions posted - 7-10 days
- from TA to Letter of Intent - about 2 wks
- from TA to Proposals - about 5 weeks

Source of Funds Fill in “state,” “federal” or both. Mention if third party billing is required.

Amount and Terms of Award Fill in dollar amounts including “start-up” funds, if any. Note if funding for any capital equipment is authorized for the proposed program.

Period of Award Use standard template language

Disposition of Proposals Use standard template language

Eligibility Use standard template language

Subcontracting Use standard template language

Insurance Use standard template language

Affirmative Action Use standard template language

Technical Assistance/ Bidder's Conference Fill in date of conference even though it has already been listed above in “Schedule.”

Questions concerning this RFP Fill in where questions are to be submitted and how the answers will be made available to everyone.

General Information (cont.)

Letter of Intent and Contact Person

Fill in date and name / address of contact

Grant Application Deadline

Fill in date after which no applications can be accepted.

Background

Write a brief history of need for the proposed service.

Required Minimum Qualifications

As appropriate, write any criteria required of applicants in order for them to submit a proposal.

Pursuant to State statutes, the RFP must include the “required minimum qualifications” of the Contractor. The term “qualifications” refers to any necessary experience, credentials, or skill set that must be met as a precondition of eligibility. The tasks or activities contained in the outline of work should help ascertain what the required minimum qualifications might be. If a bidder does not meet the required minimum qualifications, the proposal is not eligible for review.

Examples of minimum qualifications include: a specific license; office(s) in a particular location; staff credentials, etc.

Take care when determining the required minimum qualifications. If the bar is set too high, otherwise good proposals may fall short. If the bar is set too low, the quality of the services or end product may be compromised.

Scope of Work

Write a description of what DCF wants to receive for their dollars.

In this section, describe the key elements of the program being proposed. Typical elements include:

- Target Population and Referrals
- Capacity and Proposal Parameters
- Length of Service
- Staffing Model
- Clinical Services
- Data Collection and Reporting
- Contract Compliance
- Outcomes

Preparing a Responsive Application

Application Format and Instructions Use standard template language

Review Questions/ Elements; Criteria (and Point Value)

Write the questions that when answered by the applicants will demonstrate their experience, knowledge and ability to successfully administer the proposed program. Score sheets are developed from the questions alone and thus the questions and responses ultimately determine the awardees.

Following is a sample of how this section might be written. Design the questions/elements to be exclusive so that answers do not overlap. Limit the total number of questions to the issues that must be addressed to determine an applicant's viability. Using a total point value of 100, proportion the individual point values to give the most important areas the most weight. **The total point value is 100**.

Applicants must address the following questions and elements in the categories listed and in this numbered order. **The total point value is 100.**		
Category	**Review Questions / Elements / Criteria**	**Point Value**
Organizational Overview	1. Provide a description of your agency's qualifications, background and experience including examples of how your agency addresses the comprehensive needs of vulnerable and underserved children within the region that you propose to serve.	Point Value _______
	2. Provide a detailed description of your agency's knowledge and expertise and practice regarding the development of cultural, gender- responsive and linguistic competency as it relates to the provision of community supports and to recruitment, training and retention of staff.	Point Value _______
Program Model	3. Describe the agency's experience, practice, and/or approach and success regarding the proposed service or a service that has similar activities and goals. Please be specific and identify data to support your achievement of similar outcomes and/or evidence of the impact of services Please include any available data related to consumer satisfaction and program evaluations from the last two years if available	Point Value _______
	4. Describe your agency's knowledge about and understanding of available community resources that would have important relationships with the proposed program.	Point Value _______
	5. Describe your agency's strategy to modify services to incorporate this proposed service. Describe your agency's plan to achieve the outcomes stated within this RFP, including action steps and timeline for successful implementation of this service after the contract is executed. Assume a _________ start date and provide specific dates when action steps will be completed, including but not limited to the opening of any additional sites from current operation.	Point Value _______
	6. Describe the specific strategies will you implement to engage and facilitate involvement of parents, extended family, guardians, and other supportive adults including any policies and procedures that give consumers a voice in their care, including a process to inform upper management of dissatisfaction with services. Provide citations and the policy titles from your agency policy manual to show examples, such as policies for filing grievances, consumer sign off on services, family or child-directed care, etc.	Point Value _______
	7. Describe your agency's plan to recruit, train and support staff in this program to work collaboratively with children, families, and DCF to empower, engage and advocate.	Point Value _______
Quality Assurance and Data	8. Identify the resources your agency dedicates to quality improvement, including FTE's and program evaluation efforts. Describe your systems for monitoring and evaluating services including efforts at incorporating best practices, gathering aggregating and reviewing client specific and program data and efforts to improve practice based on that data review.	Point Value _______
Fiscal Management	9. Using the Consolidated Budget Form identified in the RFP, prepare an annualized program budget for one (1) year using the state FY. Use the Budget Narrative to clarify and provide backup detail for proposed expenditures. The Budget and Budget Narrative should clearly relate to the program outcomes.	Point Value _______
	10. Describe any agency contribution of revenue or in-kind contributions to this program.	Point Value _______

Required Attachments	Use standard template language
Review Context	Use standard template language
Review Procedure	Use standard template language

Attached Forms and Information

▪ Budget and Budget Narrative Forms	Attached
▪ Letter of Intent Form	Attached
▪ Cover Sheet Form	Attached
▪ Subcontractor Profile Form	Attached
▪ Consulting Agreement Affidavit Form	Attached
▪ General Proposal Notices and Requirements	Attached
▪ SEEC Information	Attached
▪ Exhibit A: Department Specific Provisions	Attached

Assistance from DCF's Division of Contract Management (DCM)

a. DCF staff in the Division of Contract Management (DCM) are available to assist program staff is the development of RFPs.

Contact:
(Contact Information Here)

b. Here are the forms that will accompany the RFP and where they can be found, if applicable.