



JENNIFER KENT  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
GOVERNOR

July 20, 2016

### Notice to Prospective Proposers

The California Department of Health Care Services (DHCS) invites prospective Proposers to review and respond to the attached Request for Proposal (RFP) Number #16-93070 entitled, "Infant Data Management Services." When preparing and submitting a proposal, compliance with the instructions found herein is imperative. Please note that the Exhibits in the RFP are considered "Sample" documents and are subject to change.

Prospective Proposers can view and download the RFP from the following Internet site: [http://www.dhcs.ca.gov/provgovpart/rfa\\_rfp/Pages/OMCPHomePage.aspx](http://www.dhcs.ca.gov/provgovpart/rfa_rfp/Pages/OMCPHomePage.aspx). If any prospective Proposer is unable to obtain the RFP via the Internet, please contact the Office of Medi-Cal Procurement (OMCP) at (916) 552-8006 or e-mail OMCP at [omcprfp3@dhcs.ca.gov](mailto:omcprfp3@dhcs.ca.gov) to request a CD-R version.

All agreements entered into with the State of California will include, by reference, General Terms and Conditions (GTC) and Contractor Certification Clauses (CCC) that may be viewed and downloaded at this Internet site: <http://www.ols.dgs.ca.gov/Standard Language/default.htm>. If any prospective Proposer lacks Internet access, a CD-R copy can be obtained by contacting OMCP at the phone number and e-mail address cited above.

If a discrepancy occurs between the information in the procurement advertisement appearing on Fi\$Cal at [www.fiscal.ca.gov/](http://www.fiscal.ca.gov/) and the information herein, the information in this notice and in the attached RFP shall take precedence. To view the advertisement, prospective Proposers must register for a free Fi\$Cal link account on the Fi\$Cal Home Page.

#### I. Proposal Submission Deadline

Regardless of postmark or method of delivery, DHCS must receive proposal packages no later than 4:00 p.m. (Pacific Time) on September 1, 2016. Refer to the attached RFP for detailed submission requirements.

#### II. Voluntary Non-Binding Letter of Intent

In this procurement, prospective Proposers are asked to voluntarily submit a non-binding Letter of Intent. See the attached RFP for detailed Letter of Intent submission instructions.

### **III. Funding Limit**

#### **Limitation of State Liability**

Payment for performance under the resulting contract may be dependent upon the availability of future appropriations by the State Legislature or Congress for the purposes of the resulting contract. No legal liability on the part of the State for any payment may arise under the resulting contract until funds are made available through an annual appropriation and the Contractor is notified accordingly. If a contract is executed before ascertaining available funding and funding does not become available, DHCS will cancel the contract.

#### **Funding Reductions in Subsequent Budget Years**

If a contract is executed and full funding does not become available for the second or a subsequent state fiscal year, DHCS will either cancel the contract or amend it to reflect reduced funding and reduced activities. Continuation of services beyond the first state fiscal year is also subject to the Contractor's successful performance. Without prior DHCS authorization, contractors may not expend funds set aside for one budget period in a subsequent budget period.

### **IV. Proposer Questions**

In the opinion of DHCS, this RFP is complete and without need of explanation. However, if questions arise or there is a need to obtain clarifying information, put all inquiries in writing and mail or email them to DHCS according to the instructions in the RFP section entitled, "Proposer Questions".

Thank you for your interest in our Department's service needs.

Sincerely,

Original Signed by *K. Morrill*

Kevin Morrill, Chief  
Office of Medi-Cal Procurement



## **Request for Proposal #16-93070**

California Newborn Hearing Screening Program Infant Data Management Services

Department of Health Care Services  
Office of Medi-Cal Procurement  
MS Code 4200  
1501 Capitol Ave, Suite 71.3041  
P. O. Box 997413  
Sacramento, CA 95899-7413

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Attachment 1	Proposal Cover Page
Attachment 2	Required Attachment / Certification Checklist
Attachment 3	Not being Used
Attachment 4	Client References
Attachment 5	RFP Clause Certification
Attachment 6	CCC 307 – Certification
Attachment 7	Payee Data Record
Attachment 8	Follow-on Consultant Contract Disclosure
Attachment 9	DVBE Instructions / Forms with Attachment 9a, DVBE Participation
Attachment 10	Darfur Contracting Act Certification
Attachment 11	Non-Small Business Subcontractor Preference Instructions with Non-Small Business Subcontractor Preference Request (Attachment 11a) and Small Business Subcontractor/Supplier Acknowledgment (Attachment 11b).
Attachment 12	Target Area Contract Preference Act (TACPA) Request
Attachment 13	Cost Proposal Form
Attachment 14	Iran Contracting Act Certification
Attachment 15	Request for Inclusion on Distribution List
Attachment 16	Voluntary Letter of Intent
Attachment 17	Conflict of Interest
Attachment 18	Proposer Response Guide

T. Sample Contract Forms / Exhibits

<b>Exhibit #</b>	<b>Exhibit Name</b>
Exhibit A	Scope of Work
Exhibit A, Attachment I	Scope of Work, Planning and Implementation
Exhibit A, Attachment II	Scope of Work, Service Level Requirements
Exhibit B	Budget Detail and Payment Provisions

<b>Exhibit #</b>	<b>Exhibit Name</b>
Exhibit C – View on-line.	General Terms and Conditions (GTC 610). View or download at this Internet site <a href="http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx">http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx</a> .
Exhibit D(f)	Special Terms and Conditions
Exhibit E	Additional Provisions
Exhibit F	Contractor's Release
Exhibit G	DVBE Utilization Report
Exhibit H	HIPAA Business Associate Addendum
Exhibit I	Information Confidentiality and Security Requirements
Exhibit J	ARRA Terms and Conditions

## U. Program Appendices

<b>Appendix #</b>	<b>Appendix Name</b>
Appendix 1	Data Library Table of Contents

## **A. Purpose, Background and Description of Services**

### **1. Purpose**

The Department of Health Care Services (DHCS), California Newborn Hearing Screening Program (NHSP), Systems of Care Division solicits proposals from firms that are able to prepare and provide Infant Data Management Services (IDMS) for DHCS. Proposals must address all of the services described throughout this Request for Proposal (RFP), Exhibit A, and Exhibit A, Attachments I & II entitled, "Scope of Work" (SOW).

This procurement is open to all eligible firms and/or individuals that meet the qualification requirements, including commercial businesses, nonprofit organizations, State or public universities (including auxiliary organizations) and other entities.

A responding firm is expected to submit a proposal that describes:

- a. the Proposer's qualifications to perform the proposed IDMS,
- b. the approach for the work it will perform to set up and manage its proposed IDMS,
- c. features of the proposed IDMS it will provide, and
- d. the schedule it will follow to meet the business and service requirements stated in this RFP.

### **2. Background**

DHCS, Systems of Care Division, has implemented a Statewide comprehensive NHSP under the authority of Sections 123975 and 124115 -124120.5 of the California Health and Safety Code. The NHSP facilitates identification of hearing loss in infants and guides families to the appropriate services needed to develop communication skills.

Families of infants delivered at any general acute care hospital with licensed perinatal services in the State of California will be offered the opportunity to have their baby's hearing screened. Infants who do not pass the screening in the hospital will be referred for additional testing after discharge. DHCS is contracting with Hearing Coordination Centers (HCCs) to work with the hospitals in developing hearing screening programs, to perform quality assurance activities, and to track infants who need follow-up services to evaluate their hearing status.

The NHSP currently operates with an automated, online Statewide IDMS. The basic operations of the program are managed using an online automated system for collecting, reporting, tracking, and monitoring infant information.

The goal of this procurement is to continue to provide an automated IDMS to multiple tiers of users in the NHSP performing different tasks and activities in a continuum of health services activities with 100% automated participation of all participating facilities. Activities are currently carried out by 261 California Children's Services (CCS)-approved hospitals, three (3) HCCs, outpatient screening and audiology service providers, local CCS and Child Health and Disability Prevention (CHDP) programs, and the State NHSP. Legislation extends those activities to all general acute care hospitals with licensed perinatal services in the State of California. With this expansion, the total number of hospitals is estimated to range from 275 to 290. The IDMS will assist the users in ensuring that each infant eligible for the program (estimated to be up to 1,000,000 per year) is offered and receives appropriate screening and evaluation services. For those infants identified as having hearing loss, the

IDMS will track and monitor infants for an additional six (6) months to ensure they are linked with appropriate treatment and services.

## B. Time Schedule

Below is the tentative time schedule for this procurement. If DHCS finds a need to alter the time lines listed herein, either an addendum or correction notice will be issued announcing the alternate time lines.

Event	Date	Time (If applicable)
RFP Released	7/20/16	
Questions Due	8/2/16	4:00 Pacific Daylight Time (PDT)
Voluntary Non-Binding Letter of Intent	8/31/16	4:00 (PDT)
Proposal Due Date	9/01/16	4:00 (PDT)
Notice of Intent to Award Posted	10/24/16	
Protest Deadline	10/31/16	5:00 (PDT)
Contract Award Date	12/01/16	
Proposed Start Date of Agreement	12/01/16 or until approved by DGS whichever is later	

## C. Contract Term

The term of the resulting agreement is expected to be two (2) years with two (2) optional extensions of one (1) year each evoked at the discretion of DHCS and is anticipated to be effective from December 1, 2016 or upon approval of the Department of General Services, whichever is later. The agreement term may change if DHCS makes an award earlier than expected or if DHCS cannot execute the agreement in a timely manner due to unforeseen delays. DHCS reserves the right to extend the term of the resulting agreement via an amendment as necessary to complete the services. Contract extensions are subject to satisfactory performance, funding availability, and approval by the Department of General Services.

The resulting contract will be of no force or effect until it is signed by both parties and approved by the Department of General Services, if required. The Contractor is hereby advised not to commence performance until all approvals have been obtained and the Contractor is advised by DHCS to begin work. If performance commences before all approvals are obtained, said services may be considered to have been volunteered until all approvals are obtained.

#### **D. Proposer Questions**

Immediately notify DHCS if clarification is needed regarding the services sought or questions arise about the RFP and/or its accompanying materials, instructions, or requirements. Put the inquiry in writing and transmit it to DHCS as instructed below. At its discretion, DHCS reserves the right to contact an inquirer to seek clarification of any inquiry received.

Proposers that fail to report a known or suspected problem with the RFP and/or its accompanying materials or fail to seek clarification and/or correction of the RFP and/or its accompanying materials shall submit a proposal at their own risk. In addition, if awarded the contract, the successful Proposer shall not be entitled to additional compensation for any additional work caused by such problem, including any ambiguity, conflict, discrepancy, omission, and/or error.

Following the question submission deadline, DHCS will summarize all general questions and issues raised and mail, email, or fax the summary and responses on the OMCP website at: [http://www.dhcs.ca.gov/provgovpart/rfa\\_rfp/Pages/OMCPHomePage.aspx](http://www.dhcs.ca.gov/provgovpart/rfa_rfp/Pages/OMCPHomePage.aspx)

DHCS will also notify all interested parties who have submitted a Request for Inclusion on Distribution List form (Attachment 15) with an email that there has been an update posted to the OMCP website.

In response to inquiries that appear to be unique to a single firm or that are marked "Confidential", DHCS will mail, email, or fax a response only to the inquirer if DHCS concurs with the inquirer's claim that the inquiry is sensitive or proprietary in nature. If DHCS does not concur, the inquiry will be answered in the manner described herein for general questions and the inquirer will be so notified. Inquiries and/or responses that DHCS agrees should be held in confidence shall be held in confidence only until the Notice of Intent to Award is posted.

To the extent practical, inquiries shall remain as submitted. However, DHCS may consolidate and/or paraphrase similar or related inquiries.

##### **1. What to include in an inquiry**

- a. Inquirer's name, name of firm submitting the inquiry, mailing address, email address, area code and telephone number, and fax number.
- b. A description of the subject or issue in question or discrepancy found.
- c. RFP section, page number or other information useful in identifying the specific problem or issue in question.
- d. Page Number
- e. Question or Remedy Sought.

A prospective Proposer that desires clarification about specific RFP requirements and/or whose inquiry relates to sensitive issues or proprietary aspects of a proposal may submit individual inquiries that are marked "Confidential". The Inquirer must include with its inquiry an explanation as to why it believes questions marked "Confidential" are sensitive or surround a proprietary issue.

RFP Reference	Section	Page	Issue or
Example: Use "General" if a general question or "RFP" if the question deals with a section within the RFP main or "Exhibit A", "Exhibit A, Att I", "Exhibit B", "Exhibit B, Att I", "Attachment 1", etc.	Indicate the RFP section number or letter along with subsection or paragraph site identifiers  Example: Section E 1.,b.,2),.b),.ii.	Example: 27 of 89	

## 2. Question deadline

Regardless of delivery method, written inquiries must be received no later than **4:00 p.m. on 8/02/16**.

Notwithstanding the question submission deadline, DHCS will accept questions or inquiries about the following issues if such inquiries are received prior to the proposal submission deadline.

- a. DVBE participation requirements and how to complete the DVBE attachments.
- b. The reporting of RFP errors or irregularities.

## 3. How to submit questions

Submit inquiries using one of the following methods.

### U.S. Mail, Hand Delivery or Overnight Express:

#### Questions - RFP 16-93070

Department of Health Care Services  
Office of Medi-Cal Procurement  
MS 4200

Attn: Jeff Ketelson / Brian Quacchia  
P.O. Box 997413

1501 Capitol Ave, Suite 71.3041 Sacramento, CA 95899-7413

DHCS will **also accept inquiries via email**. Please email all inquiries to:  
[omcprfp3@dhcs.ca.gov](mailto:omcprfp3@dhcs.ca.gov) Subject Line: RFP 16-93070

## 4. Proposer warning

- a. DHCS' internal processing of U.S. mail may add forty-eight (48) hours or more to the delivery time. If questions are mailed, consider using certified or registered mail and request a receipt upon delivery.
- b. For courier or hand deliveries, allow sufficient time to locate on-street metered parking and to sign in at the security desk. Ask security personnel to call (916) 552-8006 to arrange for question pickup and receipt issuance by OMCP staff.

## 5. Verbal questions

Verbal inquiries are discouraged. DHCS reserves the right not to accept or respond to verbal inquiries. **Spontaneous verbal remarks provided in response to verbal inquiries are unofficial and are not binding on DHCS unless later confirmed in writing.**

Direct all verbal requests for DVBE assistance to DHCS' DVBE Coordinator at (916) 650-0205 up to the proposal deadline.

## E. Data Library

A Data Library for the sole use of Proposers will be available on the release date of this RFP. The Data Library will be accessible by requesting a copy on CD-R/DVD-R during State working days Monday through Friday from 8:00 a.m. to noon, and 1:00 p.m. to 4:00 p.m.

### 1. Data Library Contents

The Data Library contains various documentation and information that Proposers may find beneficial in the preparation of their proposal responses. Review Appendix 1 entitled "Data Library Table of Contents" for a list of the documents maintained in the Data Library. The Data Library will be available to all interested parties via CD-R/DVD-R only by sending a request via email to [omcprfp3@dhcs.ca.gov](mailto:omcprfp3@dhcs.ca.gov).

Data Library materials may be periodically updated and additional documents may be added during this procurement. Interested parties that request a copy of the Data Library via CD-R/DVD-R will be notified of the additions and/or changes by way of written notice.

### 2. Obtaining Copies of Library Materials

Interested persons that wish to obtain reproduced copies of Data Library documents may, do so by contacting Jeff Ketelson or Brian Quacchia at 916-552-8006 or sending a request via email to [omcprfp3@dhcs.ca.gov](mailto:omcprfp3@dhcs.ca.gov).

DHCS will fulfill all requests for CD-R/DVD-R copies of Data Library materials as promptly as possible.

## F. Reasonable Accommodations

For individuals with disabilities, DHCS will provide assistive services such as reading or writing assistance, and conversion of the Request for Proposal, questions/answers, RFP Addenda, applicable Data Library materials or other Administrative Notices into Braille, large print, audio cassette, computer disk, or CD. To request such services or copies in an alternate format, please call the number below to arrange for reasonable accommodations.

Jeff Ketelson/Brian Quacchia  
Office of Medi-Cal Procurement  
Program telephone number (916) 552-8006  
(TTY) California Relay telephone number 711-1-800-735-2929

NOTE: The range of assistive services available may be limited if requestors cannot allow ten or more State working days prior to date the alternate format material is needed.

## G. Pre-Proposal Conference

DHCS will not hold a Pre-Proposal Conference for this procurement.

## H. Voluntary Non-Binding Letter of Intent

### 1. General information

Prospective Proposers are asked to voluntarily indicate either their intention to submit a proposal or to indicate the reason(s) for not submitting a proposal. Failure to submit the Voluntary Letter of Intent will not affect the acceptance of any proposal. The Voluntary Letter of Intent is not binding and prospective Proposers are not required to submit a proposal merely because a Voluntary Letter of Intent is submitted. **Use the Voluntary Letter of Intent (Attachment 16) for this purpose.**

### 2. Submitting the Voluntary Letter of Intent

Regardless of delivery method, the Voluntary Letter of Intent should be received by **4:00 p.m. on 8/31/16.**

Submit the Voluntary Letter of Intent (Attachment 16) using one of the following methods.

<b>U.S. Mail, Hand Delivery or Overnight Express:</b>
<b>Letter of Intent - RFP 16-93070</b> Department of Health Care Services Office of Medi-Cal Procurement Jeff Ketelson/Brian Quacchia 1501 Capitol Ave, Suite 71.3041 MS Code 4200 P.O. Box 997413 Sacramento, CA, 95899-7413 Email: <a href="mailto:omcprfp3@dhcs.ca.gov">omcprfp3@dhcs.ca.gov</a>

### 3. Proposer warning

- a. DHCS' internal processing of U.S. mail may add forty-eight (48) hours or more to the delivery time. If the Letter of Intent is mailed, consider using certified or registered mail and request a receipt upon delivery.
- b. For courier or hand deliveries, allow sufficient time to locate on street metered parking and to sign-in at the security desk. Ask security personnel to call Jeff Ketelson/Brian Quacchia at (916) 552-8006 to arrange for Letter of Intent pickup and receipt issuance by OMCP staff.

## I. Scope of Work

See Exhibit A, Attachment I titled, "Scope of Work Planning and Implementation and Exhibit A, Attachment II titled, "Scope of Work Service Level Requirements, Measurements, Service and Service Delivery Plan Schedule." Exhibit A, Attachments I and II contain a detailed description of the services and work to be performed as a result of this procurement. RFP Main Section T. Sample Contract Forms and Exhibits provides a list of the exhibits included in the RFP package.

## J. Qualification Requirements

Failure to meet the following requirements by the proposal submission deadline will be grounds for DHCS to deem a Proposer nonresponsive. In submitting a proposal, each Proposer must certify and prove that it possesses the following qualification requirements.

### 1. Experience requirements

At least three (3) consecutive years of experience of the type(s) listed below. All experience must have occurred within the past five (5) years of the Proposal submission date. It is possible to attain the experience types listed below during the same time period. Proposers must have experience:

- a. The Proposer must be performing, or convincingly demonstrate an ability to perform, the required hearing screening IDMS for a State or regional agency, as described below.
- b. The Proposer should have at least three (3) consecutive years of experience of the type(s) listed below. All experience must have occurred within the past five (5) years of the Proposal submission date.
  - 1) Delivering data collection services for at least 500 various sites (preferably hospital and healthcare sites), consolidating collected data, sending requests for follow-up to various sources, reporting on data collected, program training, and consultative services about program and/or software.
  - 2) Developing Service Start-Up Plans describing the operating team, service level management approach, financial management approach, and the disaster preparedness/service continuity approach.
  - 3) Processing and delivering service enhancement requests.
  - 4) Training planning, delivery, and documentation.
  - 5) Utilizing a change control process (e.g. changes in service delivery, support, data input).
  - 6) Utilizing a variety of user support mechanisms including Help Desk and toll free (800) number capabilities.
  - 7) Providing user service and measurement of customer satisfaction, including metrics for:
    - a) Hours of operation of the Help Desk
    - b) Availability and effectiveness of online help functions
    - c) Data input mechanism availability
    - d) Issue resolution time
    - e) Date/time stamp capability (e.g. equipment/software designed to record and report time-stamp reporting)
    - f) Volume of issues
    - g) Issue tracking effectiveness
    - h) Communication quality
    - i) Data trustworthiness
    - j) Training effectiveness
  - 8) The Proposer should have experience establishing and maintaining effective working relationships with government entities, hospitals and Special Care Centers (SCC), local community based organizations and/or private nonprofit and for-profit organizations.

## 2. Compliance with Contract Terms and Conditions

Proposers must certify they have read and are willing to comply with all proposed terms and conditions addressed in the RFP section entitled, "Contract Terms and Conditions", including the terms appearing in the referenced contract exhibits.

## 3. Corporations, Partnerships, Limited Liability Companies

As required by California law, business entities must be in good standing and qualified to do business in California.

## 4. Nonprofit Organizations

Non-profit organizations must certify their eligibility to claim nonprofit status.

## 5. Past Business Practice

Proposers must have a past record of sound business integrity and a history of being responsive to past contractual obligations.

## 6. Financial Stability

Proposers must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.

## 7. Follow-on Consultant Contract Disclosure

Proposers must certify their proposal response is not in violation of Public Contract Code (PCC) Section 10365.5 and, if applicable, must identify previous consultant services contracts that are related in any manner to the services, goods, or supplies being acquired in this solicitation. Detailed requirements are outlined in **Attachment 8**.

PCC Section 10365.5 generally prohibits a person, firm, or subsidiary thereof that has been awarded a consulting services contract from submitting a bid for and/or being awarded an agreement for, the provision of services, procurement of goods or supplies, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of a consulting services contract.

PCC Section 10365.5 does not apply to any person, firm, or subsidiary thereof that is awarded a subcontract of a consulting services agreement that totals no more than 10 percent of the total monetary value of the consulting services agreement. Consultants and employees of a firm that provides consulting advice under an original consulting contract are not prohibited from providing services as employees of another firm on a follow-on contract, unless the persons are named contracting parties or named parties in a subcontract of the original contract.

PCC Section 10365.5 does not distinguish between intentional, negligent, and/or inadvertent violations. A violation could result in disqualification from bidding, a void contract, and/or imposition of criminal penalties.

## 8. Disabled Veteran Business Enterprise Participation Requirements

Proposers must meet a Disabled Veteran Business Enterprise (DVBE) participation goal of 3% for this solicitation. Detailed information and instructions are outlined in **Attachment 9**

(DVBE Instructions/Forms). This requirement applies if the total cost or price offered equals \$10,000 or more.

#### 9. Darfur Contracting Act Certification

Proposers that currently have or within three (3) years prior to the proposal submission date have had business activities or other operations outside of the United States must certify that the bidding entity is either (A) not a scrutinized company; or (B) a scrutinized company that has been granted permission by the Department of General Services to submit a proposal in response to this solicitation. A “scrutinized” company is defined in Public Contract Code Section 10476. Detailed certification requirements appear in **Attachment 10**.

If the Proposer does not currently have and has not, within three (3) years prior to the proposal submission date, had any business activities or other operations outside of the United States, there is no need to complete or submit **Attachment 10**.

#### 10. Iran Contracting Act Certification

Pursuant to Public Contract Code Sections 2202-2208, prior to bidding on, submitting a proposal or executing a contract or renewal for a State of California contract for goods or services of \$1,000,000 or more, a bidder/Proposer/respondent must either:

- a) Certify it is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services (“DGS”) pursuant to PCC Section 2203(b) and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; or
- b) Demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to PCC Section 2203(c) or (d).

To comply with this requirement, read and complete **Attachment 14**.

#### 11. Liability Insurance Requirement

The winning Proposer must supply, before contract execution, proof of liability insurance that meets the requirements of Exhibit E, Provision P entitled, Insurance Requirements.

#### 12. Conflict of Interest Certification

Proposers must certify and submit proof that no prohibited conflict of interest exists.

#### 13. Warranty Against Payment of a Broker’s Fee

Proposers (to include any officers, director or employees) must certify that no broker or finder has been employed, and that no liability for any brokerage fee, commission or finder’s fee (or similar fees, commission or reimbursement expenses) has been incurred in connection with the transactions contemplated by this Contract.

## K. Proposal Format and Content Requirements

### 1. General instructions

- a. Each firm or individual may submit only one proposal consisting of a narrative proposal with narrative content and a cost proposal section.

For the purposes of this paragraph, “firm” includes a parent corporation (which has a 51% interest or more in subsidiary) of a firm and any other subsidiary of that parent corporation. If a firm or individual submits more than one (1) proposal, DHCS will reject all proposals submitted by that firm or individual.

A firm or individual proposing to act as a prime Contractor may be named as a Subcontractor in another Proposer’s proposal. Similarly, more than one (1) Proposer may use the same Subcontractors and/or Independent Consultants or general partnerships.

- b. Develop proposals by following all RFP instructions and/or clarifications issued by DHCS in the form of question and answer notices, clarification notices, Administrative Bulletins or RFP addenda.
- c. Before submitting a proposal, seek timely written clarification of any requirements or instructions that are believed to be vague, unclear or that are not fully understood.
- d. In preparing a proposal response, all narrative portions should be straightforward, detailed and precise. DHCS will determine the responsiveness of a proposal by its quality, not its volume, packaging or colored displays.
- e. Arrange for the timely delivery of the proposal package(s) to the address specified in this RFP. Do not delay until shortly before the deadline to submit the proposal.

### 2. Format requirements

- a. Submit one (1) original proposal, five (5) copies or sets, and one accompanying CD-R/DVD-R.
  - 1) Write “**Original**” on the original Master proposal set. Place the accompanying CD-R/DVD-R in a protective sleeve that bears the RFP number. Original proposal takes precedence over all copies and CD must be an exact replica of the original RFP.
  - 2) Mark the five (5) copies or sets as follows: “Copy 1 of 5”, “Copy 2 of 5”, “Copy 3 of 5,” “Copy 4 of 5,” “Copy 5 of 5.”
  - 3) Place the accompanying CD-R/DVD-R in a protective sleeve and label it as follows:  
Name of RFP  
RFP Number
  - 4) Each proposal set and the accompanying CD-R/DVD-R must be complete with a copy of all required attachments, forms and other documentation.
- b. Format the narrative portion of the Narrative proposal as follows:
  - 1) Use one-inch margins at the top, bottom, and both sides.

- 2) Use a font size of not less than (11) points.
  - 3) Print pages single-sided on white bond paper.
  - 4) Sequentially paginate the pages in each section. It is not necessary to paginate items in the Forms Section or Appendix Section.
- c. Bind each proposal set in a way that enables easy page removal. The binders should be no larger than two (2) inches and may be loose leaf or three (3)-ring binders may be used.
  - d. All RFP attachments that require a signature must be signed in ink, preferably in a color other than black. Signatures may be omitted from the accompanying CD-R/DVD-R.
    - 1) Have a person who is authorized to bind the proposing firm sign each RFP attachment that requires a signature. Signature stamps are not acceptable.
    - 2) Place the originally signed attachments in the proposal set marked “**Original**”.
    - 3) The RFP attachments and other documentation placed in the extra proposal sets may reflect photocopied signatures.
  - e. Do not mark any portion of the proposal response, any RFP attachment, or other item of required documentation as “Confidential” or “Proprietary”.

### 3. Content requirements

This section specifies the order and content of each proposal. Assemble the materials in each proposal set in the following order:

#### a. Proposal Cover Page

A person authorized to bind the Proposer must sign the Proposal Cover Page (**Attachment 1**). If the Proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the Proposal Cover Page.

#### b. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Forms Section and Appendix Section.

#### c. Executive Summary Section

This section must not exceed three (3) pages in length.

In preparing the Executive Summary, do not simply restate or paraphrase information in this RFP. Describe or demonstrate, in the Proposer’s own words, the following information.

- 1) An understanding of DHCS’ needs and the importance of this project.
- 2) The tangible results that are expected and how they will be achieved.

- 3) How this project will be effectively integrated into the proposing firm's current obligations and existing workload.
  - 4) Why the proposing firm should be chosen to undertake this work at this time.
  - 5) An outline of the firm's solvency, fiscal transparency and effective staff management practices.
  - 6) How an efficient Takeover/Start-Up submission platform is essential for success of this Project.
- d. Proposing Firm's Capability Section
- 1) Include a brief history of the proposing firm, including:
    - a) Date of establishment. If applicable, explain any changes in business history (i.e., name change, ownership, partnership arrangements, etc.) or organizational structure that will assist DHCS in determining the qualifications of the proposing firm.
    - b) A description of the proposing firm's goals that are relevant, closely related, or which complement this project.
  - 2) Describe experience that qualifies the proposing firm to undertake this project. The Proposer must be performing, or convincingly demonstrate an ability to perform, the required hearing screening IDMS for a State or regional agency with a large birthrate comparable to California, as described below. The Proposer should demonstrate at least three (3) consecutive years of experience of the types listed in this section. All experience must have occurred within the past five (5) years of the proposal submission date. It is possible to attain the experience types listed below during the same time period. Proposers must be able to perform all of the following:
  - 3) Describe experience in delivering data collection services for at least 500 various sites (preferably hospital and healthcare sites), consolidating collected data, sending requests for follow-up to various sources, reporting on data collected, program training, and consultative services about program or software.
    - a) Develop Service Start-Up Plans describing the operating team, service level management approach, financial management approach and the disaster preparedness/service continuity approach;
    - b) Process and deliver service enhancement requests;
    - c) Provide training planning, delivery and documentation;
    - d) Utilize a change control process (e.g. changes in service delivery, support, data input);
    - e) Utilize a variety of user support mechanisms including Help Desk and toll free (800) number capabilities;
    - f) Provide user service and measurement of customer satisfaction, including metrics for:
      - i. Hours of operation of the Help Desk
      - ii. Availability and effectiveness of online help functions
      - iii. Data input mechanism availability
      - iv. Issue resolution time
      - v. Date/time stamp capability (e.g. equipment/software designed to record and report time-stamp reporting)

- 
- vi. Volume of issues
  - vii. Issue tracking effectiveness
  - viii. Communication quality
  - ix. Data trustworthiness
  - x. Training effectiveness
- 4) Briefly, describe the accounts or work projects begun and/or completed in the past five (5) years that involved services similar in nature or closely related to the Scope of Work in this RFP. For each account or project listed, include the following information:
- a) Name of agency or firm for whom services were performed,
  - b) Identification of a contact person,
  - c) Duration or length of the project,
  - d) Total cost or value of the project,
  - e) Indicate if the account or project is “active/open” or “closed/settled”,
  - f) Describe briefly the type and nature of the services performed.
- 5) Identify three (3) client references that the proposing firm has serviced in the past five (5) years from the proposal submission date that can confirm their satisfaction with the services and confirm if the proposing firm provided timely and effective services or deliverables. Use the Client References form (**Attachment 4**) for this purpose. **Place the completed Client References form in the Forms Section of the proposal.**
- e. Work Plan Section
- 1) Overview
    - a) DHCS is interested in proposals that provide well-organized, comprehensive, and technically sound business solutions. Vague explanations will undermine the proposing firm’s credibility and will result in reduced proposal scores.
    - b) If the nature of a task or function hinders specific delineation of in-depth methods and procedures (e.g., a task is dependent upon a future action or multiple approaches may be used), explain the probable methods, approaches, or procedures that will be used to accomplish the task or function. Also, describe, in this instance, how the proposing firm will propose the ultimate strategies and detailed plans to DHCS for full consideration and approval before proceeding to carry out the project.
    - c) DHCS is interested in proposals that provide a phased implementation with deliverables in each phase. Specifically, DHCS anticipates six (6) distinct implementation phases described further below with the Work Plan Schedule:
      - i. Service Preparation
      - ii. Initial Deployment of the IDMS to the Primary HCC and the State
      - iii. Initial Deployment of the IDMS to the hospitals in the Primary HCCs region
      - iv. Full Deployment
      - v. Sustained Service
      - vi. Closure

2) Work Plan Narrative

Proposer must include a Work Plan Narrative that provides an in-depth discussion and description of the methods, approaches and step-by-step actions that will be carried out to fulfill all requirements and addresses the following:

a) Overall Approach

Proposer must describe its customary approach to implementing this kind of service. In particular, the Proposer must define how its service implementation plan will address the phased implementation required by DHCS. The Proposer needs to describe its administration and reporting capabilities, weekly status meetings and reports during the start-up effort, bi-weekly reports during implementation, monthly reports thereafter, and describe its intended operations organization. Included must be a high level overall description of any and all activities or tasks that the Proposer anticipates will be required to fulfill the activities and produce the deliverables outlined above. The Proposer must identify the work flows for delivering the service, identifying tasks and control points. The detailed Service Delivery Plan will become a working document of the NHSP IDMS Contract.

b) Service Preparation

The Proposer must describe the effort to prepare the service for use by DHCS (Service Start-Up Plan) in sufficient detail for DHCS to evaluate its administration and reporting capabilities for this effort. At a minimum, DHCS expects the Contractor to provide weekly status reports and conduct weekly status meetings during the service start-up effort.

c) Service Operations Team

The Proposer must describe its intended operations organization and describe the specific work roles and key responsibilities for the service operations. The Proposer must indicate who will have primary responsibility for performing each major task/activity or function. If known, the Proposer must identify the name and position title of all key personnel. The Proposer must describe operating staff already in place and explain the extent to which the Proposer is prepared to assume the anticipated change that DHCS's NHSP IDMS will add to the Proposer's existing volumes of transactions and phone inquiries. New team members must be vetted by DHCS. At any time, DHCS will reserve the discretion to be part of the recruitment and hiring process.

d) Service Level Management Approach

The Proposer must describe its intended approach to service level management and the extent to which it can demonstrate comprehensive Service Level Management is already in place. Include specific metrics it is currently using to measure the performance of existing operations for another State with a birthrate comparable to California, if available. The Proposer must identify what service quality measurements are in place to ensure service is meeting Service Level Requirements and Measurements (Exhibit A-Attachment II).

e) Training Strategy

The Proposer must describe its approach to training and provide documentation that demonstrates its ability to assemble a comprehensive library of materials for the planning and delivery of training at all levels of the program including State, HCC and hospital/provider staff, as described in Exhibit A, Attachment II - Service Delivery Plan and Schedules Activities. At a minimum, the Proposer must provide all of the following as part of its service:

- i. Training Plan
- ii. User/Training Guide
  - A. Initial Training Manual – Providers
  - B. Ongoing Training Manual – Providers
  - C. Report Training Manual – Providers
- iii. Administrator Guide
  - A. Initial Training Manual – HCC /State users
  - B. All Reports Manual – HCC/State users
- iv. Change Control Plan

f) User Support

- i. The Proposer must describe its general approach to receive, track and provide support to all IDMS users.
- ii. The Proposer must describe in detail what support is available to users of the services and how they will access it.
- iii. The Proposer must describe support provided for reported service problems, problem tracking and resolution and status updating.
- iv. The Proposer must describe the approach for ongoing Help Desk support throughout the life of the Contract as well as during the implementation process.
- v. The Proposer must provide technical support for the hospital screeners which can take place at any time as directed by DHCS. The Proposer must describe the approach to addressing support of the hospital during non-traditional business hours.
- vi. The Proposer must provide technical support for trouble-shooting data transfer and communication issues.
- vii. The Proposer must provide technical support for users in recovering data. If there are other means of accessing technical support, the Proposer must include a description of the methods and provide information about the average length of time from such request to response.
- viii. The Proposer must describe its change control process that outlines the general approach to the processing of service enhancement requests including the method of identification and selection of enhancements to be developed.

g) Documentation

In addition to including the **Work Plan** itself, the Proposer must propose and address at least the following expected documents in its proposal:

- i. **Training Plan:** Described as part of the proposal effort, created during service preparation, and updated during service implementation;
- ii. **Training Materials:** Described as part of the proposal effort, created during service preparation, and updated during service implementation;
- iii. **Change Control Plan:** Described as part of the proposal effort, created during service preparation, and updated during service implementation;
- iv. **Operational Readiness Test Plan:** Described as part of the proposal effort, created during service preparation, and updated during service implementation; and
- v. **Maintenance and Support Plan:** Created as part of the proposal effort and updated during service implementation.

The Proposer must describe the extent to which it can provide a comprehensive and detailed plan that exhibits evidence of experience and expertise to deliver, maintain, and support an IDMS of the scope required by the DHCS Newborn Hearing Screening Program.

The maintenance effort includes correcting any unacceptable problems or issues, escalating any new service requirements, performing IDMS updates or fixing problems to ensure the IDMS works correctly, testing, and documenting any issues found during testing and the actions taken to resolve the issues.

The support effort includes monitoring the IDMS, receiving and responding to support requests from DHCS staff and users, managing the Contractor's Help Resources, investigating any unacceptable problems or issues, and documenting requests and corresponding resolutions.

The Maintenance and Support Plan must include all of the following, at a minimum:

- A. How DHCS will contact the Contractor for maintenance and support inquiries.
- B. How Providers will contact the Contractor for support inquiries.
- C. How HCCs will contact the Contractor for support inquiries.
- D. The resolution procedures to be followed by DHCS if issues are found in the IDMS.
- E. The processes for DHCS to follow for Service Change Requests and prioritization, problem tracking, and resolution, etc.
- F. The Contractor's approach for maintaining and supporting the IDMS.
- G. The Contractor's required attendance at each HCCs Semi-Annual Meetings to provide "IDMS Refresher Training".
- H. The Contractor to provide interim "IDMS Refresher Training" based on DHCS' findings within the Service Assessment.
- I. The Contractor to provide training and assessment to new users in test environment prior to issuing login credentials to new users.

h) Disaster Preparedness and Service Continuity Approach

The Proposer must describe its general approach to disaster preparedness, including any service resumption plan already in place that can be examined for application to the DHCS's NHSP IDMS. DHCS maximum allowable outage for this service is fifteen (15) days.

i) Assumptions

The Proposer must indicate any assumptions made in developing the Service Delivery Plan and Backup Site Plan in response to the RFP Requirements. For each assumption listed, the Proposer must explain the reasoning or rationale that led to the assumption and a detailed description of dependencies on DHCS for items that DHCS must deliver. The Proposer should indicate if no assumptions were made. Any assumptions made are not binding on the State.

j) Dependencies

If applicable, the Proposer must identify any additional Contractor and/or State responsibilities included in the RFP that the Proposer believes are necessary to ensure successful performance, but that were omitted from the RFP. Likewise, the Proposer is to indicate if no additional Contractor and/or State responsibilities, outside of those identified in the RFP were included in the proposed Service Delivery Plan, Exhibit A, Attachment II, Section D., 1.,a.,1)

k) Risks

If the Proposer envisions any major complications or delays at any stage of performance, they must be described and explained and must include a proposed strategy for overcoming the issues. Likewise, the Proposer is to indicate if no major complications or delays are anticipated.

l) Omissions

If, for any reason, the Work Plan does not wholly address each requirement in the RFP, the Proposer must fully explain each omission. Likewise, the Proposer is to indicate if the Work Plan contains no omissions.

3) Service Delivery Schedule

Following the desired phased approach using the six (6) identified Activities, the Proposer must propose a Work Plan Schedule, a timeline providing expected tasks and milestones, estimated start and end dates, task durations, task/milestone dependencies, and resource allocations. This Schedule will be finalized as part of the first deliverable. Exhibit A-Attachment II, Section D – Service Delivery Schedule and Plan, outlines the six (6) Activities and minimum deliverables expected for the Proposer to deliver as part of the proposed IDMS. Note that some Activities will overlap in terms of the Schedule.

4) Rejection of tasks, activities or functions

The Proposer may not reject any task, activity or function required by this proposal. Any language discovered during the evaluation by DHCS that states a task, activity or function is rejected may be grounds to deem a Proposer non-responsive, at DHCS' sole discretion. Upon execution of the contract the Proposer may not assert that any part, section or language of their proposal rejected a task, activity or function.

## 5) Work Plan content

- a) Briefly, explain or describe the overall approach and/or methods that will be used to accomplish the SOW.
- b) Explain why the particular approaches and methods that are proposed were chosen (e.g., proven success or past effectiveness, etc.).
- c) If applicable, explain what is unique, creative, or innovative about the proposed approaches and/or methods.
- d) If any major complications or delays are envisioned at any stage of performance, describe those complications or delays and include a proposed strategy for overcoming those issues. Likewise, indicate if no major complications or delays are anticipated.
- e) If, for any reason, the Work Plan does not wholly address each SOW requirement, fully explain each omission. Likewise, indicate if the Work Plan contains no omissions.
- f) Indicate the assumptions made in developing the Work Plan in response to DHCS' SOW. For each assumption listed, explain the reasoning or rationale that led to each assumption. Likewise, indicate if no assumptions were made.
- g) Identify the specific tasks/activities and functions that will be performed in the order they are likely to occur. Include the following in-depth information for each task/activity or function in the work plan:
  - i. If the responsible party is unknown or not yet identified, identify a staff position title or project name/title and indicate "TBD" which is the abbreviation for "to be determined".
  - ii. Include a performance time line for each major task/activity or function. Indicate the approximate beginning and ending month and year. If a task/activity or function will only occur in one (1) fiscal period or year, indicate the beginning and ending month and year.

If desirable, in addition to start and end dates, the Proposers may use other terms such as start-up, on-going, continuous, takeover, turn-over, etc. to describe the performance time line. In doing so, the Proposers must define the meaning of each unique term that is used.
  - iii. Explain/describe how the Proposer intends to measure or prove successful completion of each major task, function, or activity.

If applicable, identify the key events or outcomes that will signify completion or identify tangible items (deliverables) that will result at the conclusion of the various tasks/activities or functions.

## 6) Takeover Plan

The new Contractor shall coordinate with the existing Contractor prior to the assumption of duties. The new Contractor shall, describe an initial overall plan and/or approach for coordinating the takeover of existing activities from the current

Contractor, and address any foreseeable transition complications and potential methods for dealing with or resolving transition complications to minimize the disruption of existing services. The Proposers must obtain State approval of a finalized takeover plan prior to the actual assumption of operations.

- a) The Takeover Plan must include projected performance time lines and a detailed description of the step-by-step actions, methods, and approaches used to fulfill all Scope of Work requirements.
  - b) In anticipation of the continuous infant tracking and monitoring workflow, Contractor(s) shall configure their proposal including an IDMS budget, staffing, equipment and other resources to permit the timely and effective initiation of work after the contract start date to minimize the risk of infant loss to follow-up.
  - c) Unless the Contractor was engaged under contract with DHCS as providing IDMS at the time of this procurement, Contractor(s) must obtain State approval of a finalized takeover plan prior to the actual assumption of operations that addresses all SOW activities that provides for the timely and effective transition of all IDMS-HCC activities from a previous Contractor or, if applicable, from DHCS.
  - d) The Contractor shall report any anticipated transition/implementation delays to DHCS within two (2) working days of the identification of the delay(s) and Remediation Plan.
- 7) Turnover Requirements

The objective of the Turnover Period of the Contract is to ensure an orderly transfer of the NHSP IDMS from the Contractor to DHCS or a (prospective) successor Contractor at the end of the Operations Period or upon termination of the Contract.

Turnover activities shall begin prior to the end of the Operations Period, and Turnover shall conclude at the end of the contractual requirements as defined. DHCS will work closely with the Contractor during this process and must approve all updates to the Contractor's Turnover approach and plans. All data and information provided by the Contractor as required by the Contract shall be accompanied by letter, signed by the Contractor's authorized representative or his/her designee, attesting that the supplied material(s) is/are current, accurate, and complete.

The Contractor shall maintain staff throughout the Turnover Period to satisfy and maintain compliance with all performance standards and requirements identified in Exhibit A, Attachment 1, Section H.

The cost of completing all Turnover activities shall be borne by the Contractor.

Given the uncertainties associated with the activities that will take place at the end of this Contract, the Contractor shall be flexible to changing requirements. Therefore, the order, timeline or structure of the Turnover process may be adjusted at the direction of the Contracting Officer from those required in this Contract.

DHCS may request certain Turnover documentation and/or Turnover functions to be performed before the Turnover Period commences. Requested items shall be provided to DHCS and/or activities shall be performed within thirty (30) calendar days of the date requested, unless otherwise stated in writing by the Contracting

Officer. Failure to comply with a request within the specified timeframe may constitute sufficient grounds to deem the Contractor a non-responsible bidder for the following procurement.

f. Management Plan Section

- 1) Describe how the proposing firm will effectively coordinate, manage, and monitor the efforts of the assigned staff, including Subcontractors and/or Consultants, if any, to ensure that all tasks, activities, and functions are completed effectively and in a timely manner.
- 2) Describe the fiscal accounting processes and budgetary controls that will be employed to ensure the responsible use and management of contract funds and accurate invoicing. Include at a minimum, a brief description of all of the following:
  - a) The proposing firm's fiscal reporting and monitoring capabilities (e.g., spread sheets, automated fiscal reports, quality controls, checks and balances, etc.) to ensure contract funds are managed responsibly.
  - b) Proposed billing or invoicing frequency (not more frequently than once per month). Electronic billing is not possible.
  - c) Identify the documentation that will be retained on file or submitted to DHCS upon request to prove, support, and/or substantiate the expenses that are invoiced to DHCS.
- 3) Include an organization chart. Instructions are explained in the Appendix Section. **(Place the organization chart in the Appendix Section of the proposal).**
- 4) Include financial statements. Instructions are explained in the Appendix Section.

g. Key Personnel Section

The IDMS Contractor shall employ one full time Director on staff whose position will be responsible solely for the day to day operations of the IDMS contract. The Director shall have relevant work and educational experience. The IDMS shall arrange for an alternate when the Director is unavailable for extended periods. Multiply part time individual's time cannot be combined to meet the one (1) FTE minimum.

DHCS requires that Proposers maintain a staffing pattern and position requirements and position descriptions consisting of each of the following full or part-time paid positions, including Consultants:

The minimum education and experience requirements for the recommended staff are specified below. Typical tasks and/or responsibilities that might be assigned to core staff are described.

**Contract IDMS Project Director**

- Education: Bachelor's degree in a technology, computer science, health related discipline or other as approved by DHCS.
- Experience: Three (3) years of experience in overseeing and managing the delivery of health care data management services as approved by DHCS, including supervision and management of staff and program operations, program administration and fiscal oversight, and coordination with public and private sector health care Providers.
- Typical Duties: Overall responsibility for the day-to-day management of the IDMS including maintaining appropriate staffing and managing personnel performance. Provides administrative, managerial and fiscal oversight of the State contract and IDMS operations. Serves as coordinator and liaison with DHCS, hospitals, Intensive Care Newborn Nurseries (ICNNs) and other health care Providers in the the State of California. Performs and reports monthly on quality assurance activities, IDMS overall performance, and all other IDMS functions to assess the effectiveness of IDMS operations and maintains associated documentation. Ensures that all contract deliverables are complete, accurate and submitted in a timely manner. Participates in all IDMS related meetings, trainings and phone calls as designated by DHCS.

- A. Include a one to two (1-2) page resume for IDMS Project Director that will exercise a major administrative, policy, or consulting role in carrying out the project work. **Place staff resume in the Appendix Section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, personal email address, marital status, sex, birth date, age, etc.

h. Appendix Section (Required Documents)

Place the following documentation in the Appendix Section of the proposal in the order shown below.

1) Proof of eligibility to do business in California

If the Proposer is a Corporation, Partnership or Limited Liability company, submit **either** a copy of the proposing firm's most current Certificate of Status issued by State of California, Office of the Secretary of State **or** submit a downloaded copy of the proposing firm's on-line status information from the [California Business Portal website](#) of California's Office of the Secretary of State. Include an explanation if this documentation cannot be submitted. If a corporation, unless otherwise specified, do not submit copies of the proposing firm's Bylaws or Articles of Incorporation. Also, include a copy of the proposing firm's Bylaws and Articles of Incorporation.

2) Proof of Nonprofit status

Nonprofit organizations must prove they are legally eligible to claim "nonprofit" and/or tax-exempt status by submitting a copy of an IRS determination letter indicating

nonprofit or 501 (3) (c) tax-exempt status. Submit **either** a copy of the proposing firm's most current Certificate of Status issued by State of California, Office of the Secretary of State **or** submit a downloaded copy of the proposing firm's on-line status information from the California Business Portal website of California's Office of the Secretary of State. Submit an explanation if this documentation cannot be supplied.

3) An organization chart

The organization chart must show the distinct lines of authority between and among the divisions that will perform the project work and the primary reporting relationships within the Proposer's organization. Show the relationships between management, key decision makers, supervisory personnel and Subcontractors and/or independent Consultants, if any.

4) Financial statements

To safeguard the interest of the State and in order to ensure that a Proposer has the financial wherewithal to perform this contract, the Proposer shall supply the following information, as appropriate:

- a) The Proposer shall submit a Financial Stability Plan incorporating the following data for the past two (2) corporate fiscal years of the Proposer and the interim period from the end of the last full fiscal year up to and including the date specified for submission of Narrative Proposals.

If the Proposer is a subsidiary of any other legal entity and the financial resources of the Parent Corporation are required to qualify the subsidiary for competition under this procurement, the financial stability submission requirements for this section shall apply to the Parent Corporation.

Audited statements are preferred, but not required. DHCS will accept financial statements prepared by your financial accounting department, accounting firm or an auditing firm. A statement signed by an appropriate officer certifying that the financial statements are accurate and complete must accompany all financial statements. Unaudited financial statements may not be used to qualify under Section h.,4),b) below.

- i. A Proposer's annual financial statements for the last two fiscal years, accompanied by an independent Certified Public Accountant's report, certificate or Opinion Statement.
- ii. Public interim financial statements for the interim period from the end of the last full fiscal year up to and including the month prior to submission of narrative proposals. The State does not require submittal of interim statements for the last three (3) fiscal years for which annual reports are submitted.
- iii. A projected pro forma financial statement and statement of changes in financial position for the next three (3) years predicated upon operation without the award of this contract.
- iv. A detailed financial plan and proposed cash flow budget demonstrating the availability and source of sufficient funds to cover the Proposer's projected

operation cost without risk of insolvency were the Proposer to provide the contractual services under the contract period.

- v. All financial data submitted in the Financial Stability and Guaranty Provisions Plan in connection with this RFP shall be accompanied by a signed statement from the Proposer's or parent corporation's Chief Executive Officer and Chief Financial Officer or Contractor's Representative, certifying that the data is current, accurate and complete.
- vi. Proposers must include an organization history of claims of bankruptcy, receivership, questioned cost, repayment of funds, failure to fulfill contract and criminal or civil legal actions that name the organization or administrative/supervisory staff that have occurred during the past five years. If you supply audited financial statements, all noted audit exceptions must be explained.

b) In lieu of the above, sections K.3.h.4)a) i-vi a Proposer may provide the following:

- i. A Proposer may submit the two most recent annual certified financial statements, accompanied by an independent certified public accountant's Unqualified Audit Report or Opinion Statement (Unqualified/Clean Opinion).
- ii. A Proposer must include an organization history of claims of bankruptcy, receivership, questioned cost, repayment of funds, failure to fulfill contract and criminal or civil legal actions that name the organization or administrative/supervisory staff that have occurred during the past five (5) years. Any noted audit exceptions of your audited financial statements must be explained.
- iii. Either:
  - A. Capital contributions and retained earnings equal to an amount greater than \$5,000,000 (five million dollars), as identified in the annual financial statements.

Or

  - B. Evidence of tangible assets under control, greater than \$10,000,000 (ten million dollars), as identified in the annual financial statements.

5) Subcontractor/Consultant resumes

Submit a resume for each pre-identified Subcontractor or independent consultant, if any, as discussed in the Project Personnel Section. To the extent possible, resumes should not exceed 1-2 pages in length per person and should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

6) Subcontractor/Consultant letters of agreement

For each pre-identified Subcontractor or independent consultant that will be used to perform services under the resulting contract, submit a letter of agreement to work on this project.

A letter of agreement must be signed by an official representative of each subcontracted firm or independent consultant, acknowledging their intended participation/availability to work on this project and acknowledging they have read or been made aware of the terms and conditions of the proposed contract. Include an explanation if a letter of agreement cannot be obtained from each pre-identified Subcontractor and consultant and indicate when a letter of agreement will be forthcoming.

- 7) Conflict of Interest Compliance Certificate
- a) Any firm that intends to submit a proposal is required to submit **Attachment 17** certifying that the proposing firm understands that the conflict of interest requirements shall remain in effect for the entire term of the resulting Contract.
  - b) If a conflict of interest is determined to exist that cannot be resolved to the satisfaction of DHCS, before the award of the contract, the conflict will be grounds for deeming a proposal nonresponsive.
  - c) Proposers must assess their own situation according to the Conflict of Interest Compliance Certification information in **Attachment 17**. Complete, sign, and attach any required documentation according to the instructions on the attachment. **Place Attachment 17 and any accompanying documentation in the Appendix Section of the proposal.**
- i. Forms Section

Complete, sign, and include the forms/attachments listed below. When completing the attachments, follow the instructions in this section and any instructions appearing on the attachment. After completing and signing the applicable attachments, assemble them in the order shown below.

Attachment #, Name, or Documentation	Instructions
1 – Proposal Cover Sheet	Complete and sign this form.
2 - Required Attachment / Certification Checklist	<ol style="list-style-type: none"> <li>1) Check each item with “Yes”, “No” or “N/A”, as applicable, and sign the form. If necessary, explain the choices.</li> <li>2) If a Proposer marks “Yes”, “No” or “N/A” and makes any notation on the checklist and/or attaches an explanation to the checklist to clarify their choice, DHCS considers this a “qualified response”. Any “qualified response”, determined by DHCS to be unsatisfactory or insufficient to meet a requirement, may cause a proposal to be deemed nonresponsive.</li> </ol>
3 - Not Being Used	Non- Applicable (N/A)

Attachment #, Name, or Documentation	Instructions
4 - Client References	Identify three (3) clients serviced within the past five years of the proposal submission date that can confirm their satisfaction with the Proposer's services and confirm that the Proposer provided timely and effective services or deliverables. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFP. List the most recent first.
5 - RFP Clause Certification	Complete and sign this form indicating a willingness and ability to comply with the contract certification clauses appearing in the RFP section entitled, "Proposal Requirements and Information," subsection "Bidding Certification Causes".
6 - CCC 307 – Certification	Complete and sign this form indicating a willingness and ability to comply with the Contractor Certification Clauses appearing in this Attachment. The attachment supplied in this bid represents only a portion of the Contractor information in this document. Visit this web site to view the State's Standard Contract Language: <a href="http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx">http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx</a>
7 - Payee Data Record	Complete and return this form, <u>only</u> if the proposing firm has not previously entered into a contract with DHCS. If uncertain, complete and return the form.
8 - Follow-on Consultant Contract Disclosure	Complete and sign this form. If applicable, attach to this form the appropriate disclosure information.
9 - DVBE Instructions 9a - DVBE Participation	Read and carefully follow the completion instructions in Attachment 8.  <b>Submission of this form only applies to contract awards that will equal \$10,000 or more for the entire contract term or if a Proposer opts to claim the DVBE incentive.</b>
10 - Darfur Contracting Act Certification	If applicable, complete, sign and return this form and the required documentation if applicable. Detailed completion instructions appear on the cited attachment.
11a-Non-Small Business Subcontractor Preference Request 11b-Small Business Subcontractor / Supplier Acknowledgement	<b>Submission of these forms is optional.</b> Read and carefully follow the completion instructions in Attachments 11, 11a, and 11b. Complete and return Attachments 11a and 11b <u>only</u> if the bidding firm is a not a certified small business but is requesting a Subcontractor bidding preference by committing to use one or more certified small business Subcontractors for an amount equal to at least 25% of the total bid price.

Attachment #, Name, or Documentation	Instructions
12 - Target Area Contract Preference Act Request	<b>Submission of this form is optional.</b> Target Area Contract Preference Act (TACPA) Request Submission of this form is optional. Complete and return this form <u>only</u> if the proposing firm is based in California, <u>and</u> the total bid price is one hundred thousand dollars (\$100,000) or more, <u>and</u> DHCS has not pre-set any part of the work location, <u>and</u> the Proposer wishes to apply for TACPA preference.
13 – Cost Proposal Form	Review of the Cost Proposal for completeness and compliance with RFP instructions. <b>Submission of a complete cost proposal in the State’s prescribed format is mandatory.</b>
14 - Iran Contracting Act Certification	Complete, sign and return this form and the required documentation if applicable. Detailed completion instructions appear on the cited attachment.
15 – Request for Inclusion on Mailing List	This is a voluntary request form, which will allow DHCS to continue to provide your firm with the automatic updates to this RFP.
16 – Voluntary Letter of Intent	This is a non-binding Letter of Intent whose purpose is to assist DHCS in determining the staffing needs for the Proposal evaluation process and to improve future procurements (refer to Section H, “Voluntary” Non-Binding Letter of Intent ).
17 – Conflict of Interest Compliance Certificate	Proposers must assess their own situation according to the Conflict of Interest Compliance Certification information in this attachment. Complete, sign, and attach any required documentation according to the instructions in the attachment.  In the event a Proposer has a suspected or potential conflict relationship, the Proposer must provide a written statement to DHCS that describes what relationship it has with the entity in question, and its plan for protecting DHCS from any potential conflict or negative impact.
18 – Proposer Response Guide	See the instructions with the attachment.

## L. Proposal Submission

### 1. General Instructions

- a. Place the accompanying CD-R/DVD-R in a protective sleeve that bears the RFP number and include with proposal marked “Original.” Package the “Original” and five (5) copies of the proposal together. Place the proposal set marked “Original” on top, followed by the five (5) extra paper copies.
- b. If possible, place all proposal copies and accompanying CD-R/DVD-R in a single envelope or package. Seal the envelope, package, carton, or box.

If more than one envelope, package, carton, or box is submitted, carefully label each one as instructed below, and mark on the outside of each envelope or package “1 of X”, “2 of X”, etc.

- c. Mail or arrange for hand delivery of the proposal sets and accompanying CD-R/DVD-R to the Department of Health Care Services’ Office of Medi-Cal Procurement. Proposals may not be transmitted electronically by fax or email.
- d. Cost Proposal Submission
  - 1) Basic content
 

The Cost Proposal will consist of the following document:

Cost Proposal Form (**Attachment 13**).
  - 2) General instructions
- e. **Attachment 13 (Cost Proposal Form) documents must be submitted in a separate, signed and sealed package from the narrative proposal.** The cost proposal must be typewritten and signed in blue ink by an appropriate officer of the company. OMCP must receive the proposal sets and accompanying CD-R/DVD-R, regardless of postmark or method of delivery, by **4:00 p.m. on 9/01/16**. Late proposals will not be reviewed or scored.
- f. Label and submit the proposal sets and accompanying CD-R/DVD-R using one of the following methods.

Hand Delivery or Overnight Express:	U.S. Mail:
<p><b>Proposal - RFP 16-93070</b>                      Department of Health Care Services                      Office of Medi-Cal Procurement                      Jeff Ketelson/Brian Quacchia                      Mail Station 4200                      1501 Capitol Avenue, Suite 71.3041                      Sacramento, CA 95814</p>	<p><b>Proposal - RFP 16-93070</b>                      Department of Health Care Services                      Office of Medi-Cal Procurement                      Jeff Ketelson/Brian Quacchia                      Mail Station 4200                      P.O. Box 997413                      Sacramento, CA 95899-7413</p>

- g. **Proposer warning**
  - 1) An appointment request to schedule a delivery time is encouraged. To schedule an appointment, please submit an email request to [omcprfp3@dhcs.ca.gov](mailto:omcprfp3@dhcs.ca.gov) with the subject line: “RFP Submission #16-93070” or call (916) 552-8006. For hand deliveries or courier service, allow sufficient time to locate on street metered parking and to sign in at the security desk. Ask security personnel to call OMCP at (916) 552-8006 to arrange for proposal pickup and receipt issuance. **Proposers are warned not to surrender their proposals to the care of a person other than DHCS’ OMCP staff.**
  - 2) DHCS’ internal processing of U.S. mail may add forty eight (48) hours or more to the delivery time. If the proposal is mailed, consider using certified or registered mail and request a receipt upon delivery.

**2. Proof of timely receipt**

- a. All mailed proposals will be dated and time stamped upon receipt at DHCS. Proposals hand delivered will be issued a date and time stamped receipt at the time the proposal is delivered.

To be timely, OMCP must receive each proposal at the stated delivery address no later than 4:00 p.m. on the proposal submission date. A U.S. postmark will not serve as proof of timely delivery.

- b. DHCS will deem late proposals nonresponsive.

**3. Proposer costs**

Proposers are responsible for all costs of developing and submitting a proposal. Such costs cannot be charged to DHCS or included in any cost element of a Proposer's price offering.

**M. Evaluation and Selection**

A multiple stage evaluation process will be used to review and/or score narrative proposals. DHCS will reject any proposal that is found to be nonresponsive at any stage of evaluation.

**1. Stage 1 – Required Attachment / Certification Checklist review**

- a. Shortly after the proposal submission deadline, DHCS staff will convene to review each proposal for timeliness, completeness, and initial responsiveness to the RFP requirements. This is a pass/fail evaluation.
- b. In this review stage, DHCS will compare the contents of each proposal to the claims made by the Proposer on the Required Attachment / Certification Checklist to determine if the Proposer's claims are accurate.
- c. If deemed necessary, DHCS may collect additional documentation (i.e., missing forms, missing data from RFP attachments, missing signatures, etc.) from a Proposer to confirm the claims made on the Required Attachment / Certification Checklist and to ensure that the proposal is initially responsive to the RFP requirements.
- d. If a Proposer's claims on the Required Attachment / Certification Checklist cannot be proven or substantiated to DHCS' satisfaction, the proposal will be deemed nonresponsive and rejected from further consideration.

**2. Stage 2 – Narrative proposal evaluation/scoring**

- a. Proposals that appear to meet the basic format requirements, initial qualification requirements and contain the required documentation, as evidenced by passing the Stage 1 review, will be submitted to a rating committee.

Raters will individually and/or as a team review, evaluate and numerically score proposals based on each proposal's adequacy, thoroughness, and the degree to which it complies with the RFP requirements.

- b. DHCS will use the following scoring system to assign points. Following this chart is a list of the considerations that raters may take into account when assigning individual points to a narrative proposal.

<b>Points</b>	<b>Interpretation</b>	<b>General basis for point assignment</b>
<b>0</b>	<b>Inadequate</b>	Proposer does not include a response and/or supporting information for the requirement(s) or does not commit to meet the RFP requirement(s).
<b>1</b>	<b>Barely Adequate</b>	Response and/or supporting information just meets the RFP requirement(s) and/or the information is unclear. Response provides very minimal descriptive information to support the Proposer's claim that they understand and intend to meet the requirement(s). Response is lacking information, lacking depth or breadth or lacking facts and/or details.
<b>2</b>	<b>Adequate</b>	Response and/or supporting information meets the basic RFP requirement(s) and demonstrates an understanding of, and the ability and intent to meet the requirement(s). There may be omission(s), flaw(s) and/or defect(s) but they are inconsequential and acceptable.
<b>3</b>	<b>More than Adequate</b>	Response and/or supporting information demonstrates a thorough, detailed and complete understanding of the requirement(s), demonstrates the ability and intent to meet the requirement(s), provides evidence of current ability to comply, and/or provides detailed plans or methodologies to further assure compliance with the requirement(s). The response is not considered excellent or outstanding but is above average and has no flaw(s), omission(s) or defect(s).
<b>4</b>	<b>Excellent or Outstanding</b>	Response and/or supporting information demonstrates a thorough, detailed and complete understanding of the requirement(s). Response demonstrates the ability and intent to exceed the requirement(s), provides evidence of current ability to comply, and proposes detailed plans or methodologies that further assure how the requirement(s) will be exceeded.

\*Note: A score of zero does not render a bidder nonresponsive.

- c. In assigning points for individual rating factors, raters may consider issues including, but not limited to, the extent to which a proposal response:
- 1) Is lacking information, lacking depth or breadth or lacking significant facts and/or details, and/or
  - 2) Is fully developed, comprehensive and has few if any weaknesses, defects or deficiencies, and/or

- 3) Demonstrates that the Proposer understands DHCS' needs, the services sought, and/or the Contractor's responsibilities, and/or
  - 4) Illustrates the Proposer's capability to perform all services and meet all scope of work requirements, and/or
  - 5) If implemented, will contribute to the achievement of DHCS' goals and objectives, and/or
  - 6) Demonstrates the Proposer's capacity, capability and/or commitment to exceed regular service needs (i.e., enhanced features, approaches, or methods; creative or innovative business solutions).
- d. Below are the point values and weight values for each rating category that will be scored.

Proposals, excluding the Cost Section, will be scored on a scale of 0 to **725.60** points, as follows:

<b>Rating Category</b>					
Proposing Firm's Capability	20	X	5.00	=	100.00
Planning and Implementation	76	X	2.10	=	159.60
Requirements, Measurements and Plans	188	X	1.10	=	206.80
Management Plan	52	X	4.60	=	239.20
Project Personnel	4	X	5.00	=	20.00
<b>Possible Narrative Proposal Total</b>					<b>725.60</b>

### 3. Stage 3 – Cost Proposal

- a. The proposal offering the lowest total cost earns **315** Cost points. The remaining proposals earn cost points through the cost conversion formula shown below. Final calculations shall result in numbers rounded to two decimal places.

The maximum number of cost points to be awarded is 315 points. This is slightly more than 30% of the available points.

- b. **Example for illustration purposes:**

Proposer A is the Low Bid at \$70,000 and earns 5.0000 points.

$\$70,000$  (lowest bid)  $\div$   $\$80,000$  (Proposer B) = .8750 Percentage of Points Available

$.8750 \times 5$  points = 4.3750 (Proposer B Score for this item.)

### 4. Stage 4 – Combining Narrative Proposal Score and Cost Section Score

DHCS will combine the narrative proposal score to the final Cost Section score and will tentatively identify the firm with the highest combined proposal score from each of the earlier evaluation stage(s).

**5. Stage 5 – Adjustments to Score Calculations for Bidding Preferences/Incentives**

- a. DHCS will determine which firms, if any, are eligible to receive a bidding preference (i.e., small business or non-small business Subcontractor preference, DVBE incentive, etc. TACPA.
- b. To confirm the identity of the highest scored responsive Proposer, DHCS will adjust the total score for applicable claimed preference(s)/incentives for eligible Proposers. DHCS will apply preference adjustments to eligible Proposers according to State regulations following verification of eligibility with the appropriate office of the Department of General Services. More information about the allowable bidding preferences appears in the RFP section entitled, “Preference and Incentive Programs”.

**6. Stage 6 – Final Score Calculation**

DHCS will use the formula shown below to calculate final proposal scores and to determine the highest scored proposal.

$$\text{Narrative Proposal Score} + \text{Cost Proposal Score} + \text{Preference/Incentive Score (if any)} = \text{Total Point Score}$$

**N. Narrative Proposal Rating Factors**

Raters will use the following criteria to score the narrative proposals.

**1. Proposing Firm’s Capability**

<b>Proposing Firm’s Capability Rating Factors</b>
<p>1. Upon reviewing the Proposer’s description of its business history, to what extent are the proposing business’s goals relevant, closely related, and will their goals complement this new service? (RFP Main Section K.3.d.1)b))</p>
<p>2. To what extent does the Proposer possess experience in delivering health data management services and possess the capacity to perform:</p> <ul style="list-style-type: none"> <li>• Data collection delivery services for at least 500 various sites?</li> <li>• Develop service start-up plans describing the reporting team?</li> <li>• Service level management approach?</li> <li>• Financial management approach?</li> <li>• Disaster preparedness/service continuity approach?</li> <li>• Service enhancement requests?</li> <li>• Training planning, delivery and documentation?</li> <li>• Change control process?</li> <li>• Variety of support mechanisms (help desk and toll free number)?</li> <li>• User service and measurement of customer satisfaction metrics?</li> </ul> <p>(RFP Main Section K.3.d.3)a)-f)</p>
<p>3. To what extent does the Proposer’s information about its prior accounts or support services for a consecutive three (3) years in the past 5 years, demonstrate that it has performed services that were similar in nature or closely related to the requirements of this RFP? (RFP Main Section K.3.d.2))</p>

4. To what extent did the Proposer demonstrate that it has had experience establishing and maintaining effective working relationships with government entities, hospitals and Special Care Centers (SCC), local community based organizations, and private nonprofit organizations? (RFP Main J.1.b.8))
5. To what extent did the Proposer's prior clients confirm the Proposer's ability to satisfactorily deliver timely and effective services and deliverables? (RFP Main Section K.3.d.5))
<b>Proposing Firm's Capability Score</b> <span style="float: right;"><b>Possible Points - 20 X 5.0 = 100</b></span>

## 2. Planning and Implementation

<b>Planning and Implementation Rating Factors</b>
6. To what extent does the Proposer provide work plan which includes an in-depth discussion and description of the technology, methods, approaches and step-by-step actions that will be carried out to fulfill all Scope of Work requirements? (RFP Main Section K.3.e.1)b)).
7. To what extent does the Proposer describe its customary approach to implementing a new service such as the IDMS and its ability to accommodate DHCS desired phased implementation, its administration and reporting capabilities, weekly status meetings and reports during the start-up effort, bi-weekly reports during implementation, and monthly reports thereafter, describe its intended operations organization? (RFP Main Section K.3.e.2)a))
8. To what extent does the Proposer identify specific metrics it is currently using to measure the performance and its comprehensive service level management of existing operations for another State with a birthrate comparable to California? (RFP Main Section K.3.e.2)d))
9. To what extent does the Proposer describe its approach to training? (RFP Main Section K.3.e.2)e))
10. To what extent does the Proposer describe provide a comprehensive User Support Plan? (RFP Main Section K.3.e.2)f))
11. To what extent does the Proposer's general approach to disaster preparedness comprehensive? (RFP Main Section K.3.e.2)h) and Exhibit A Attachment 1, Section I )
12. To what extent did the Proposer describe its assumptions in developing the Service Delivery and Backup Site Plan and provide reasoning or rationale for the assumption, or indicate that no assumptions were made and a detailed description of dependencies on DHCS for items that DHCS must deliver? (RFP Main Section K.3.e.2)i))
13. To what extent does the Proposer identify any additional responsibilities for either party not addressed in the RFP or contain a statement that there were no additional responsibilities for either part, identify and describe anticipated challenges, major complications or delays and solutions for overcoming them, or indicate that no major complications or delays are anticipated? (RFP Main Section K.3.e.2)j) and K.3.e.2)k))

14. To what extent does the Proposer describe how comprehensive is their Takeover that addresses the transfer of data and documentation to another provider: the ongoing maintenance of thorough and up-to-date documentation on the NHSP IDMS, including data center specifications, operational procedures, test libraries and user materials? (RFP Main Section K.3.e.6))
15. To what extent does the Proposer describe how comprehensive is their Turnover Plan that addresses the transfer of data and documentation to another provider: the ongoing maintenance of thorough and up-to-date documentation on the NHSP IDMS, including data center specifications, operational procedures, test libraries and user materials? (RFP Main Section K.3.e.7))
16. To what extent does the Proposer address Initial HCC and State Training? (Exhibit A, Attachment I, Section B.1.)
17. To what extent does the Proposer address the Initial HCC and State service implementation? (Exhibit A, Attachment I, Section B.2.)
18. To what extent does the Proposer address an assessment process for operations post-implementation to initial HCC and State? (Exhibit A, Attachment I, Section B.3.)
19. To what extent does the Proposer address the effectiveness of the training provided to the initial HCC and the State staff? (Exhibit A, Attachment I, Section B.4.)
20. To what extent does the Proposer address the effectiveness of the IDMS at the initial HCC and the State office? (Exhibit A, Attachment I, Section B.5.)
21. To what extent does the Proposer address an assessment process for operations post-implementation to Providers, for effectiveness of training at the initial Providers, effectiveness of the IDMS operations in the initial Providers? (Exhibit A, Attachment I, Section C.4., Exhibit A, Attachment I, Section C.5. and Exhibit A, Attachment I, Section C.6.)
22. To what extent does the Proposer discuss a plan for the full deployment throughout the remainder of the HCCs and their associated Providers of training delivery? (Exhibit A, Attachment I, Section E.)
23. To what extent does the Proposer address the creation of baseline Service Level Requirements and Measurements required by the DHCS including: <ul style="list-style-type: none"> <li>• Contractor issue resolution time? (e.g. equipment/software designed to record and report time-stamp reporting)</li> <li>• Service availability?</li> </ul> (Exhibit A, Attachment II, Section B.1.f and Section B.1.b)
24. To what extent does the Proposer address the creation of baseline Service Level Requirements and Measurements required by the DHCS including: <ul style="list-style-type: none"> <li>• Monthly service level reporting? (Exhibit A, Attachment I, Section F.4.)</li> <li>• Quarterly service assessment reporting? (Exhibit A, Attachment I, Section F.5.)</li> </ul>
<b>Planning and Implementation Score</b> <b>Possible Points 76 Points X 2.10 = 159.60</b>

### 3. Requirements, Measurements and Plans

<b>Requirements, Measurements and Plans Rating Factors</b>
25 To what extent does the Proposer describe their services and have mechanisms in place to provide tracking of infants from the point of entry through the receipt of intervention services and eventual case closure? (Exhibit A, Attachment II, Section C.1.a.)
26. To what extent does the Proposer describe their Operational Readiness Test Plan to include at a minimum the efforts necessary to prepare the service, materials, sites, equipment, organization(s), and personnel for deployment of the IDMS and does the Operational Readiness Test indicate that all functional areas addressed in the Plan are prepared and ready for deployment of the IDMS? (Exhibit A, Attachment I, Section A.6.)

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<b>Requirements, Measurements and Plans Rating Factors</b>
<p>27. To what extent does the Proposer offer services to allow a minimum of two contacts for all infants including those requiring follow-up? (Exhibit A, Attachment II, Section C.2.a.)</p>
<p>28. To what extent does the Proposer provide an automated prompt to add additional contacts based on the need for follow-up as part of the data input process, online help information during data entry for any active screen or control, assign a unique identifier to each error message, extent can a current operation be cancelled without leaving the data entry process or logging off the session? (Exhibit A, Attachment II, Section C.2.m. and C.3.a. through C.3.c.)</p>
<p>29. To what extent does the Proposer describe their capacity to maintain record of all IDMS users and document the date and type of training each user receives? (Exhibit A, Attachment II, Section C.3.ss.)</p>
<p>30. To what extent does the Proposer offer service support simultaneous access to data by multiple users at hospitals, providers, HCCs, and at the State? (Exhibit A, Attachment II, Section C.3.d.)</p>
<p>31. To what extent does the Proposer describe the ability to develop all reporting, in a format approved by the State query definitions for DHCS and run the report or grant DHCS access to run the report as necessary? (Exhibit A, Attachment II, Section C.3.s.)</p>
<p>32. To what extent does the Proposer offer a system which would allow for capacity to handle at minimum the following projected volumes and make records accessible and queryable for 8 years:</p> <ul style="list-style-type: none"> <li>• Birth volume (1,000,000 births per year)?</li> <li>• Infants that will be tracked and monitored at the outpatient screening stage (50,000 per year)?</li> <li>• Diagnostic evaluation stage (7,000 per year)?</li> <li>• Infants confirmed to have hearing loss (2,000 per year)?</li> </ul> <p>(Exhibit A, Attachment II, Section B.7 and Section C.3.f.)</p>
<p>33. To what extent does the Proposer describe their commitment to meet future reporting requirements of the federal Maternal and Child Health Bureau (MCHB), Centers for Disease Control &amp; Prevention (CDC), Directors of Speech &amp; Hearing Programs in State Health &amp; Welfare Agencies (DSHPSHWA), and as deemed necessary by DHCS? (Exhibit A, Attachment II, Section C.3.q. and Section C.3.r.)</p>
<p>34. To what extent does the Proposer offer a system to keep demographic information for infants, contacts, providers, screeners and users, provide separate fields for recording name data, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Infant's First name?</li> <li>• Infant's Middle name?</li> <li>• Infant's Last name?</li> <li>• Infant's Ethnicity?</li> <li>• Infant's Race?</li> <li>• Mother's first name?</li> <li>• Mother's last name?</li> <li>• Mother's primary language?</li> <li>• Primary guardian's first name?</li> <li>• Primary guardian's last name?</li> <li>• Primary guardian's primary language?</li> <li>• Additional demographic fields as deemed necessary by DHCS?</li> </ul> <p>(Exhibit A, Attachment II, Section C.2.c., Section C.2.e., Section C.2.g., Section C.2.j. and Section C.2.m.)</p>

<p>35. To what extent does the Proposer offer a system to provide separate fields for recording address data according to US Postal Standards, including, but not limited to:</p> <ul style="list-style-type: none"><li>• Street number, street name, apartment, suite or building number?</li><li>• City, State, Postal code?</li><li>• County?</li><li>• Country?</li></ul> <p>(Exhibit A, Attachment II, Section C.2.c.)</p>
<p>36. To what extent does the Proposer provide separate fields for recording telephone numbers (with area code and extensions), including, but not limited to:</p> <ul style="list-style-type: none"><li>• Phone number?</li><li>• Cell phone number?</li><li>• Fax number, recording Email addresses?</li></ul> <p>(Exhibit A, Attachment II, Section C.2.c.)</p>
<p>37. To what extent does Proposer present a system which provides separate fields for recording HCC region that is indexed by county, city and/or hospital?</p> <p>(Exhibit A, Attachment II, Section C.2.c.)</p>
<p>38. To what extent does the Proposer facilitate a means for detecting inadvertent duplicate identities and records?</p> <p>(Exhibit A, Attachment II, Section C.2.d.1)</p>
<p>39. To what extent does the Proposer facilitate a means for consolidating, archiving, and salvaging identities and records?</p> <p>(Exhibit A, Attachment II, Section C.2.d.2)</p>
<p>40. To what extent does the Proposer offer a system with separate fields for recording infant data, including, but not limited to:</p> <ul style="list-style-type: none"><li>• Birth hospital?</li><li>• Medical record number &amp; associated hospital?</li><li>• NHSP number?</li><li>• Date of birth?</li><li>• Gestational age in weeks?</li><li>• Gender: Male, Female, Other?</li><li>• County of birth?</li><li>• County of residence?</li></ul> <p>(Exhibit A, Attachment II, Section C.2.e. )</p>
<p>41. To what extent does the Proposer offer a system with separate fields for recording infant data, including, but not limited to:</p> <ul style="list-style-type: none"><li>• Risk factors?</li><li>• Neonatal Intensive Care Unit (NICU) indicator?</li><li>• Type of insurance?</li><li>• California Children's Services (CCS) case number?</li><li>• Closure code?</li><li>• Closure date?</li><li>• Transfer hospitals?</li><li>• Status category?</li></ul> <p>(Exhibit A, Attachment II, Section C.2.e.)</p>
<p>42. To what extent does the Proposer's system allow multiple occurrences of data elements to accommodate alternate names, addresses, phone numbers, etc.? (Exhibit A, Attachment II, Section C.2.f.)</p>

43. To what extent does the Proposer's system provide fields for recording entity relationship data, including, but not limited to:

- Infants and providers?
- Infants and hospitals?
- Infants and contacts?
- Providers and hospitals?
- Screeners and hospitals?

(Exhibit A, Attachment II, Section C.2.i.)

44. To what extent does the Proposer offer a system with separate fields for recording infant data, including, but not limited to:

- Mother?
- Father?
- Foster parent?
- Social worker?
- Grandparent?
- Interpreter?
- Adoptive parent?
- Child protective services?
- Residential healthcare facility?
- Other relative?
- Other?

(Exhibit A, Attachment II, Section C.2.j.)

45. To what extent does the Proposer's system provide fields for recording National Provider Identifier?

(Exhibit A, Attachment II, Section C.2.l.)

46. To what extent does the Proposer's system have a Workflow/Case Management/Tracking and Monitoring mechanism?

(Exhibit A, Attachment II, Section C.1.b.)

47. To what extent does the Proposer's system provide a flexible event creation, tracking, monitoring, and handling mechanism?

(Exhibit A, Attachment II, Section C.1.c.)

48. To what extent does the Proposer's system provide for recording events including, but not limited to:

- Birth?
- Transfer out?
- Transfer in?
- Waive?
- Inpatient screen?
- Outpatient screen?
- Diagnostic evaluation?
- CHDP referral?
- CCS referral?
- Early intervention referral?
- IFSP initiation?
- Linked to services?
- Hospital discharge?
- Expired?
- Parent Links Referral?

Details of events including:

- Date?
- Time?
- Assigned to?
- Notes?
- Next scheduled event?
- Results?

(Exhibit A, Attachment II, Section C.1.c.)

49. To what extent does the Proposer's service have a tickler system capability to define a list of ticklers associated with an infant requiring action or monitoring, provide tickler capability to show all of the infants who need to have outpatient-screening or diagnostic appointments scheduled, to show infants whose diagnostic results have not been received, describe the relationship between events and ticklers?

(Exhibit A, Attachment II, Section C.1.d. through C.1.f.)

50. To what extent does the Proposer's service have an automated telephone and letter generating appointment reminder system in multiple languages?

(Exhibit A, Attachment II, Section C.1.g.)

51. To what extent does the Proposer's system restrict dates of events to valid dates based on standard calendar and the birth date of the infant, prevent data entry errors by validating the format of dates, phone numbers, zip codes, counties and States, and limit data entry to a set of acceptable values wherever feasible?

(Exhibit A, Attachment II, Section C.1.h., Section C.3.f and C.3.g.)

52. To what extent does the Proposer's system integrate with Microsoft® Word to generate automatic and manual letters, allow users to select a specific letter type, modify and save letter templates, electronically store copies of finished letters and are they retrievable?

(Exhibit A, Attachment II, Section C.3.h. through C.3.k.)

53. To what extent does the Proposer's system allow users to upload PDF copies of all medically related documents, including Infant Reporting Form (IRF), Outpatient Reporting Form (ORF), Diagnostic Reporting Form (DRF), intervention services confirmation documents and any other related medical documentation?

(Exhibit A, Attachment II, Section C.3.l.)

<p>54. To what extent does the Proposer's system allow users to capture information electronically from existing hospital systems including, but not limited to, medical records management systems and hearing screening equipment, import data to eliminate or minimize key entry and are the electronic interfaces easily configurable to allow different formats for different hospitals? (Exhibit A, Attachment II, Section C.3.m. and C.3.n.)</p>
<p>55. To what extent does the Proposer's system create reports based on predefined queries, based on ad-hoc queries, suitable for display to a screen, suitable for printing to a printer, suitable for saving to a file, allow reports to be produced on a specified periodic basis, e.g. weekly, monthly, quarterly and/or annually for all users (hospital, HCC, and State)? (Exhibit A, Attachment II, Section C.3.o and Section C.3.t.)</p>
<p>56. To what extent does the Proposer's system allow selection of zero (0) or more risk factors based on the most current published Joint Committee for Infant Hearing (JCIH) Position Statement, select "Other" as a risk factor and to enter a description in a text field to describe the risk factor? (Exhibit A, Attachment II, Section C.3.v. and C.3.x.)</p>
<p>57. To what extent does the Proposer's system have the ability to electronically record user-generated narratives associated with an infant? (Exhibit A, Attachment II, Section C.3.z.)</p>
<p>58. To what extent does the Proposer provide a method to display a chronological log of all events associated with an infant, ensure that each contact is associated with one infant and allow each provider to have zero to many events that are associated with infants? (Exhibit A, Attachment II, Section C.3.z through C.3.bb.)</p>
<p>59. To what extent does the Proposer offer a system to provide an electronically maintained audit trail of all changes to data? (Exhibit A, Attachment II, Section C.3.cc.)</p>
<p>60. To what extent does the Proposer's system prevent inadvertent updating of the same record at the same time by multiple users and prevent the creation of duplicate identities or resolve duplicate identities when/if it occurs? (Exhibit A, Attachment II, Section C.3.dd. and C.3.ee.)</p>
<p>61. To what extent does the Proposer's system ensure data integrity, and enforce referential integrity to ensure that parent records associated with child records cannot be deleted without first deleting the child records? (Exhibit A, Attachment II, Section C.3.ff. and C.3.gg.)</p>
<p>62. To what extent does the Proposer assert that their system is available 24 hours per day, 7 days per week? (Exhibit A, Attachment II, Section C.3.kk.)</p>
<p>63. To what extent does the Proposer allow DHCS, HCCs and hospitals to manage system user information and access? (Exhibit A, Attachment II, Section C.3.oo.)</p>
<p>64. To what extent does the Proposer's system ensure standard access controls, such as unique user ID, password creation and change, and security levels, are in place? (Exhibit A, Attachment II, Section C.3.oo.)</p>
<p>65. To what extent does the Proposer, from their description of proposed services, reflect the IDMS regional organization of providers assigned to HCCs? (Exhibit A, Attachment II, Section C.3.pp.)</p>

<p>66. To what extent does the Proposer, from the description of their proposed service, indicate the Contractor will maintain security profiles for users that determine access levels and access to specific data, functions and screens? (Exhibit A, Attachment II, Section C.3.rr.)</p>
<p>67. To what extent does the Proposer state that the system they employ will offer encryption schemes to protect any data that is to be transferred electronically as well as authenticate the initiator of any electronic transfer of information? (Exhibit A, Attachment II, Section C.3.tt.)</p>
<p>68. To what extent does the Proposer include reports on a daily, monthly, quarterly and annual basis about the following:</p> <ul style="list-style-type: none"> <li>• The number of support calls?</li> <li>• The types of calls?</li> <li>• How the calls were resolved?</li> <li>• The length of time to resolve the issue with a time-stamp to certify the resolution time?</li> <li>• The distribution of calls across the day and night?</li> <li>• The average calls per site and geographic area?</li> </ul> <p>(Exhibit A, Attachment II, Section C.3.bbb.)</p>
<p>69. To what extent does the Proposer provide technical support for issues of compatibility between hospital records management systems and the service? (Exhibit A, Attachment II, Section C.3.ddd.)</p>
<p>70. To what extent does the Proposer’s service include sufficient storage capacity to enable online record storage and access for a minimum of eight (8) years? (Exhibit A, Attachment II, Section C.3.eee.)</p>
<p>71. To what extent does the Proposer have the capability and protocol to deliver a complete cumulative copy of all infant data in an electronic format, as specified by DHCS, within thirty (30) business days? (Exhibit A, Attachment II, Section C.3.fff.)</p>
<p><b>Requirements, Measurements and Plans Possible Points 188 Points X 1.10 = 206.80</b></p>

**4. Management Plan**

<b>Management Plan Rating Factors</b>
<p>72. To what extent does the Proposer provide support for Issue Identification, Tracking and Resolution process beginning with the Operational Readiness testing throughout the term of the service contract? (Exhibit A, Attachment II, Section C.3.hh.)</p>
<p>73. To what extent does the Proposer describe what they think should be included in the Operational Readiness Plan and Test? (Exhibit A, Attachment II, Section C.3. jj.)</p>
<p>74. To what extent does the Proposer describe how planned maintenance of the service will not impact the ability of the users to enter or retrieve data? (Exhibit A, Attachment II, Section C.3.ll.)</p>

<b>Management Plan Rating Factors</b>	
<p>75. To what extent does the Proposer identify downtime required to perform daily backups and does it describe the following:</p> <ul style="list-style-type: none"> <li>• Purpose of the downtime?</li> <li>• Expected length of the downtime?</li> <li>• Frequency of the downtime?</li> </ul> <p>(Exhibit A, Attachment II, Section C.3.mm.)</p>	
<p>76. To what extent does the Proposer provide, maintain and periodically test a Contingency Plan that provides for all potential impacts to availability of service? (Exhibit A, Attachment II, Section C.3.nn.)</p>	
<p>77. To what extent does the Proposer’s system meet data protection requirements stated in the federal Centers for Medicare &amp; Medicaid Services and the State of California Department of Health Care Services confidentiality policy? (Exhibit A, Attachment II, Section C.3.tt.)</p>	
<p>78. To what extent is the Proposer’s system fully compliant with HIPAA security and privacy regulations and standards. This includes any updates of those regulations and standards, and meets the information confidentiality requirements as stated in California Welfare and Institutions Code, the Information Practices Act of 1977 as contained in the California Civil Code and the Federal Individuals with Disabilities Education Information Act? Exhibit A, Attachment II, Section C.3.uu. and C.3.vv)</p>	
<p>79. To what extent does the Proposer provide after hours and/or weekend demands for support, describe additional support options, describe how end users access and receive support, and provide a toll-free number for designated sites to contact technical or other support? (Exhibit A, Attachment II, Section C.3.xx. through C.3.aaa.)</p>	
<p>80. To what extent does the Proposer have the capability and protocol to deliver data as requested and specified by DHCS or HCCs within five (5) working days? (Exhibit A, Attachment II, Section C.3.u.)</p>	
<p>81. To what extent does the Proposer demonstrate their capability to effectively coordinate, manage and monitor the efforts of assigned staff (including Subcontractors and Consultants) to ensure that work is effectively completed and timely? (RFP Main Section K.3.f.1))</p>	
<p>82.To what extent is the Proposer able to demonstrate its ability to provide a comprehensive and detailed Maintenance and Support Plan that provides evidence of experience and expertise to deliver, maintain, and support an IDMS of the scope required to substantiate DHCS NHSP IDMS? (RFP Main Section K.3.e.2)g)v.)</p>	
<p>83. To what extent does the Proposer describe their ability to resolve 100% of Provider’s support requests and 80% of support requests from HCC’s and DHCS? (Exhibit A, Attachment II, Section A.6)</p>	
<p>84. To what extent does the Proposer describe their requirements for Semi-Annual attendance and additional interim “IDMS Refresher Trainings” as directed by DHCS? (Exhibit A, Attachment I, Section F.1.e and F.1.f)</p>	
<b>Management Plan Score</b>	<b>Possible Points 52 Points X 4.60 = 239.20</b>

## 5. Project Personnel

Project Personnel Rating Factors	
85. To what extent does the Proposer's job descriptions or duty statements for the proposed key personnel, align with the assigned job responsibilities and tasks? (RFP Main Section K.3.g.)	
<b>Project Personnel Score</b>	<b>Possible Points 4 Points X 5 = 20.00</b>

## O. Proposal Requirements and Information

### 1. Nonresponsive proposals

In addition to any condition previously indicated in this RFP, the following occurrences **will** cause DHCS to deem a proposal nonresponsive.

- a. Failure of a Proposer to:
  - 1) Meet DVBE participation goals for the full percentage amount of [3]%.
    - 2) Meet proposal format/content or submission requirements including, but not limited to, the sealing, labeling, packaging and/or timely and proper delivery of proposals.
    - 3) Pass the Required Attachment / Certification Checklist review (i.e., by not marking "Yes" to applicable items or by not appropriately justifying, to DHCS' satisfaction, all "N/A" designations).
    - 4) Submit a **mandatory** Conflict of Interest Compliance Certificate in the manner required, if applicable.
- b. If a Proposer submits a proposal that is conditional, materially incomplete or contains material defects, alterations or irregularities of any kind.
- c. If a Proposer supplies false, inaccurate or misleading information or falsely certifies compliance on any RFP attachment.
- d. If DHCS discovers, at any stage of the proposal process or upon contract award, that the Proposer is unwilling or unable to comply with the contract terms, conditions and exhibits cited in this RFP or the resulting contract.
- e. If other irregularities occur in a proposal response that is not specifically addressed herein (i.e., the Proposer places any conditions on performance of the scope of work, submits a counter proposal, etc.).

### 2. Proposal modifications after submission

- a. All proposals are to be complete when submitted. However, an entire proposal may be withdrawn and the Proposer may resubmit a new proposal prior to the proposal submission deadline.
- b. To withdraw and/or resubmit a new proposal, follow the instructions appearing in the RFP section section O.4. entitled, "Withdrawal and/or Resubmission of Proposals".

### 3. Proposal Mistakes

If prior to contract award, award confirmation or contract signing, a Proposer discovers a mistake in their proposal and/or cost offering that renders the Proposer unable or unwilling to perform all SOW services as described in its proposal response for the price/costs offered, the Proposer must immediately notify DHCS and submit a written request to withdraw its proposal following the procedures set forth below.

### 4. Withdrawal and/or Resubmission of Proposals

#### a. Withdrawal deadlines

A Proposer may withdraw a proposal at any time before the proposal submission deadline.

#### b. Submitting a withdrawal request

- 1) Submit a written withdrawal request, signed by an authorized representative of the Proposer.
- 2) Label and submit the withdrawal request using one of the following methods.

<b>U.S. Mail, Hand Delivery or Overnight Express:</b>
<b>Withdrawal - RFP #16-93070</b> Department of Health Care Services Office of Medi-Cal Procurement Attn: Jeff Ketelson/Brian Quacchia Mail Station 4200 1501 Capitol Avenue, Suite 71.3041 P.O. Box 997413 Sacramento, CA 95899-7413

An originally signed withdrawal request is generally required before DHCS will return a proposal to a Proposer. DHCS may grant an exception if the Proposer informs DHCS that a new or replacement proposal will immediately follow the withdrawal.

#### c. Resubmitting a proposal

After withdrawing a proposal, Proposers may resubmit a new proposal according to the proposal submission instructions. Replacement proposals must be received at the stated place of delivery by the proposal submission due date and time.

### 5. Contract award and protests

#### a. Contract award

- 1) Award of the contract, if awarded, will be to the responsive and responsible Proposer, who earns the highest total score. The highest scored proposal will be

determined after DHCS adjusts Proposer scores for applicable bidder preferences and/or incentives.

- 2) DHCS shall award the contract only after the DHCS posts a Notice of Intent to Award for five (5) working days. The DHCS expects to post the Notice of Intent to Award before the close of business on 10/24/16. The public will be able to view the Contract Award Notice on Office of Medi-Cal Procurement's website at:  
[http://www.dhcs.ca.gov/provgovpart/rfa\\_rfp/Pages/OMCPHomePage.aspx](http://www.dhcs.ca.gov/provgovpart/rfa_rfp/Pages/OMCPHomePage.aspx)
  - 3) DHCS will confirm the contract award to the winning Proposer after the protest deadline, if no protests are filed or following the Department of General Service's resolution of all protests. DHCS staff may confirm an award verbally or in writing.
- b. Settlement of ties
- 1) In the event of a precise total high score tie between a responsive proposal submitted by a certified small business or microbusiness and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the DVBE firm per Government Code Section 14838(f) et seq.
  - 2) In the event of a precise total high score tie between a responsive proposal submitted by a firm that was granted non-small business Subcontractor preference and a responsive proposal submitted by a certified small business or microbusiness, the contract will be awarded to the certified small business or microbusiness.
  - 3) In the event of a precise total high score between a responsive proposal submitted by a Nonprofit Veteran Service Agency (NVSA) that is a certified small business and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the certified DVBE.
  - 4) In the absence of a California law or regulation governing a specific tie, DHCS will settle all other precise total high score ties by making an award to the Proposer who earns the highest narrative or Narrative Proposal score. If the narrative proposal scores are also tied, DHCS will settle the tie in a manner that DHCS determines to be fair and equitable (e.g., coin toss, lot drawing, etc.). In no event will DHCS settle a tie by dividing the work among the tied Proposers.

c. Protests

1) Who can protest

Any Proposer who submits a proposal may file protest if the Proposer believes its proposal is responsive to all RFP requirements.

2) Grounds for protests

Protests are limited to the grounds described in Public Contract Code (PCC) Section 10345. DHCS will not make an award until all protests are withdrawn by the protestant, denied, or resolved to the satisfaction of the Department of General Services (DGS).

3) Protest time lines

- a. If an eligible Proposer wishes to protest the intended contract award, the Proposer must file a “Notice of Intent to Protest” with both DHCS and the Department of General Services within five (5) working days after DHCS posts the Notice of Intent to Award. The Notice of Intent to Protest may be quite brief. Any Notice of Intent to Protest filed more than five working days after DHCS posts the Notice of Intent to Award shall be untimely.
- b. Within five (5) calendar days after filing a “Notice of Intent to Protest”, the protestant must file with both DHCS and the Department of General Services a full and complete written protest statement identifying the specific grounds for the protest. The statement must contain, in detail, the reasons, law, rule, regulation, or practice that the protestant believes DHCS has improperly applied in awarding the contract.

4) Submitting a protest

Protests must be filed with **both** the Department of General Services and the Department of Health Care Services. Proposers may hand deliver, mail or fax a protest.

Label, address, and submit the initial protest notice and detailed protest statement using one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
<p><b>Protest to DHCS RFP #16-93070</b>                      Department of Health Care Services                      Office of Medi-Cal Procurement                      Attn: Jeff Ketelson/Brian Quacchia                      Mail Station 4200                      1501 Capitol Avenue, Suite 71.3041                      P.O. Box 997413                      Sacramento, CA 95899-7413</p>	<p><b>Protest to DHCS RFP #16-93070</b>                      Department of Health Care Services                      Office of Medi-Cal Procurement</p> <p><b>Fax:</b> (916) 440-7369</p>
<p><b>Protest to DHCS RFP #16-93070</b>                      Dept. of General Services                      Office of Legal Services                      Attention: Protest Coordinator                      707 Third Street, 7<sup>th</sup> Floor, Suite 7-330                      P.O. Box 989052                      West Sacramento, CA 95798-9052</p>	<p><b>Protest to DHCS RFP #16-93070</b>                      Dept. of General Services                      Office of Legal Services</p> <p><b>Fax:</b> (916) 376-5088</p>

**For faxed protests**

Faxed protests must be followed-up by sending an original signed protest, with all supporting material, within one (1) calendar week of submitting the faxed protest.

Call the telephone numbers below to confirm receipt of a fax transmission:

Department of General Services	(916) 376-5080
Department of Health Care Services	(916) 440-7369

## 6. Disposition of proposals

- a. All materials submitted in response to this RFP will become the property of the Department of Health Care Services and, as such, are subject to the Public Records Act (GC Section 6250, et seq.). DHCS will disregard any language purporting to render all or portions of any proposal confidential.
- b. Upon posting of a Notice of Intent to Award, all documents submitted in response to this RFP and all documents used in the selection process (e.g., review checklists, scoring sheets, letters of intent, etc.) will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public. However, proposal contents, proposer correspondence, selection working papers, or any other medium shall be held in the strictest confidence until the Notice of Intent to award is posted.
- c. DHCS may return a proposal to a Proposer at their request and expense after DHCS concludes the proposal process.

## 7. Inspecting or obtaining copies of proposals

- a. Who can inspect or copy proposal materials

Any person or member of the public can inspect or obtain copies of any proposal materials.

- b. What can be inspected / copied and when

- 1) After DHCS releases the RFP, any existing Proposers List (i.e., list of firms or persons to whom this RFP is sent or released by the funding program) or information obtained from DGS on the firms or persons that downloaded this RFP from a DGS website is considered a public record and will be available for inspection or copying.
- 2) On or after the date DHCS posts the Notice of Intent to Award, all proposals, Proposers Lists, RFP download lists, letters of intent, checklists and/or scoring/evaluation sheets become public records. These records shall be available for review, inspection and copying during normal business hours.

- c. Requesting proposal materials

Persons wishing to request materials via CD/DVD should identify the items they wish to obtain and submit a request by contacting Jeff Ketelson or Brian Quacchia by email at: [omcprfp3@dhcs.ca.gov](mailto:omcprfp3@dhcs.ca.gov) with the subject line: RFP #16-93070 or Proposer Packages may be viewed on the Office of Medi-Cal Procurement's website at:

[http://www.dhcs.ca.gov/provgovpart/rfa\\_rfp/Pages/OMCPHomePage.aspx](http://www.dhcs.ca.gov/provgovpart/rfa_rfp/Pages/OMCPHomePage.aspx).

DHCS will fulfill all requests as promptly as possible.

## 8. Verification of Proposer information

By submitting a proposal, Proposers agree to authorize DHCS to:

- a. Verify any and all claims made by the Proposer including, but not limited to verification of prior experience and the possession of other qualification requirements, and

- b. Check any reference identified by a Proposer or other resources known by DHCS to confirm the Proposer's business integrity and history of providing effective, efficient and timely services.

## 9. DHCS rights

In addition to the rights discussed elsewhere in this RFP, DHCS reserves the following rights.

### a. RFP corrections

- 1) DHCS reserves the right to do any of the following up to the proposal submission deadline:
  - a) Modify any date or deadline appearing in this RFP or the RFP Time Schedule.
  - b) Issue clarification or correction notices, addenda, alternate RFP instructions, forms, etc.
  - c) Waive any RFP requirement or instruction for all Proposers if DHCS determines that the requirement or instruction was unnecessary, erroneous or unreasonable.
  - d) Allow Proposers to submit questions about any RFP change, correction or addenda. If DHCS allows such questions, specific instructions will appear in the cover letter accompanying the document.
- 2) If deemed necessary by DHCS to remedy an RFP error or defect that is not detected in a timely manner, DHCS may also issue correction notices or waive any unnecessary, erroneous, or unreasonable RFP requirement or instruction after the proposal submission deadline.
- 3) If this RFP is clarified, corrected, or modified, DHCS will post any updates on OMCP's website:  
[http://www.dhcs.ca.gov/ProvGovPart/rfa\\_rfp/Pages/OMCPHomePage.aspx](http://www.dhcs.ca.gov/ProvGovPart/rfa_rfp/Pages/OMCPHomePage.aspx)
- 4) If, after the Proposal Submission deadline, it is discovered the posting of the Notice of Intent to Award will be delayed, DHCS reserves the right to issue a correction notice which will be posted on OMCP's website:  
[http://www.dhcs.ca.gov/ProvGovPart/rfa\\_rfp/Pages/OMCPHomePage.aspx](http://www.dhcs.ca.gov/ProvGovPart/rfa_rfp/Pages/OMCPHomePage.aspx)  
The correction notice may announce an alternative Notice of Intent to Award posting date and alternate Protest Deadline. The anticipated Contract Award date may also be delayed.
- 5) DHCS reserves the right to deem a proposal nonresponsive if the amount bid for any budget period or the grand total bid amount exceeds DHCS' stated funding limit(s) for any budget period or total anticipated funding as cited in the cover letter that accompanied the RFP or if the total bid amount exceeds funding limit cited in Contract State Contract Register ad in **FI\$Cal**. The CSCR is operated by **FI\$Cal**.
- 6) The DHCS reserves the right not to review a proposal response or make a contract award if the amount bid for any budget period or the grand total bid amount exceeds DHCS' stated funding limit(s) for any budget period or total anticipated funding as

cited in the cover letter that accompanied the RFP or if the total bid amount exceeds funding limit cited in Contract State Contract Register ad in **BidSync and/or FI\$Cal**.

- 7) DHCS reserves the right to deem a proposal non-responsive if a Proposer declines to accept the terms and conditions outlined in this proposal document and its exhibits or if a Proposer submits alternate contract/exhibit language that DHCS considers “a counter proposal”.
- 8) At its sole discretion, DHCS reserves the right to cancel this procurement at any time and not make an award.
- 9) If full funding does not become available, is reduced or DHCS determines that it does not need all of the services described in this RFP, DHCS reserves the right to offer an amended contract for reduced services.

b. Clarification from Proposers

- 1) During or after the proposal review and evaluation process, DHCS may ask the Proposer to clarify their submitted information but will not allow the Proposer to change their proposal. DHCS’s waiver of any immaterial deviation or defect shall in no way modify the RFP documents or excuse the Proposer from full compliance with the RFP specifications if awarded the contract.
- 2) The collection of Proposer documentation may cause DHCS to extend the date for posting the Notice of Intent to Award. If DHCS changes the posting date, DHCS will advise the Proposers, orally, via email, or in writing, of the alternate posting date or by posting to the Office of Medi-Cal Procurement’s website at:  
[http://www.dhcs.ca.gov/provgovpart/rfa\\_rfp/Pages/OMCPHomePage.aspx](http://www.dhcs.ca.gov/provgovpart/rfa_rfp/Pages/OMCPHomePage.aspx)

c. Immaterial proposal defects

- 1) DHCS may waive any immaterial defect in any proposal and allow the Proposer to remedy those defects. DHCS reserves the right to use its best judgment to determine what constitutes an immaterial deviation or defect.
- 2) DHCS’ waiver of an immaterial defect in a proposal shall in no way modify this RFP or excuse a Proposer from full compliance with all proposal requirements.

d. Correction of clerical or mathematical errors

- 1) DHCS reserves the right, at its sole discretion, to overlook, correct or require a Proposer to remedy any obvious clerical or mathematical errors occurring in the narrative portion of a proposal or on a Cost Proposal form.
- 2) If the correction of an error results in an increase or decrease in the total price, and a unit price pursuant to O.,9.,d.,4) is not provided, DHCS shall give the Proposer the option to accept the corrected price or withdraw their proposal.
- 3) Proposers may be required to acknowledge and initial corrections to costs and dollar figures on any Cost Proposal form that contains mathematical errors.
- 4) If a mathematical error occurs in a total or extended price and a unit price is present, DHCS will use the unit price to settle the discrepancy.

e. Right to remedy errors

DHCS reserves the right to remedy errors caused by:

- 1) DHCS office equipment malfunctions or negligence by agency staff,
- 2) Natural disasters (i.e., floods, fires, earthquakes, etc.).

f. No contract award or RFP cancellation

The issuance of this RFP does not constitute a commitment by DHCS to award a contract. DHCS reserves the right to reject all proposals and to cancel this RFP if it is in the best interests of DHCS to do so.

g. Contract amendments after award

As provided in the Public Contract Code governing contracts awarded by competitive bid, the DHCS reserves the right to amend the contract after DHCS makes a contract award.

h. Proposed use of Subcontractors and/or Independent Consultants

Specific subcontract relationships proposed in response to this RFP (i.e., identification of pre-identified Subcontractors and Independent Consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a Subcontractor or Independent Consultant does not affect DHCS' right to approve personnel or staffing selections or changes made after the contract award.

i. Staffing changes after contract award

DHCS reserves the right to approve or disapprove changes in key personnel that occur after DHCS awards the contract.

j. Collecting information from Proposers

- 1) If deemed necessary, DHCS may request a Proposer to submit additional documentation during or after the proposal review and evaluation process. DHCS will advise the Proposers orally, by fax, email, or in writing of the documentation that is required and the time line for submitting the documentation. DHCS will follow-up oral instructions in writing by fax, email, or mail. Failure to submit the required documentation by the date and time indicated may cause DHCS to deem a proposal nonresponsive.
- 2) The collection of Proposer documentation may cause DHCS to extend the date for posting the Notice of Intent to Award. If DHCS changes the posting date, DHCS will advise the Proposers, orally, via email, or in writing, of the alternate posting date.

**P. Bidding Certification Clauses**

**1. Certificate of Independent Price Determination**

- a. The prospective Proposer certifies that:

- 1) The prices in this bid or proposal have been arrived at independently without any consultation, communication or agreement with any other Proposer or competitor for the purpose of restricting competition relating to:
    - a) The prices or costs offered,
    - b) The intention to submit a bid or proposal,
    - c) The methods or factors used to calculate the costs or prices offered.
  - 2) The prices in this bid or proposal have not been and will not be knowingly disclosed by the Proposer, directly or indirectly, to any other Proposer or competitor before the bid/cost proposal opening date or date of contract award posting, unless otherwise required by law.
  - 3) No attempt has been made or will be made by the Proposer to induce any other firm or entity to submit or not to submit a bid or proposal for the purpose of restricting competition.
- b. Each signature appearing on the documents contained in this bid package/proposal is considered to be a certification by the signatory that the signatory:

Is the person in the Proposer's organization that is either responsible for determining the prices offered in this bid or proposal and/or is designated to complete the bid or proposal forms on behalf of the bidding firm, and the signatory has not participated and will not participate in any action contrary to all subsections of paragraph a. above.

## **2. Debarment and Suspension Certification**

- a. The Contractor certifies to the best of its knowledge and belief, that it and its principals:
- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency;
  - 2) Have not within a three-year (3) period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph a.2) of this certification; and
  - 4) Have not within a three-year (3) period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
  - 5) It shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in such transaction, unless authorized by the State.

- 6) It will include a clause entitled "Debarment and Suspension Certification" that essentially sets forth the provisions herein, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- b. If the Contractor is unable to certify to any of the statements in this certification, the Contractor shall submit an explanation to the program funding this contract.

### **3. Lobbying Restrictions and Disclosure**

- a. The Contractor certifies, to the best of its knowledge and belief, that:
  - 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
  - 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
  - 3) The Contractor shall require that the contents of this certification be collected from the recipients of all subawards, exceeding \$100,000, at all tiers (including subcontracts, subgrants, etc.) and shall be maintained for three years following final payment/settlement of those agreements.
- b. This certification is a material representation of fact upon which reliance was placed when this contract was made and/or entered into. The making of the above certification is a prerequisite for making or entering into this contract pursuant to 31 U.S.C. 1352 (45 CFR 93). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- c. The Standard Form-LLL may be obtained from various federal agencies, federally sponsored World Wide Web Internet sites, DHCS upon request may be copied from Exhibit D(F) entitled, Special Terms and Conditions.

### **Q. Preference and Incentive Programs**

To confirm the identity of the highest scored responsive Proposer, DHCS will adjust the total point score for applicable claimed preference(s). Bidding preferences shall not be applied to proposals that fail to pass the Checklist Review or fail to earn a minimum passing score during the narrative proposal scoring process. DHCS will apply preference adjustments to eligible Proposers according to State regulations following on-line or personal verification of eligibility with the appropriate office of the Department of General Services.

## 1. Small Business / Microbusiness Preference

- a. A responsive California small business or microbusiness Proposer claiming preference and verified as a certified small business or microbusiness in a relevant business category or type will be granted a preference of five percent (5%) of the total point score earned by the responsive/responsible Proposer with highest combined score, if the highest scored proposal is submitted by a non-small business. Non-small business means a responsive/responsible Proposer that is not certified by the California Department of General Services as a California small business or microbusiness in a relevant business category or type. The "service" category or business type will most likely apply to this procurement. NVSA are to view the instructions in provision 3 of this section (Preference and Incentive Programs).
- b. To be certified as a California small business or microbusiness and eligible for a bidding preference the business must meet the State's eligibility requirements and must have applied for small business status no later than 5:00 p.m. on the proposal submission deadline.
- c. Firms desiring small/micro business certification must follow the Department of General Services certification instructions and apply for certification. Prospective bidding firms desiring small business certification assistance may contact the Department of General Services by the following means:
  - 1) (916) 375-4940 (Small business assistance) or (800) 559-5529 (live operator Central receptionist), or
  - 2) Internet address: <http://www.dgs.ca.gov/pd/Programs/OSDS.aspx> or
  - 3) Fax: (916) 375-4950, or
  - 4) Email: [OSDShelp@dgs.ca.gov](mailto:OSDShelp@dgs.ca.gov)

## 2. Non-Small Business Subcontractor Preference

- a. Non-small business means a responsive/responsible Proposer that is not certified by the California Department of General Services as a small business or microbusiness.
- b. If the responsive Proposer earning the highest total score is not a certified small business/microbusiness, a bid preference up to five percent (5%) is available to a responsive non-small business Proposer committing twenty-five percent (25%) small business Subcontractor use of one or more small businesses. When applicable, the preference points will be calculated pursuant to the regulations in Title 2, California Code of Regulations (CCR) § 1896.8 and will be added to total score of an eligible non-small business. This preference is authorized pursuant to Title 2, CCR § 1896.2 and Government Code § 14835.
- c. If a Proposer claims the non-small business Subcontractor preference, the proposal response must identify each proposed small business Subcontractor that will be used, the participation percentage and dollar amount committed to each identified small business Subcontractor, and substantial proof to enable verification of each Subcontractor's small business status. The total small business Subcontractor use must equal no less than twenty-five percent (25%) of the total cost offered.
- d. To be granted preference, each proposed small business Subcontractor must possess an active small business certification issued by the Department of General services,

must perform a “commercially useful function” under the contract and the basic functions to be performed must be identified at the time of proposal submission.

- e. To request the non-small business Subcontractor preference, complete **Attachment 11a (Non-Small Business Subcontractor Preference Request) and Attachment 11b (Small Business Subcontractor/Supplier Acknowledgement)**.
- f. Refer to the RFP section entitled, “Settlement of ties” to learn how tied costs will be resolved.

### **3. Nonprofit Veteran Service Agency (NVSA) Small Business Preference**

- a. Pursuant to Military and Veteran Code Section 999.50 et seq., responsive/responsible nonprofit veteran service agencies (NVSAs) claiming small business/microbusiness preference and verified as such in the relevant category or business type prior to the proposal submission due date will be granted a preference up to five percent (5%) of the highest score, if the highest scored responsive proposal is submitted by a Proposer not certified as a small business/microbusiness. The “service” category is the business type that will most likely apply to this procurement.
- b. To be eligible for the NVSA small business preference, the business concern must:
  - 1) Request small business preference at the time of proposal submission, and
  - 2) Become certified as a small business by the appropriate office of the California Department of General Services (DGS) prior to the proposal submission due date.
- c. Refer to the RFP section entitled, “Settlement of ties” to learn how tied proposals will be resolved.

### **4. DVBE Incentive**

#### **a. DVBE Participation / Incentive Requirement**

This procurement is subject to a Disabled Veteran Business Enterprise (DVBE) participation goal of three percent (3%).

Pursuant to California laws and regulations, a DVBE incentive in the form of points added to the sum of the narrative proposal score (non-cost score) of responsive/responsible Proposers that provide for utilization of California certified DVBEs. The application of the DVBE incentive is for evaluation purposes only. The maximum DVBE incentive allowed is five percent (5%) of the total possible points. The DVBE Incentive Scale below illustrates the earnable incentive points based on the amount of DVBE participation in excess of three percent (3%).

#### **b. Application of the DVBE Incentive**

Points will be added to the narrative proposal (non-cost) score of an eligible Proposer by the applicable DVBE incentive percentage as computed on the total possible points earnable for both the narrative proposal (non-cost) score and cost proposal score, when a Proposer:

- 1) Commits participation or use of DVBEs in excess of three percent (3%) to perform commercially useful functions under the resulting contract. To demonstrate DVBE participation, Proposers are to:

Follow the DVBE participation form completion instructions in Attachment 9 and return the applicable DVBE form, with the proposal response.

- 2) When responsive/responsible Proposers claim and are deemed eligible for the small business preference and/or the DVBE incentive or both, the small business preference will be applied first.
- 3) The DVBE incentive adjustment for this procurement may not exceed five percent (5%) of the total possible points.
- 4) When responsive/responsible Proposers are eligible for one or more incentives and/or preferences, the order of application shall be as follows:
  - a) Small business preference will be applied first (if applicable)
  - b) The DVBE incentive second (if applicable)
  - c) The non-small business Subcontractor preference (if applicable)
  - d) Other bid preferences including Target Area Contract Preference Act preference (TACPA) (if applicable)

#### c. DVBE Incentive Scale

Unless superseded and replaced by an alternate DVBE Incentive Scale issued by the funding Program prior to proposal due date, the following incentive scale will apply to this procurement.

Illustration of possible narrative proposal (non-cost) points = 600

Illustration of possible cost proposal points = 600

Illustration of total possible points = 1200

Percentage of DVBE Participation Achieved and Acknowledged	Allowable DVBE Incentive Added to a Narrative Proposal (Non-Cost) Score
Over 5%	5% of total possible points (5% X 1200) = 60
Over 4.5% and up to 5%	4% of total possible points (4% X 1200) = 48
Over 4% and up to 4.5%	3% of total possible points (3% X 1200) = 36
Over 3.5% and up to 4%	2% of total possible points (2% X 1200) = 24
Over 3% and up to 3.5%	1% of total possible points (1% X 1200) = 12
3%	0% of total possible points

#### 5. Target Area Contract Preference Act

- a. Government Code (GC) Section 4530 (TACPA) provide that California based companies shall be granted a 5% preference whenever a State agency prepares a solicitation for **services** in excess of \$100,000. The preference(s) shall apply if the worksite is not fixed by the government agency and the Proposer can demonstrate and certify, under the penalty of perjury, that at least 90% of the total labor hours required to perform the services shall be performed at an identified worksite located in a distressed area (TACPA). TACPA preferences will only be applied if this procurement results in more than one responsive proposal receiving a passing narrative proposal score.

- b. Additional work force preferences ranging from 1% to 4% can be earned by eligible Proposers that agree to hire 5% to 20% of persons with a high risk of unemployment or those living in a targeted employment area or that are enterprise zone eligible to perform a specified percentage of the contract work.
- c. The granting of TACPA preference cannot displace an award to a certified small business.
- d. Proposers seeking TACPA preference must submit a completed STD. 830 - Target Area Contract Preference Act Request (**Attachment 12**) with their proposal. The applicable preference request form must include the following:
  - 1) All appropriate certifications. (TACPA)
  - 2) The proposing firm's name and the name of all suppliers and Subcontractors that will work with the Proposer to fulfill the terms of the contract along with the addresses of each of the worksite(s) and estimated labor hours. (TACPA)
  - 3) County census tract number and block group number. (TACPA)
  - 4) Proposer's original signature. (TACPA)
  - 5) A checkbox marked to identify the additional on one percent (1%) to four percent (4%) preference sought for hiring persons with a high risk of unemployment. (TACPA)
- e. TACPA preference cannot be granted if:
  - 1) The lowest proposed cost does not equal or exceed \$100,000 for the entire term, **or**
  - 2) The work site or any part thereof is fixed or preset by DHCS, **or**
  - 3) The services involve construction or a public works project
- f. A Proposer who has claimed a TACPA preference and is awarded the contract will be obligated to perform in accordance with the preference(s) requested, provided the preference was granted in obtaining the contract. Firms receiving preference must:
  - 1) Report their labor hours to DHCS and
  - 2) Reference the contract number on which the award is based for the specific reporting requirements.
- g. Proposers wishing to learn more about TACPA requirements, designated work site(s) or enterprise zones in California should contact the appropriate office of the Department of General Services at (916) 375-4581. DGS will attempt to determine TACPA eligibility within two working days.

## 6. Combined preferences

The maximum preference or score addition that any Proposer may be granted for small business preference, non-small business Subcontractor preference, and TACPA preference, preference combined is fifteen percent (15%).

Any firm that claims and is granted non-small business Subcontractor preference, and TACPA preference cannot displace an award to a certified small business or microbusiness.

## R. Contract Terms and Conditions

### 1. Loss Leader Clause

It is unlawful for any person engaged in business within this State (California) to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code.

### 2. Other Terms and Conditions

The winning Proposer must enter a written contract that may contain portions of the Proposer’s proposal (i.e., Work Plan), Scope of Work, Scope of Work Attachments, standard contract provisions, the contract form, and the exhibits identified below. Other exhibits, not identified herein, may also appear in the resulting contract.

The exhibits identified in this section contain contract terms that require strict adherence to various laws and contracting policies. A Proposer’s unwillingness or inability to agree to the proposed terms and conditions shown below or contained in any exhibit identified in this RFP may cause DHCS to deem a Proposer non-responsible and ineligible for an award. DHCS reserves the right to use the latest version of any form or exhibit listed below in the resulting agreement if a newer version is available.

The exhibits identified below illustrate many of the terms and conditions that may appear in the final agreement between DHCS and the winning Proposer. Other terms and conditions, not specified in the exhibits identified below, may also appear in the resulting agreement. Some terms and conditions are conditional and may only appear in an agreement if certain conditions exist (i.e., contract total exceeds a certain amount, federal funding is used, etc.).

In general, DHCS will not accept alterations to the General Terms and Conditions (GTC), DHCS’ Special Terms and Conditions, the Scope of Work, other exhibit terms/conditions, or alternate language that is proposed or submitted by a prospective Contractor. DHCS may consider a proposal containing such provisions “a counter proposal” and DHCS may reject such a proposal as nonresponsive.

### 3. Unanticipated tasks

In the event unanticipated or additional work must be performed that is not identified in this RFP, but in DHCS’ opinion is necessary to successfully accomplish the scope of work, DHCS will initiate a contract amendment to add that work. All terms and conditions appearing in the final contract including the salary/wage rates, unit rates and/or other expenses appearing on the Proposer’s Budget Detail Work Sheets will apply to any additional work and extension options.

### 4. Resolution of language conflicts (RFP vs. final agreement)

If an inconsistency or conflict arises between the terms and conditions appearing in the final agreement and the proposed terms and conditions appearing in this RFP, any inconsistency or conflict will be resolved by giving precedence to the final agreement.

**S. Required Attachments**

<b>Attachment #</b>	<b>Attachment Name</b>
Attachment 1	Proposal Cover Page
Attachment 2	Required Attachment / Certification Checklist
Attachment 3	Not Being Used
Attachment 4	Client References
Attachment 5	RFP Clause Certification
Attachment 6	CCC 307 – Certification
Attachment 7	Payee Data Record
Attachment 8	Follow-on Consultant Contract Disclosure
Attachment 9	DVBE Instructions / Forms with Attachment 9a, DVBE Participation
Attachment 10	Darfur Contracting Act Certification
Attachment 11	Non-Small Business Subcontractor Preference Instructions with Non-Small Business Subcontractor Preference Request (Attachment 11a) and Small Business Subcontractor/Supplier Acknowledgment (Attachment 11b).
Attachment 12	Target Area Contract Preference Act (TACPA) Request
Attachment 13	Cost Proposal Form
Attachment 14	Iran Contracting Act Certification
Attachment 15	Request for Inclusion on Distribution List
Attachment 16	Voluntary Letter of Intent
Attachment 17	Conflict of Interest
Attachment 18	Proposer Response Guide

**T. Sample contract forms / Exhibits**

<b>Exhibit Label</b>	<b>Exhibit Name</b>
a. Exhibit A	Scope of Work
b. Exhibit A Attachment I	Scope of Work, Planning and Implementation
c. Exhibit A, Attachment II	Scope of Work, Service Level Requirements, Measurements, Service and Service Delivery Plan Schedule
d. Exhibit B	Budget Detail and Payment Provisions

<b>Exhibit Label</b>	<b>Exhibit Name</b>
e. Exhibit C - View on-line.	General Terms and Conditions (GTC 610). View or download this exhibit at this Internet site:
f. Exhibit D(F)	Special Terms and Conditions
g. Exhibit E	Additional Provisions
h. Exhibit F	Contractor's Release
i. Exhibit G	DVBE Utilization Report
j. Exhibit H	HIPAA Business Associate Addendum
k. Exhibit I	Information Confidentiality and Security Requirements
l. Exhibit J	ARRA Terms and Conditions

**U. Program Appendices**

<b>Appendix #</b>	<b>Appendix Name</b>
Appendix 1	Data Library Table of Contents