

REQUEST FOR BID
FOR
TITLE XX SOCIAL SERVICES
FOR
HOME HEALTH AIDE,
HOMEMAKER,
CHORE,
REPRESENTATIVE PAYEE,
AND/OR
ADULT PROTECTIVE
SERVICES

Issued by
Trumbull County Department of Job and Family Services
(TCDJFS)

280 North Park Avenue
Warren, Ohio 44481
(330) 675-2000

August 8, 2016

**TRUMBULL COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES'
REQUEST FOR BID (RFB)
FOR
HOME HEALTH AIDE, HOMEMAKER, CHORE, REPRESENTATIVE PAYEE, AND
ADULT PROTECTIVE SERVICES**

I. INTRODUCTION AND PURPOSE

The Trumbull County Department of Job and Family Services (TCDJFS) releases this Request for Bid (RFB) for the purpose of soliciting Title XX Social Services to be provided to eligible, elderly and disabled adult residents of Trumbull County, Ohio in order to enable these elderly and disabled adults to restore, maintain or improve their capabilities for self-support, self-care and independent living. Bids will be accepted from agencies, organizations, and/or service providers (public, private or public non-profit, private for-profit, corporation or government entities) interested in providing Title XX Social Services under the service categories of Home Health Aide, Homemaker, Chore, Representative Payee and Adult Protective Services.

TCDJFS is seeking potential providers/contractors/entities/bidders (throughout the remainder of this RFB document, these terms may be used interchangeably to generally mean a responding agency, organization, and/or service provider as referenced above) with demonstrated knowledge of the needs of the programs of service and the population to be serviced and proven success in providing services to the population served through these programs. Bids will be accepted from such agencies, organizations and service providers interested in providing the described services. **Should any potential bidder wish to bid to provide services in more than one of the above-named categories, all services may be named in the same bid, but addressed separately as defined in the “Program Parameters” Section and the “Scope of Service” in the bidder’s response. In the event that multiple services will be performed utilizing different implementation methods, this must be addressed in the bidder’s response separately for each service as it applies and is defined in this RFB.**

This Request for Bid does not in itself offer work nor does it commit TCDJFS or the Trumbull County Board of Commissioners to fund any bids submitted. TCDJFS reserves the right to cancel or reissue the RFB at any time. TCDJFS is under no obligation to issue a contract as a result of this solicitation. TCDJFS also reserves the right to award a bid based on individual items within a bid or on the entire bid. Should any potential provider solicit to provide more than one (1) service category following the criteria outlined in this request, TCDJFS also reserves the right to combine multiple bid service categories into one (1) contractual agreement. The specific details of the work to be performed by a selected provider will be identified solely at the discretion of TCDJFS based upon its selection of a bidder’s service. In addition, TCDJFS shall have the right to reject any or all bids, or any parts of a bid submitted, to waive any informalities or irregularities in any bid received, and to determine the best responsive, responsible bidder(s) in accordance with the methods and criteria established. Any waiver offered will in no way modify the RFB documents or excuse the provider from full compliance with its specifications upon award of a contract.

Bids submitted by potential providers in response to this RFB must demonstrate qualifications and experience, organizational strengths and capacities, and their administrative preparedness for responding to evolving or emergent needs. Through responding to this RFB, each respondent must use their best business expertise to assess the level of effort each service would require, and offer their rates or prices accordingly.

All bids shall be reviewed and rated by a team designated by TCDJFS. TCDJFS reserves the right to award multiple contracts for any service outlined in this RFB, as well as to contract with any service provider for projects not included in this RFB, at its discretion. TCDJFS may elect to determine the provision of Title XX services and subsequent award of contracts for those services at its discretion prioritizing the needs of the agency and in consideration of the availability of funding at the local level for all services under this funding source. Awarding of contracts will be contingent upon the allocation of funding received by TCDJFS for the designated Federal Fiscal Year 2017 and may be awarded for any time during the twelve (12) month period beginning October 1, 2016 and ending September 30, 2017, at the sole discretion of TCDJFS. Should TCDJFS elect not to award contracts in a specific service category, regardless of reason, there shall be no liability on the part of TCDJFS. Upon award of a contract, TCDJFS also reserves the right to adjust or terminate contract awards at a future date based upon the discretion of TCDJFS.

II. ISSUING OFFICE

This RFB is released by and the subsequent contract will be with TCDJFS, upon final approval and authorization by a majority vote of the Trumbull County Board of Commissioners. TCDJFS, which will administer the contract, will be responsible for local supervision of the activities of the selected contractor.

If interested parties have a need to communicate regarding this RFB, they must contact TCDJFS utilizing one of the mechanisms provided for in Section VI of this RFB. Potential contractors are cautioned that communication attempts which do not comply with these instructions will not be answered, and that TCDJFS will not consider any bids submitted to any address other than the one provided in Section XVI of this RFB. All bids must be submitted in strict accordance with bid submission instructions provided in Section XVI.

III. BACKGROUND

Title XX Social Services are an important component offered to the elderly and disabled adult population served through TCDJFS. Their needs range from assistance with the completion of tasks within the home to oversight of personal affairs due to physical or mental inability to complete these types of tasks independently. Title XX Social Services are viewed as services which potentially offer assistance to TCDJFS' customers with restoration, maintenance or improvement of their capabilities for self-support, self-care and independent living in order for these customers to remain independent and self-sufficient through the use of available services.

The State of Ohio offers designated funds to TCDJFS to administer Title XX programming. TCDJFS utilizes the flexibility offered by the State to evaluate and determine the services which will best meet the specific needs identified for the elderly and disabled population at a local level for additional services to be provided through its Title XX County Social Service Plan (CSSP) should funding be available for the provision of such additional services.

To support the elderly and disabled adult, low-income population in their attempts to remain independent and self-sufficient, Title XX services are currently evaluated on a local level on a biennium basis with renewal of the CSSP. Every effort is given by TCDJFS' staff based on current levels of funding to prioritize services designated as vital to this population for provision under available Title XX funding as these services help to provide those individuals with assistance which will ensure the desired capability for self-support, self-care and independent living in this population.

TCDJFS is charged with the responsibility of obtaining these services at the lowest, most cost effective rate available compared to existing market conditions with the greatest benefit received from the service.

IV. OVERVIEW AND OBJECTIVES OF THE PROJECT

Under any contract resulting from a response to this RFB, the contractor will deliver services as defined in their response and as required under program guidelines and requirements established by rule as well as TCDJFS' policy and procedure, in whole or in part at the sole discretion of TCDJFS and as defined in the resulting contractual agreement, to support the individuals in receipt of these services. Any services provided will focus on the following primary areas, as related to the Title XX services:

- A. Assist TCDJFS with meeting the needs of the eligible, low-income elderly and disabled population within Trumbull County and successful implementation of the program;
- B. Assist TCDJFS with providing support services to these customers which will help them to restore, maintain or improve their capabilities for self-support and self-care essential to retaining the desired independent living;

The services provided by a selected contractor will help to ensure the improvement, success, and well-being of Trumbull County elderly and disabled individuals in improving their residential circumstances and independence in both the short and the long-term, with the purpose of enhancing the capability of TCDJFS to meet the needs and demands of this population.

V. ANTICIPATED RFB TIMELINE

ACTION	DATE
RFB Release to Potential Contractors through Tribune Chronicle Public Notice (August 7, 2016), TCDJFS' Web Site, and Posting in TCDJFS' Lobby -RFB becomes active, 11:00 a.m. -Q & A Period Opens -Inquiries for RFB clarification accepted	August 8, 2016
Q & A Period Closes, 12:00 p.m. - No further inquiries for RFB clarification will be accepted	August 18, 2016
TCDJFS provides Final Question & Answer Document on Designated Website (estimated)	August 19, 2016
Deadline for Bid to be Received by TCDJFS (11:00 a.m.)	August 26, 2016
Bid opening and beginning determination of bid responsiveness to move to Evaluation Phase	August 29, 2016
Bids Distribution to Evaluation Teams (estimated)	August 31, 2016
Bid Review Completed (estimated)	September 9, 2016
Notification Letters and Contract Negotiations Begin (estimated) - Award of contracts is subject to notification by ODJFS of the availability of funds - Letters will be sent to all respondents indicating whether their bid was accepted for award of a contract	Undetermined
Approval of Contracts (estimated) - Trumbull County Board of Commissioners must approve all contracts	Undetermined— Upon Contract Execution
Implementation of Contracted Services (estimated) - Upon notification of all contractual and funding approvals - TCDJFS may award contracts for any period of time between October 1, 2016 and September 30, 2017 at its own discretion	Discretion of TCDJFS—Upon Contract Execution
Contracted Services Completion - All services must be completed with final invoicing to be submitted to TCDJFS within fifteen (15) days	Discretion of TCDJFS or September 30, 2017

TCDJFS reserves the right to revise this schedule in the best interest of the Agency, the Ohio Department of Job and Family Services (ODJFS), and the State of Ohio and/or to comply with the State of Ohio procurement procedures and regulations and after providing reasonable notice. Revisions will be posted on the originally designated website. **It is the responsibility of all potential providers to check this website on a regular basis for changes to this timeline, as well as for any amendments or other pertinent information regarding this RFB.**

TCDJFS will not be liable for any costs incurred prior to the date a contract is entered into with a bidder.

VI. TECHNICAL ASSISTANCE/ QUESTIONS & ANSWERS

The RFB, the evaluation of responses, and the awarding of any contract(s) associated with this process shall be done within the guidelines of all current procurement procedures followed by TCDJFS.

Potential contractors may ask clarifying questions regarding this RFB throughout the assigned Question and Answer (Q & A) period only, as outlined in Section V., Anticipated RFB Timeline. To ask a question, potential providers must provide the question during the follow-up Q & A period according to the instructions outlined in this Section, in writing, directly to the TCDJFS' contact person via e-mail only (verbal questions or questions submitted in writing via any other source will not be accepted) with the subject line "TCDJFS' TITLE XX SOCIAL SERVICES RFB QUESTION" utilizing the following contact information:

Melissa Binion, Fiscal Officer
E-mail: Melissa.Binion@jfs.ohio.gov

Questions which are submitted and are not titled appropriately in the subject line as described above may not receive a response due to not being immediately identifiable as a question directly related to this RFB. Questions regarding this RFB must reference the relevant section of the RFB, the heading for the provision under question, the page number of the RFB where the provision can be found. The potential provider must also include the name of the representative of the potential provider posing the question, the company name, and business phone number. TCDJFS may, at its option, disregard any questions which do not appropriately reference an RFB provision or location, or which do not include identification for the originator of the question. TCDJFS will not respond to questions which are not directly associated to a provision of the RFB and its technical writing requirements. Questions relating to service development and/or implementation will not receive responses. If potential providers ask questions about existing or past contracts or services using the Q & A process, TCDJFS will not respond to these questions. TCDJFS will not respond to any questions submitted after 12:00 p.m. on the date the Q & A period closes.

TCDJFS' responses to all questions asked following the above instructions will be posted on the internet site on the worldwide web associated with this RFB, for reference by all potential providers. The internet site can be found at <http://hs.co.trumbull.oh.us/> (TCDJFS) and accessed by choosing the link indicating "News & Events." Potential providers will not receive personalized or individual responses. Clarifying questions asked and the TCDJFS responses to them will comprise the "TCDJFS' TITLE XX SOCIAL SERVICES Q & A DOCUMENT" for this RFB. If possible, TCDJFS will post an interim Q & A document, without identifying the vendors asking questions, as well as the final version (in which all vendors that posed questions will be identified). TCDJFS strongly encourages potential providers to ask questions as early as possible in the Q & A period so that interim answers can be posted with sufficient time for the possibility of providers' follow-up questions to be posed.

Bids in response to this RFB are to take into account any information communicated by TCDJFS in the Final TITLE XX SOCIAL SERVICES Q & A Document for the RFB. It is the

responsibility of all potential providers to check this site on a regular basis for responses to questions, as well as for any amendments or other pertinent information regarding this RFB.

Bidders are to base their RFB responses, and the details and costs of the services they wish to provide, on the requirements and performance expectations established in this RFB for the potential future contract, NOT on details of any current or past related services or contract associated with TCDJFS or any other entity. Requirements under a current contract may or may not be required by TCDJFS under any future contract, and so may not be useful information for providers who choose to respond to the RFB.

There is an established time period for the Q & A process (see Section V. Anticipated RFB Timeline). TCDJFS will only answer those questions submitted within the established time frame for submission of questions, and which pertain to issues of RFB clarity, and which are not requests for public information. TCDJFS is under no obligation to acknowledge questions submitted through the Q & A process if those questions are not in accordance with these instructions.

Any oral communication will be considered unofficial and non-binding on TCDJFS and the Trumbull County Board of Commissioners. TCDJFS is not responsible for the accuracy of any information regarding this RFB that is obtained or gathered through a source other than the Q & A process described in this RFB. Reliability should be placed only on written statements released by the issuing department.

Should providers experience technical difficulties accessing the TCDJFS' website where the RFB related documents are published, they may contact the TCDJFS contact as listed above at (330) 675-2203.

VII. PROVIDER'S LIBRARY

As previously noted, the purpose of this RFB is to provide services which will help to ensure the improvement, success, and well-being of Trumbull County elderly and disabled adult individuals in improving their residential circumstances and independence in both the short and the long-term, with the purpose of enhancing the capability of TCDJFS to meet the needs and demands of this population. It is important that interested contractors be familiar with the programs, goals, strategies and other operations of the systems of benefits. Interested providers may find background information which may be useful in developing their responses and is internet accessible at <http://emanuals.odjfs.state.oh.us/emanuals> or www.jfs.ohio.gov. These sites contain a multitude of information, key documents, fact sheets etc. available for reference.

VIII. COMMUNICATION PROHIBITIONS

From the issuance date of this RFB until an actual contract is awarded to a service provider, there may be no communications concerning the RFB between any potential provider that expects to submit a bid and any employee of TCDJFS, or any other individual within or outside of the TCDJFS' office regardless of their employment status, who is in any way associated with TCDJFS, involved in the development of this RFB, or the selection of the contractor. Any attempts to make prohibited communications by potential contractors may result in the disqualification of those contractors' bids.

The only exceptions to this prohibition are as follows:

- A. Communications conducted in accordance with the Q & A process as detailed in Section VI. Technical Assistance/Questions & Answers in accordance with the timeline found in Section V. Anticipated RFB Timeline;
- B. As necessary in direct association with any pre-existing contractual or business relationship between TCDJFS and contractor which could submit a bid in response to this RFB;
- C. As part of any contractor interview process or bid clarification process initiated by TCDJFS, which TCDJFS deems necessary in order to make a final selection;
- D. If it becomes necessary to revise any part of this RFB, TCDJFS will post those revisions, amendments, etc., to the website dedicated to this RFB*.

* **Important Note:** Amendments to the RFB or to any documents related to it will be accessible to interested contractors through the original website noted for the RFB. All interested contractors must refer to this web page regularly for amendments and other announcements. TCDJFS will not specifically notify any potential contractor of changes or announcements related to this RFB except through the website posting. It is the affirmative responsibility of interested contractors to be aware of and to fully respond to all updated information posted on this web page.

IX. PROVIDER DISCLOSURES

All potential providers must disclose any pending or threatened court actions and/or claims against the provider, parent company, subsidiaries, or potential subcontractor. This information will not necessarily be cause for rejection of a bid; however, failure to disclose this information may be cause for TCDJFS to reject a bid, suspend a potential contract award, or terminate a contract awarded and executed under this RFB.

TCDJFS will enter into contracts only with agencies, organizations, and service providers which provide reasonable assurance through the signed Cover Letter as outlined in XXI. Bid Organization, that the organization is capable of managing, operating, monitoring, and reporting

according to federal, state and local guidelines and standards of usual and customary business practices. All agencies, organizations, or service providers, in submitting a response to this RFB, provide assurance that if a contract is subsequently offered to provide services, upon final award and execution of the contract, the provider can and will provide and attest to the following assurances:

- A. Duly sign a Non-Collusion Affidavit;
- B. A Personal Property Delinquent Tax Affidavit duly signed by the provider, as required by Section 5719.042 of the Ohio Revised Code, associated with each contract awarded;
- C. Be directed in advance that Trumbull County adopted a “New” Drug and Alcohol Free Workplace Policy on July 21, 2004, and the terms of this policy also apply to any contractors directly paid or reimbursed for the provision of services through the County. A copy of this Policy will be incorporated as a part of all contracts and will include a “Sign-Off Sheet” to be signed by the provider;
- D. Agree and maintain, at their expense, at all times throughout the term and performance of the contract award, liability insurance with a limit that is reasonably necessary to adequately secure the persons and estates of eligible individuals against any and all torts that may result in the injury or death of an eligible individual. All providers awarded a contract will then be required to furnish, upon execution of a contract award, a Certificate of Insurance certifying that the provider is adequately insured and that TCDJFS, the Trumbull County Board of Commissioners and its employees have been named as additional insured on all liability policies;
- E. Must attest that the agency, organization or partnership is not barred or suspended from receiving federal funding, or under a finding for recovery from any audit agency;
- F. Must attest that Federal dollars will not be used for lobbying on behalf of this program;
- G. Must attest that all internal policies meet state and federal guidelines regarding Equal Opportunity Laws and Regulations and these will be followed in providing for fair and reasonable employment practices;
- H. Must attest that the provider will cooperate with and adhere to the Ohio Revised Code in consideration of any Ohio Child Support Enforcement in compliance with any court order for the withholding of child support and in ensuring that the contractor or employees of the contractor meet child support obligations established under state law;
- I. Must attest that the provider will adhere to an Indemnification clause;
- J. Must attest that the provider will adhere to standards of confidentiality that apply to the employees of either party and the State of Ohio, including all federal laws, rules, and regulations. In addition, all contractors will be required to comply with applicable sections of the U.S.C. regarding disclosure of protected health information under the

Health Insurance Portability Act (HIPPA) of 1996. Any violation of confidentiality may result in termination of the contract and/or other legal action;

- K. Must be aware that TCDJFS will determine the vendor or sub-recipient nature of the awarded contractual relationship and as such, the provider may be required and therefore must be willing to adhere to all federal, state, or local financial review/audit guidelines and requirements;
- L. Will be required to adhere to all program and funding requirements pursuant to federal, state, and local laws, rules and regulations;
- M. Any contract awarded which includes transportation services will include the requirement to complete criminal record checks on all employees and volunteers assigned to work with or transport children by obtaining a nationwide and local conviction record transcript from specified law enforcement agencies and shall not utilize an employee or volunteer who has a conviction involving moral turpitude, physical or sexual abuse or crimes against children;
- N. Any contract awarded which includes transportation services will be required to obtain the appropriate Bureau of Motor Vehicle (BMV) transcript for each person transporting children, and the provider will not allow anyone to transport children who has accrued five (5) or more points on his or her license, or has been convicted of driving while under the influence of alcohol or drugs;
- O. Must maintain sufficient capability to operate services; and make available for review and monitoring the names and qualifications of their officers, directors, and managing personnel who have operational or fiscal responsibilities for the contracted services;
- P. All conditions of a contractual agreement awarded under this RFB must be included in a contract with any approved subcontractor.

X. TIME FRAMES AND AVAILABILITY OF FUNDS

TCDJFS is seeking to contract funds with one (1) or more service providers in amounts to be determined by TCDJFS up to approximately One Hundred Fifty Thousand Dollars (\$150,000.00) for the combination of all services available for bid under this solicitation, bids submitted, and contracts awarded under this RFB for a program period of any time during the twelve (12) month period from October 1, 2016 through September 30, 2017. Any contract awarded under this RFB may begin and/or end during any time throughout the twelve (12) month program period at the sole discretion of TCDJFS. Services provided through any contracts awarded under this RFB will be for individuals determined to be eligible by TCDJFS and referred to the contracted providers. Ability to address demand for services will be identified at the time a contract is awarded. This RFB and the granting of any contract(s) for services is contingent upon the availability of Federal, State and/or Local funds allocated for the payment or reimbursement of the provision of said services for the said contract period and the continued authorization of

funds under current legislation. TCDJFS reserves the right to determine the amount of funds to be awarded to any contract as well as the number of individuals to be referred and served under a contract award. TCDJFS does not guarantee the consistency of demand for any bid service throughout the contract period of any contract awarded under this RFB. TCDJFS reserves the right to cancel the RFB process at any time should funds be unavailable for any or all of the said Title XX service(s). All potential providers will be notified as early as possible should this lack of funding occur.

Under no circumstances will TCDJFS be obligated to compensate a provider for any expenses incurred as a result of the RFB process, or for expenses incurred prior to the complete execution of a contract. TCDJFS will not contribute in any way to the costs of bid preparation or any interview process. Potential providers are to be advised that TCDJFS, may, at its sole discretion, negotiate with all technically qualifying vendors for a revised cost bid based upon the selection of services and providers and the available funding for services to be contracted under this funding.

Payment(s) for any and all services provided pursuant to a contractual agreement are contingent upon the availability of state and federal funds. Upon the availability of additional funding during the term of an awarded contract and at the discretion of the agency, TCDJFS reserves the right to modify a provider's contract to increase the contract value. TCDJFS also reserves the right, at the discretion of the agency, to modify a provider's contract to decrease the contract value at any time during the contract period for any reason, including but not limited to, notification of TCDJFS of a budgetary adjustment through ODJFS and the State of Ohio. Should TCDJFS determine and propose a financial adjustment to any awarded contract subsequent to final execution, and the provider fails to agree to such an adjustment, such failure will result in TCDJFS' right to terminate such contract award in accordance with the terms of the contract.

A selected contractor must be able to begin service provision immediately upon full execution and approval of a contract, but not earlier than October 1, 2016. Any work begun prior to full execution and approval will not be paid or reimbursed by TCDJFS. All providers must agree to abide by all Local, State and Federal regulations applicable to the use of these funds. Applicants must also agree to meet any and all Local, State or Federal reporting and financial review/audit requirements as required under the vendor or sub-recipient relationship established through the execution of an agreement.

XI. CONFLICT OF INTEREST

At no time should any potential provider of said services promise, or give anything of value to any TCDJFS' employee that is of such character to manifest a substantial and improper influence upon the employee with respect to his or her duties or which may influence that employee in his/her decision associated with the provision of information or submission of a bid related to this RFB or the awarding of contracts. No individual or contractor seeking a contract shall solicit any TCDJFS' employee to violate any conduct requirements for employees. At no time will any potential contractor attempt to influence any employee of TCDJFS to violate any Federal Procurement Regulation, the Ohio Revised Code, Trumbull County Procurement Policy,

or TCDJFS' Procurement Policy. TCDJFS' employees, bidders, or contractors who violate applicable sections of the Ohio Revised Code may be prosecuted for criminal violations.

XII. RECOVERY FINDINGS

The Ohio Revised Code places limitations on the awarding of contracts to any entity against whom the Federal Government or Auditor of State has issued a finding for recovery, if the finding for recovery is "unresolved" at the time of award. By submitting a bid in response to this RFB, the potential contractor warrants that it is not now, and will not become, subject to an "unresolved" finding for recovery under Federal Regulations or the Ohio Revised Code prior to the award of any contract arising out of this RFB, without notifying TCDJFS immediately of any such finding. TCDJFS reserves the right to not evaluate any bid from a provider whose name, or the name of any subcontractors submitted by the bidder, appears on the website of the Federal Government or Auditor of State of Ohio as having an "unresolved" finding for recovery.

XIII. MANDATORY PERFORMANCE AND GOVERNMENTAL INVESTIGATION DISCLOSURE

Each potential provider is mandated to disclose whether the provider's performance, or the performance of any of the associated subcontractor(s), while under contract(s) with any other entity for the provision of services that are the same or similar in nature to those to be provided under the said services which are the subject of this RFB has resulted in any "formal claims" for breach of those contracts. For the purposes of this disclosure, "formal claims" means any claims for breach that have been filed as a lawsuit in any court, submitted for arbitration (whether voluntary or involuntary, binding or not), or assigned to mediation. If any such claims are disclosed, the provider shall fully explain the details of those claims, including the allegations regarding the alleged breaches, any written or legal action resulting from those allegations, and the results of any litigation, arbitration or mediation regarding those claims, including the terms of any settlement. TCDJFS reserves the right to use its sole discretion in considering the background details to determine whether a bid will be disqualified from consideration for this reason. TCDJFS will consider such factors, including but not limited to, its determination of the seriousness of the claims, the potential impact that the behavior that led to the claims could have on the provider's performance of the bid services, and the best interests of TCDJFS.

Each bid must also disclose whether the provider and any of the associated subcontractor(s) has been the subject of any adverse regulatory or administrative governmental action (federal, state, or local) with respect to the provider's performance of services similar to those described in the bid submitted in response to this RFB. If any such instances are disclosed, the provider must fully explain, in detail, the nature of the governmental action, the allegations that led to the governmental action, and the results of the governmental action including any legal action that was taken against the provider by the governmental agency. TCDJFS reserves the right to use its sole discretion in considering the background details to determine whether a bid will be disqualified from consideration for this reason. TCDJFS will consider such factors, including but not limited to, its determination of the seriousness of the claims, the potential impact that the

behavior that led to the claims could have on the provider's performance of the bid services, and the best interests of TCDJFS.

XIV. BID PREPARATION AND CONDITIONS

Bids submitted in response to this RFB must comply with the specifications stated herein. Responses must provide a concise description of qualifications, capabilities and experience to satisfy the requirements of the RFB. Emphasis should be placed on compliance with the RFB instructions, responsiveness to the RFB requirements, completeness and clarity of content.

All costs related to the bid must be included at the time the bid is submitted. Providers who will be proposing to utilize a subcontractor(s) for any part of the implementation of the said service must clearly define the subcontractor(s), and the tasks and responsibilities of each entity in the performance of services under the bid. All subcontracts must be in written form and shall be subject to the provisions of a primary contract award and shall fall within the effective dates of the primary contract award. All aspects of any subcontract apply equally to services performed by any and all subcontractor(s).

Potential providers who are unable to fulfill all or a portion of the requirements associated with service provision under a final executed contract through current or potential employees of the provider will be determined to be in use of a subcontractor relationship to appropriately provide said services. Potential providers who determine that it is necessary to utilize a subcontractor in order to perform the services in their entirety and as such bid to include the utilization of a subcontractor(s) in the implementation of said services must ensure that such services are procured within the guidelines of all current procurement procedures followed by TCDJFS and competitive standards. This includes, but is not limited to direct service provision as well as consultation services. Failure to ensure compliance with all current procurement procedures followed by TCDJFS shall result in the bid not receiving consideration or removal of a contract award.

Bids which include the utilization of a subcontractor(s) must include a letter from the selected subcontractor(s), signed by the person authorized to legally bind the subcontractor, indicating the following:

- A. The subcontractor's legal status, and principle business address;
- B. The name, phone number, and fax number of a person who is authorized to legally bind the subcontractor to contractual obligations;
- C. A complete description of the work the subcontractor will do;
- D. A commitment to do the work, if the bidding provider is selected;

- E. A statement that the subcontractor has read and understands the RFB, the nature of the work bid under the RFB and by the potential provider, and the requirements of this RFB, and the requirements of any potential subcontract award.

Providers will be expected to design, develop, implement, train, etc. on all aspects related to the said services. The provider will be solely responsible for the implementation of the services and further contract requirements, should a contract be awarded.

Any contractor deemed not responsible, or submitting a bid deemed by TCDJFS to be not responsive to the terms of the RFB or to have failed to comply with the stated specifications and minimum requirements will result in the bid being eliminated from consideration for funding and shall not be awarded a resulting contract. Any or all aspects of a selected bid may become obligations of a contract should contract acquisition action proceed. These obligations will be at the discretion of TCDJFS. Should a successful proposer fail to accept the selected obligations as part of the contractual agreement, cancellation of the contract award may result.

XV. BID SIGNATURE

Bids must be signed, in **blue** ink, by an individual who is legally authorized to enter into a binding contract on behalf of the provider. The title or position which is held by this individual within the agency or organization must also be included with the signature. Any bid which is submitted without an appropriate signature will not be considered.

XVI. BID SUBMISSION INFORMATION

One (1) original, complete, signed bid must be submitted in conjunction with an electronic copy (CD, clearly identified for the bidder and this bid submission) containing the sections of the RFB separated into four (4) documents in PDF format and labeled as follows: Document One (1) containing Sections 1, 2, 3, and 4; Document Two (2) containing Sections 5 and 6; Document Three (3) containing Section 7; and Document Four (4) containing Section 8. Should any additional sections be added by the bidder, as outlined in Section XXI. Bid Organization, an additional document numbered as Document Five (5) containing this information shall be added. All Sections contained within the original bid must be included on the electronic copy according to the indicated Document/Section format and must be verified to be of size able to be sent as an e-mail attachment once converted to the correct PDF format. Responses which do not include the original and electronic format as required will be considered non-responsive as such will NOT be evaluated for contract award. All complete, signed bids along with the mandated electronic copy must be submitted by 11:00 a.m. on Friday, August 26, 2016 to:

Trumbull County Department of Job and Family Services
Fiscal Office/RFB
280 North Park Avenue
Warren, Ohio 44481

Bids may be mailed or hand-delivered directly to the issuing department as listed above. Contractors assume the risk of method of dispatch chosen. TCDJFS will not be responsible for bids incorrectly addressed or for bids delivered to any location other than the TCDJFS' location specified above. TCDJFS assumes no responsibility for delays caused by any delivery service. Postmarking by the due date will not substitute for actual bid receipt. The TCDJFS' office is open for bid delivery from 8:30 a.m. to 4:00 p.m. Monday through Friday except holidays. Bids may **not** be delivered by facsimile transmission or other telecommunication or electronic means. It is the responsibility of any potential provider to ensure that TCDJFS has received the complete bid before the deadline. No confirmation of mailed bids can be provided. For hand delivery on the due date, contractors are cautioned to allow for sufficient time for parking considerations, security protocol, and check in for receipt of the bid by TCDJFS' customer service staff. Hand delivered bids will be accepted at the main TCDJFS' Customer Service Desk ONLY; there will be no exceptions made to this requirement. As a courtesy to TCDJFS, bidders should not request for bids to be submitted to the OhioMeansJobs Reception Desk, Security Desk, or by direct request with TCDJFS' Staff as these requests will not be honored and may delay submission of the bid. Any bid received after the date and time specified above will not be given consideration.

All bid submissions and associated documents in response to this RFB shall become the property of TCDJFS. It is imperative that potential providers ensure that final bid submissions are complete prior to delivery to TCDJFS. Materials received separately from an initial bid submission will not be added to the bid nor considered in the review and scoring process. Both the original and electronic copies of a bid must be submitted together in the same package in order to be considered a complete bid. Should the contractor utilize separate packages for the delivery of separate portions of the required bid items, these will be considered as separate submissions and will be considered incomplete for further bid consideration. Under no circumstances will a provider be permitted to alter a bid once it has been submitted or opened; however, TCDJFS does reserve the right to request additional information from a potential provider.

XVII. BID REVIEW AND RATING

All bids meeting the minimum specifications and requirements will be reviewed, evaluated and rated by a Bid Review Team (BRT) of TCDJFS' staff designated at the discretion of TCDJFS. At any time and level of the review, TCDJFS may request clarifications and additional information as it deems necessary from the potential provider or from sources other than the written bid at any point in the review process in order to complete the evaluation process. Responses to any request for additional information must be provided in writing within the time frame specified by TCDJFS.

Providers should not assume that the BRT members are familiar with any current or past service activities with TCDJFS. Potential providers should not assume that BRT members are familiar with the provider, its services, or any other association with the services being bid for provision, public or private. Bids containing assumptions, lack of sufficient detail, poor organization, lack of proofreading, and unnecessary use of self-promotional claims will be evaluated accordingly. Any bids not meeting the requirements of this RFB will not be scored. Bids may be held for

scoring pending receipt of required clarifications. TCDJFS and the BRT reserve the right to reject any and all bids, in whole or in part, received in response to this request. The BRT may waive minor defects that are not material when no prejudice will result to the rights of any contractor or to the public.

Using a rating sheet developed at the discretion of TCDJFS and based upon the evaluation criteria below, the BRT will evaluate all Bids accordingly as follows:

1. Scope of Services and ability to meet required parameters of the program;
2. Organizational and Administrative abilities of the provider to carry out direct delivery of the said services and provide all other necessary program support;
3. Experience of the provider, including the competent history of successful service delivery to the target population;
4. Cost of the bid service, including competitiveness, cost reasonability and comparison with existing market conditions;

The BRT will read, review individually, discuss as a team and reach consensus on the final score for each qualifying bid. The BRT will be instructed to evaluate each bid based on the information on the rating form. The rating form utilized by the BRT will be a standardized form specific to this RFB and developed at the discretion of TCDJFS. The number of points available for assignment to any particular area of evaluation may vary according to a value assigned to a particular aspect of the program. The rating scale to be utilized in this part of the process is as follows:

<u>Ranking</u>	<u>Evaluation of Response</u>
0	Inadequate or Unacceptable
1-5	Minimal Acceptance
6-10	Fair
11-15	Good
16-20	Very Good
21-25	Excellent

TCDJFS reserves the right to invite providers to make oral presentations or participate in an in-depth interview associated with a bid as part of the evaluation process. The interview, if necessary, may include participants from TCDJFS and/or any other agency or county staff or representatives it may appoint, as appropriate and at its own discretion. TCDJFS reserves the right to select from responding providers for an interview and may not interview all providers submitting bids. The potential provider shall bear all costs of any scheduled interview.

The BRT will recommend to the Director of TCDJFS the qualified providers whose bid to provide said services will be most advantageous in assisting TCDJFS' customers with meeting the primary goal of maintaining independence and self-sufficiency under the Title XX Program,

as determined by the processes and requirements established in this RFB with price and other factors noted herein considered. The TCDJFS' Director shall provide preliminary approval of contract awards pending final approval by the Trumbull County Commissioners. TCDJFS reserves the right for the Director to be provided with quality assurance information regarding performance in current and past contracts with TCDJFS by proposing entities, regardless of funding source. Such quality assurance information may be utilized by the TCDJFS' Director in making final determination of contract awards at the sole discretion of TCDJFS. TCDJFS reserves the right to evaluate the needs of its agency and prioritize services offered within the agency and subsequently the customers and population directly served by TCDJFS and then consider contract services under the funding made available through Title XX.

XVIII. BID SELECTION AND CONTRACT AWARD

Bid selection does not guarantee award of a contract for service provision. TCDJFS will work with providers selected based on a successful bid rating to negotiate and finalize details associated with the potential contractual agreement. Upon finalization of a contract for services, The TCDJFS' Director will recommend the award of the contract to the Trumbull County Board of Commissioners for final approval of funding. Failure of the Board of Commissioners of Trumbull County to award final approval of the contract and funding shall result in cancellation of the potential contract award.

In the event that TCDJFS and the potential provider are unable to successfully come to terms regarding the contract, TCDJFS reserves the right to terminate contract discussions with the potential provider. Should this situation occur, TCDJFS reserves the right to select another potential provider from the RFB process, or cancel or reissue the RFB, if necessary.

Upon award and execution of a contract, the services and commitments bid by the provider in response to this RFB will become contractual obligations, in whole or in part, as determined by TCDJFS. Contract awards under this RFB shall be for any time during the twelve (12) month period beginning no sooner than October 1, 2016, or upon execution of a contract after this date, and ending no later than September 30, 2017.

XIX. SPECIFICATIONS & REQUIREMENTS/SCOPE OF SERVICES

Throughout the life of any contract resulting from this RFB process, a selected provider will be responsible for meeting TCDJFS' needs as generally stated in this RFB and the programmatic requirements established by the each individual Title XX Social Service program, whether specifically stated in this RFB or not.

Title XX Social Service programs encompass a wide variety of service needs and activities which are intended to enable elderly and disabled adults to restore, maintain and improve their capabilities for self-support, self-care and independent living by providing supportive services which are specifically geared to meet these goals and work toward continued independence.

Eligibility for all Title XX services is determined by TCDJFS with payment provided only for documented services provided to eligible consumers.

TCDJFS supports the implementation of the purposes of the Title XX Social Service Programs, in part, by potentially offering contract services to eligible Trumbull County recipients through the funding which is available for these services. In order for a service to be considered under this funding, the service must meet the needs of the agency and program recipients it will serve in accordance with the Title XX Statement of Policy and the Statements of Priorities and Policies for each service category, as amended by TCDJFS effective with the most recent updates in the most cost-effective manner, as follows:

Home Health Aide (as included in Health Related Services): In or out of home services or activities that assist individuals or families to attain and maintain favorable health for eligible elderly individuals whose life would be in danger without this service; eligible elderly individuals who without this service would not be able to remain in their own home; eligible elderly individuals with a chronic or debilitating medical problem which limits the individual's ability to adequately provide their own personal care.

Homemaker Services (as included in Home Based Services): In home services or activities provided to individuals or families to assist with household or personal care activities that improve or maintain adequate family well-being for eligible elderly individuals.

Chore Services (as included in Home Based Services): In home services or activities provided to individuals or families to assist with household or personal care activities that improve or maintain adequate family well-being for eligible elderly individuals unable to handle simple household tasks necessary for them to remain in their own homes.

Representative Payee (as included in Home Based Services): In home services or activities provided to individuals or families to assist with household or personal care activities that improve or maintain adequate family well-being for eligible elderly individuals whose life would be in danger without this service; eligible elderly individuals who, without this service, would not be able to remain in their own homes.

Protective Services for Adults: Services or activities (inclusive of additional and separate Homemaker, Home Health Aide, Chore and/or Chore Services) that prevent or remedy abuse, neglect, or exploitation of adults who are unable to protect their interest for any incapacitated person who is 60 years of age or older, who is in need of Protective Services for Adults as defined in Amended Substitute House Bill #694 of the Ohio Revised Code and the Title XX Comprehensive Social Services Plan, and who resides in an independent living arrangement.

TCDJFS implements flexibility and planning on the local level in an effort to meet the needs of eligible customers receiving services through the various Title XX Social Service Programs. Eligible recipients of services must meet the eligibility criteria as established by the applicable Ohio Administrative Code regulations, Ohio Department of Job and Family Services' (ODJFS) program guidelines, Trumbull County Title XX CSSP, and TCDJFS' Statement of Title XX Policy and the Statements of Priorities and Policies for each Title XX service, as applicable. All bids for programs submitted must conform to the eligibility guidelines outlined in these

regulations and guidelines. Any potential provider who has the ability to complete the requested service which will meet the needs of the recipients in the required capacity may submit a bid. A particular provider's overall capacity to accept referrals for service provision will be determined at the time of contract award should the BRT determine that the proposing entity is organizationally sound during the evaluation process.

In carrying out its program delivery responsibilities, a selected provider will be required to perform all tasks associated with the service bid, and outlined through this RFB process and the subsequent resulting contract executed with TCDJFS, including but not limited to any necessary scheduling, coordination, delivery and tracking of services provided to the population served as determined by program guidelines and recipient eligibility.

XX. PROGRAM PARAMETERS

Said services should be accessible to eligible recipients, flexible, and allow participants to have their specified needs met appropriately. Services must fall within the guidelines of the current Trumbull County Title XX CSSP and TCDJFS' Statement of Title XX Policy and the Statements of Priorities and Policies for each Title XX service and provide reliable services for support activities and also promote the primary goal of continued independence and self-support, regardless of the specific service.

Providers will be expected to effectively perform the services bid in a professional manner. Providers will be expected to have measurable program outcomes, service provision, and satisfaction measures in place for ongoing service evaluation and improvement. It is imperative that the provider have a means of tracking service provision and measuring outcomes and other indicators of the performance of the service(s), including but not limited to consumer satisfaction, as required by TCDJFS. Providers will also be expected to submit written reports upon request and as defined by TCDJFS.

Each Bid must address the following, as applicable, to the type of service offered under the bid. If a provider's bid will cover the provision of multiple Title XX services, these services may be grouped together in the same bid, however, in the event that the provider plans to utilize more than one (1) service implementation strategy based on the multiple services being bid, the provider must complete items three (3) and four (4) separately for each service utilizing an alternative method of implementation:

1. Identify the service(s) to be provided to participants under the bid;
2. Outline the abilities of the provider;
3. Detail the means by which the provider will assess individuals for service need;
4. Detail the means by which the service will be provided;
5. Identify a means of measuring satisfaction related to service provision;

Should any of the above parameters be found by the potential provider not to be applicable to the type of service offered under the bid, the provider should address the parameter by indicating that it is not applicable to the type of service offered and include a statement explaining why it is not applicable to this type of service.

XXI. BID ORGANIZATION

In order to expedite and simplify the evaluation process for bid submissions, as well as to ensure that each bid receives the same orderly review, all bids must be submitted according to the format as described in this section. Each Section is to be numbered accordingly and any other information thought to be relevant, but not applicable to a specific RFB Section number must be provided as an appendix and so marked as an additional Section. Each bid must contain all specified elements without exception in order to be evaluated. Should a potential provider consider any or all parts of a particular Section not applicable to their organization, type of service offered, or bid response, the provider must still include the Section as required and include a statement which addresses the specific portion of the Section as not applicable and provide information supporting why the Section or requirement is not applicable to the organization, service offered, or bid response. **Binders, covers, and staples are not permitted. Should a potential provider wish to designate pages that must remain together, paper clips or binder clips must be used to accomplish this goal. All pages within a bid response MUST be single sided. Do not duplex any portion of the original copy of the bid response.** Should the bidder wish to place the entire completed and appropriately organized proposal in a pocket folder or rubber band it together for submission, this may be done at the discretion of the provider. Do not use any TCDJFS' issued program forms within a bid response. Only forms developed and utilized by the potential provider are permitted to be utilized in a bid response. Do not, under any circumstances, utilize provider forms or samples that contain customer information from current or past service provision. Use of customer information related to TCDJFS' eligible recipients in a public document is a breach of confidentiality and will result in immediate disqualification of the bid response prior to any further evaluation. Sections are to be numbered and developed according to the format below:

Section 1 – Cover Letter

Section 2 – Provider Summary

Section 3 – Scope of Service

Section 4 – Provider/Staff Qualifications

Section 5 – Program Budget/Cost of Service

Section 6 – Budget Narrative

Section 7 – Program Forms

Section 8 – Additional Required Information

1. Cover Letter: Each bid shall include a statement of services to be provided, projected number to be served or number of units to be provided, as applicable to the bid/budget preparation, and a statement that the bidder has read and understands all requirements set out in

the Request for Bid document and agrees that it can meet all required assurances and will comply with all conditions, requirements and specifications of the Request for Bid as well as any resulting contract awarded and executed for service delivery. If the bid is a collaboration of multiple entities, a cover letter for each entity must be included. The cover letter must be signed by a representative authorized to enter into contractual obligations, and include the title or position this individual holds within the agency or organization. An original cover letter signed in **blue** ink must be attached to the original copy and included as previously described in electronic form. Any bid which is unsigned at the time of submission will be considered incomplete and as such will not be evaluated.

2. Provider Summary: This summary shall include the agency or organization name, address, telephone number, FAX number, and electronic mail (e-mail) contact, including the address, telephone number, and FAX number for any headquarters office and the name and location (city, state) of the local office at which the said services would be provided, with business days and service hours. The name of the contract contact person, telephone number, and e-mail address, if applicable, should be included. It should also include the names and titles of any individuals authorized to negotiate with TCDJFS on behalf of the provider.

The potential provider must include a description of the organization including the primary line of business or services offered by this provider, the date the agency or organization was established, a history of the agency or organization as a viable business in all locations, the programmatic and administrative experience and capabilities which qualify the provider to provide the bid service(s), types of service(s) provided, the population served through the service(s), and the number of years that the provider has been providing service(s) similar to the service(s) for which the provider is submitting a bid, resulting in relevant experience. The potential provider must also include a list of all other agencies and organizations that provide funding and/or contracts for services to the agency or organization.

3. Scope of Service: The narrative should be no longer than five (5) typed pages, regardless of the number of multiple service categories being bid. The provider must clearly indicate each program of service which is being bid by the provider. The potential provider must provide any information regarding the agency or organization or specific activities which will be utilized in implementing each service being bid and how the provider will meet each of the above listed parameters found in Section XX. Program Parameters in order to successfully provide the services being bid. Please include the strengths, experience and resources of the agency or organization as this relates to your bid. Any competitive advantage related to the provider's ability to meet the requirements defined in this RFB should also be stated.

PLEASE NOTE: Potential providers who are unable to fulfill all or any portion of the responsibilities and requirements associated with service provision under a final executed contract through the utilization of current or proposed employees of the provider and who determine that it is necessary to have any individual outside of the organization complete such services will be determined to be in the use of a subcontractor. The use of such subcontractor to provide any or all of the requirements of service provision for services being bid requires that the bidding entity must ensure that such services are procured within the guidelines of all current procurement procedures followed by TCDJFS and competitive standards. Examples of such

services under subcontracting include, but are not limited to, direct service provision, as well as consultation services. Should any current employee of the bidding organization be qualified to perform services indicated for subcontracting, the organization must include documentation supporting the reasoning for such sub-contracting as services must be performed in the most cost-effective manner available. Additionally, employees qualified to handle specified requirements of service provision under this bid may not be paid separately for the provision of such services in addition to the compensation received as an employee of the organization. Failure of an organization to ensure compliance with all current procurement procedures followed by TCDJFS and competitive standards shall result in the bid not receiving consideration or removal of a contract award.

As such, bids which include the use of a subcontractor in the performance of the service must include in this section a detailed description of the manner by which the subcontractor will be involved in the performance of the service. All responsibilities of the subcontractor must be clearly defined and also include the name, address, telephone number, FAX number, service days and hours and the procedure for service referrals to the subcontractor. At the discretion of the bidder, a summary of the subcontractor as described in Section 2 may be added. Please note that provision of a summary for the subcontractor is not mandatory. The bidder should consider the role of the subcontractor in service provision under a potential contract award as such information may better assist the BRT in completing final evaluation of a bid. If the subcontractor already provides services for the proposing entity and will provide the bid services upon award of a contract under this bid, copies of the current sub-contract(s) must be included with this bid proposal. If the subcontractor does not currently provide services but will provide services under a contract awarded under this bid, the sub-contract must be supplied to TCDJFS immediately upon execution.

TCDJFS reserves the right to review procedures used by the provider in the procurement of sub-contract services to ensure that the procedures are within the guidelines currently followed by TCDJFS and competitive standards during evaluation or at any time throughout a contract award. Determination by TCDJFS that proper procurement procedures were not followed in selection of a subcontractor at any phase of the evaluation shall result in exclusion of the provider from further contract consideration. Determination by TCDJFS that proper procurement procedures were not followed in the selection of a subcontractor at any time during the period of a contract award shall result in contract termination.

4. Provider/Staff Qualifications: An explanation of qualified staff and supervision associated with the service provision must be provided, as well as job descriptions for all positions addressed in the budget in order to demonstrate an acceptable level of staff experience and capabilities in performance of the bid services. Also include any reference information indicating any other contracting entities for which similar service(s) are being or have been provided, including name of the entity, contact information, time period of service provision, and the nature/purpose of the service provision.

Please also note that in the event that the potential provider is utilizing individual sub-contracted service providers in lieu of staff in the daily operation and provision of the proposed services,

these individuals MUST be treated as sub-contracts under the provision of the RFB and the bid response must reflect the requirements associated with subcontracts.

5. Program Budget/Cost of Service: A budget is required in order to ensure the accuracy of all costs included in the determination of the service cost and that such costs can be recognized by TCDJFS. A basic **SAMPLE** budget form is attached to this RFB. This form or a similar format may be used in the development of the bid budget, however it is the responsibility of the bidder to ensure that the bid budget submitted in response to this RFB is accurate and appropriately reflects all costs associated with provision of the services being bid. Should the bidder be bidding to provide multiple services to be provided at different service costs, multiple budget explanations must be provided along with a statement to support the difference in cost which can be submitted in conjunction with the budget narrative. Any and all anticipated costs related to implementation of the bid should be included in the budget. The provider must take into consideration in advance any adjustments in rate throughout the proposed contract period for any applicable cost included in developing the service budget. Adjustments not projected during budget development will not be honored by TCDJFS at a later request date at the discretion of TCDJFS. TCDJFS does not reimburse/pay for mileage costs above the standard mileage rate currently established by the Internal Revenue Service which may be subject to change throughout the contract period. The cost of the program is a key factor in the evaluation of the bid.

Direct/Programmatic Costs: This means costs for time actually spent providing the service either in direct or telephone contact with the individual. Staff must deliver verifiable, direct contact with consumers. This includes, but is not limited to, service establishment, contact to request or cancel service, or actual service provision as related to the specified service. The employee must have the appropriate credentials to deliver the identified service(s).

Costs for supplies directly related to the provision of programmatic services. Consumable supplies are allowable however costs related to these items will be monitored by TCDJFS and must be directly related to the number of participants being served under the program and must have a life of one (1) year or less in consideration of the potential program period under this RFB. TCDJFS will not consider or approve any budgetary items or proposed purchases under this RFB which are considered to be capital outlay.

Indirect/Administrative Costs: This means costs for the supportive activities that are not billed or reported as time spent providing or arranging services. Activities related to supportive service staff include duties which support a specific service, program or function for the organization as a whole but cannot be linked to both a particular service and a particular individual. These costs may be included in the budget however the costs related to such supportive services, i.e. staff time, etc. must be shown as related directly to the service delivery of the bid service and must be clearly documented and related to the budget as a percentage of time in performance of duties related to service delivery of the bid service. Positions include, but may not be limited to, clerical support staff, maintenance staff, supervisors, administrative staff, and quality assurance evaluators.

TCDJFS will evaluate a provider as a vendor or a sub-recipient of the Federal funds bid for the support of contracts awarded under this RFB. The final decision of the type of contractual agreement entered into following this determination is the sole discretion of TCDJFS based upon information and direction offered by ODJFS.

Upon determination of a sub-recipient or vendor relationship by TCDJFS, TCDJFS shall have the discretion to determine appropriate cost payment principles. Contracts which are determined by relationship to be based on principles of reimbursement will be based on actual cost of program deliverables associated with operation of the service(s) only. The detailed budget must reflect only costs associated directly with the implementation of the bid service. Each cost for the bid service must be specified according to the type of work.

For providers deemed by TCDJFS to require utilization of a line item budget, the provider will be required to remain within the original budgetary amount for each line item approved by TCDJFS in the original contractual agreement unless otherwise formally modified or amended through written request by the provider and approval by TCDJFS. TCDJFS shall have the sole discretion in the approval of formal requests for modification and/or amendment of contractual agreement. Line Item adjustments of this nature will not become effective until such modification or amendment is fully executed by both parties. TCDJFS will not be responsible for any loss of funding suffered by the provider as a result of miscalculation or over expenditure of line item allocations.

Unit costs derived for any particular service(s) in the bid, should include the projected hours per individual service associated with actual service delivery, as applicable. For a unit cost of service, the provider must clearly indicate how the cost was determined, regardless of the determined relationship type. Agencies or organizations utilizing a standardized schedule(s) of fees for service(s), or public sector rates MUST provide a breakdown of the costs involved in determining the fee(s)/cost(s). TCDJFS is required to request this information in order to ensure that appropriate cost payment principles are met. Detail of the costs associated with the budget is imperative to the ability of the BRT to effectively evaluate the cost of the service as it is being proposed. Partnerships or organizations which operate programs and/or services which receive funding from other sources must be prepared to submit a cost allocation plan. Failure of a bidder to appropriately support the identified rate in the budget may result in any particular service being excluded from consideration under a contract award.

TCDJFS reserves the right to determine the necessity for a bid service to utilize a unit cost of service versus a line item budget schedule for cost reimbursement/payment purposes based on sub-recipient or vendor service capacity. As such, all requested information as detailed above must be provided in order to ensure that a contract and program budget may be appropriately executed upon award.

Regardless of the use of a unit of cost versus a line item budget, under no circumstances are administrative costs permitted to exceed ten percent (10%) of the total cost **expended** under a contractual agreement. All administrative costs must be clearly documented and accounted for with specific charges related to indirect services. Administrative versus programmatic costs may be determined at the sole discretion of TCDJFS in the negotiation of budget items for an awarded contract.

TCDJFS reserves the right to determine all allowable and/or unallowable costs in a program bid. Costs for program operation must be in compliance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards which are found in the Office of Budget Management Code of Federal Regulations.

TCDJFS also reserves the right to determine costs which are deemed to be reasonable, necessary, and prudent in a submitted budget plan and may elect to accept all or part of the costs. In the event that a portion of the cost associated with the budget for a service is deemed by TCDJFS to be outside of the scope of service cost, TCDJFS reserves the right to request removal of such cost from the budget resulting in recalculation of the cost associated with a specified service. TCDJFS reserves the right to negotiate adjustments with contractors to their bid budget and resulting unit cost(s) should TCDJFS determine, for any reason, that an adjustment is necessary. TCDJFS also reserves the right to negotiate a lower unit cost with any entity selected for a preliminary contract award. Should a successful applicant fail to accept the negotiated adjustments as part of the contractual agreement, cancellation of the contract award may result.

A fiscal review may be conducted prior to negotiation to ensure fiscal integrity. Funding for any program(s) or service(s) under this RFB is contingent upon the solvency of the requesting organization. Organizations and partnerships should be able to operate independently of any funding authorized under local, state or federal guidelines.

6. Budget Narrative: The potential provider must also provide an individual written narrative for each specified cost identified in the budget indicating clearly how the cost is related to the service provision. The purpose of the narrative is to accurately reflect all costs involved with service provision and how those costs lead to the end resulting unit rate. Detail is imperative in determining that the costs associated with the bid are appropriate. Bidders must give a clear definition of each unit of service for the program being bid. Examples of a unit can be, but are not limited to, per hour, per participant, etc. Administrative costs must be directly linked to goods and services of defined supportive services staff which can be supported through documentation and cannot exceed ten percent (10%) of the total contract amount expended. Failure of a potential provider to document administrative costs requested will result in removal of these costs from the budget by TCDJFS prior to contract execution resulting in a potential reduction in unit rate or line item amount.

7. Program Forms: Copies of any additional information or forms pertinent to the operation of the service. This might include, but is not limited to, service provision/attendance forms to be utilized to record and document the provision of direct or indirect services under the program, forms to record progress of recipient(s), and program quality assurance forms for monitoring and evaluation of performance and quality of service(s). Potential bidders are not permitted to use TCDJFS' issued program forms within a bid response. Only forms developed and utilized by the potential provider are permitted to be utilized in a bid response. Under no circumstances are potential providers permitted to utilize any provider forms or samples, regardless of origin, in a bid which contain customer information related to TCDJFS' eligible recipients from current or past service provision. Use of customer information related to TCDJFS' eligible participants in a public document is a breach of confidentiality and will result

in the bid response not being evaluated. Should this section be found by the potential provider not to be applicable to the type of service offered, the provider should include a statement indicating this.

8. Additional Required Information: Additional required information to be included in the bid is as follows. **The information for each required section must be clearly identified in the bid submission. DO NOT assume that documentation provided will automatically support more than one required section. Each section of required information must be addressed, verified and identified separately from all others even if this results in the same information being duplicated. Bidders are cautioned that it is not acceptable to reference another section of the required information as supporting documentation even if it means that the same document is being placed in the bid multiple times.** Should any information requested in this section be found by the potential provider not to be applicable, the provider must still address all sections and should include a statement and any necessary supporting documentation indicating why a particular section is not applicable. Failure of a bidder to sufficiently document all Additional Required Information may result in the bid response failing the Preliminary Evaluation and as such not being evaluated by the BRT for a contract award.

- A. Verification of your agency's or organization's Employer Identification Number (EIN) and current legal status as registered with the Internal Revenue Service (public non-profit, private non-profit, private for-profit, corporation, government, or other specified) **PLEASE NOTE THAT A SIGNED W-9 FORM DOES NOT MEET THIS REQUIREMENT;**
- B. Articles of Incorporation as filed with the Secretary of the State of Ohio or a statement indicating the provider's current status;
- C. Verification that the business at the location of service provision within the Trumbull County vicinity has been viable for a minimum of two (2) years prior to the date a response to this RFB is submitted;
- D. A copy of the provider's current Certificate of Workers' Compensation Insurance;
- E. A copy of the provider's current liability insurance policy coverage for professional and commercial general liability and, if the operation of an automobile is necessary to the bid service delivery, an automobile policy;
- F. A copy of the organization's most recent independent annual audit report or compiled financial statements, including the name, address and telephone number of a contact in the company's principal financing or banking organization must be provided. A copy of any management letters related to the most recent audit and a copy of the most recent 990 report, if applicable;

If no audit information is available, the provider must supply equivalent financial statements certified by the provider to accurately reflect the provider's current

financial status. If financial statements are provided under this requirement, the statements must have been completed by a Certified Public Accountant;

For partnerships and sole proprietorships, a copy of all reports from 2014 and 2015 federal income tax filing must be provided as well as financial statements, including the name, address and telephone number of a contact in the company's principal financing or banking organization must be provided. In the event that 2015 federal income tax filings have not yet been completed, the organization must provide a copy of all reports from 2013 and 2014 federal income tax filing as well as verification of an approved extension for the filing of the 2015 federal taxes in addition to the remaining information described above;

If a bidder is not in compliance with current law in obtaining an audit and/or certified financial statements, a response addressing this non-compliance is required in addition to any financial information provided or not provided;

- G. A formal letter signed by the individual who is legally authorized to enter into a binding contract on behalf of the provider and who is also signing the cover letter in submission of the bid certifying that by submission of the bid, the organization nor its principals are presently barred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from receiving federal funds or participating in this bid transaction or any resulting contract award by any federal department or agency;
- H. A formal letter signed by the individual who is legally authorized to enter into a binding contract on behalf of the provider and who is also signing the cover letter in submission of the bid certifying that by submission of the bid, there is no current unresolved finding for recovery under Federal Regulations or the Ohio Revised Code and that the organization will not become subject to such an unresolved finding for recovery prior to the award of a contract as a result of a response to this RFB. In the instance where a prospective bidder is unable to certify to any of these statements, the prospective bidder shall attach an explanation of this;
- I. A formal letter signed by the individual who is legally authorized to enter into a binding contract on behalf of the provider and who is also signing the cover letter in submission of the bid certifying that by submission of the bid, the organization, its principals nor any associated subcontractor has been the subject of any formal claim for breach of contractor adverse regulatory or governmental action (federal, state, or local) with respect to performance of services similar to those being bid. In the instance where a prospective bidder is unable to certify to any of these statements, the prospective bidder shall fully explain the details as described in Section XIII. of this RFB. Additionally, the letter must disclose any pending or threatened court actions and/or claims against the provider, parent company or subsidiaries or otherwise indicate that there are no such current actions and/or claims;

- J. The required subcontractor letter as outlined in Section XIV. Bid Preparation and Conditions.

XXII. REBUTTAL PROCEDURE

Any potential, or actual, provider objecting to the award of a contract resulting from the issuance of this RFB may file a protest of the award of the contract, or any other matter relating to the process of soliciting the bids. Such rebuttal must comply with the following guidelines:

- A. A rebuttal must be filed by a prospective or actual bidder objecting to the award of a contract resulting from this RFB. The rebuttal shall be in writing and shall contain the following information:
 - 1. The name, address, and telephone number of the individual or organization issuing the rebuttal;
 - 2. The name of the RFB being rebutted;
 - 3. A detailed statement of the legal and factual grounds of the rebuttal, including copies of any relevant documents;
 - 4. A request for ruling by TCDJFS;
 - 5. A statement as to the form of relief requested by TCDJFS;
 - 6. Any other information the individual or organization issuing the rebuttal believes to be essential to the determination of the factual and legal questions at issue in the written protest.

- B. A timely rebuttal shall be considered by TCDJFS, if it is received by TCDJFS' Fiscal Office within the following periods:
 - 1. A rebuttal based on alleged improprieties in the issuance of the RFB or any other event preceding the closing date for receipt of bids which are apparent or should be apparent prior to the closing date for receipt of bids shall be filed no later than 11:00 a.m. on the closing date for receipt of bids, as specified in Section V, Anticipated RFB Timeline, of this RFB. Postmarking by the due date does not substitute for actual receipt of the rebuttal.

 - 2. If the rebuttal is related to the announced intent to award or not to award a contract, the rebuttal shall be filed no later than 9:00 a.m. of the eighth (8th) calendar day after the issuance of formal letters sent to all responding providers regarding the intent to make the award or not make the award. The date on the TCDJFS letters to responding providers is the date used to determine if a rebuttal regarding the intent is submitted by the end of the rebuttal period.

- C. An untimely rebuttal may be considered at the sole discretion of TCDJFS if TCDJFS determines that the rebuttal raises issues significant to the department's procurement system. An untimely rebuttal is one received by TCDJFS' Fiscal Office after the time periods set forth in Item B of this Section.

D. All rebuttals must be filed at the following location:

Fiscal Administrator
TCDJFS/Fiscal Office
280 North Park Avenue
Warren, Ohio 44481

- E. When a timely rebuttal is filed, a contract award shall not proceed until a decision on the rebuttal is issued or the matter otherwise resolved, unless the Director of TCDJFS determines that a delay will severely disadvantage the department and the population it services. The provider originally awarded a contract shall be notified of the receipt of the rebuttal.
- F. TCDJFS' Fiscal Office, in conjunction with its Legal Counsel, shall issue written decisions on all timely rebuttals and shall notify any provider who filed an untimely rebuttal as to whether or not the rebuttal will be considered.