DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES
HUMAN AND COMMUNITY SERVICES DIVISION
FAMILY ECONOMIC SECURITY PROGRAM
January 1, 2011 – June 30, 2011 (SFY 2011)
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I. GENERAL INFORMATION FOR PROPOSERS

Governor Schweitzer and those in his administration firmly believe that all Montanans should have economic security for themselves and their families. Governor Schweitzer is committed to creating stable families through the development of personal, social and financial assets. The governor recognizes that strong families contribute to strong communities and an equally strong economy. It is the hope of this administration that this RFP will bring together collaborative community groups to assist Montana Families, businesses and consumers in the development of a strong economy through the economic security of families. **Term of the contract is from January 1, 2011 through June 30, 2011.**

A. GOALS OF THIS REQUEST FOR PROPOSALS

The State of Montana, Department of Public Health and Human Services (DPHHS), Human and Community Services Division in conjunction with the office of Governor Schweitzer is seeking to contract for the delivery of: A Family Economic Security Program through the Temporary Assistance for Needy Families (TANF) Block Grant encompassing all or a portion of the following service area: **Blackfeet, Rocky Boy and Fort Belknap Reservation areas including Glacier, Hill, Liberty, Phillips, Blaine and Chouteau Counties and outlying areas of Pondera, Teton and Toole Counties.** The goal of this proposal is to develop projects to ensure that low-income Montanans have access to Montana's economic development.

B. General Description of Contracted Services

This RFP is designed to improve family economic security by adding innovative services that are documented to improve financial literacy and assist in building personal assets for families.

Proposals must target the following individuals: 1) Those adults over the age of 18 who are not receiving TANF cash assistance whose household gross income is at or below 185% of the Federal Poverty Level and who have a minor child residing in their household (otherwise TANF-eligible); or 2) Anyone age 16—18 or up to age 19 if still in high school (receiving TANF or not) whose household gross income is at or below 185% of the Federal Poverty Level. Proposals developing innovative services or innovative uses of current services are recommended. Outcome measures must be identified at onset (in the written proposal) and consistent data must be collected throughout the project. Upon the completion of the demonstrations, the results will be used to suggest systemic changes that will promote low-income families' engagement in Montana's economy. These target families must have demonstrated qualifications by having stable housing, health, employment and transportation and have made or are willing to make the commitment to participate voluntarily in personal, financial and economic growth through education, training or other services.

TANF funds available for this specific RFP are **$273,154.**

GENERAL INFORMATION ON RFP PROCESS FOR PROPOSERS

C. RFP Schedule

1) Issue RFP – October 18, 2010
2) Letter of intent to propose due from potential proposer – October 25, 2010
3) Request for Proposers' Conference – October 25, 2010
4) Proposers' Conference (if necessary) – October 27, 2010
5) Written questions due – October 29, 2010

6) Written answers distributed – November 5, 2010
7) Proposals due – **November 19, 2010**
8) Intended contract award notification – December 10, 2010

The department within its discretion may change any or all of the dates specified in this provision.

D. Principal State Personnel and Addresses

The procurement official responsible for the conduct of this RFP process (**RFP# 1115096MG**) and program staff liaison for the purpose of administering the contract to be entered into is:

Margie Guevin
Public Assistance Bureau, Human and Community Services Division,
DPHHS, 5th Floor, Arcade Building, 111 N. Jackson St.
P. O. Box 202925, Helena, MT 59620-2925
Phone (406) 444-0640; e-mail address: mguevin@mt.gov

Any and all communications of any proposer with the Department relating to this RFP must be directed to the procurement official. County Directors are not available to answer questions concerning this RFP.

E. Letter Of Intent to Propose

A potential proposer must submit a letter of intent to propose to the Department. The letter must provide the proposer's full name, business purpose and address and expressly state the intention to submit a proposal. The letter must identify the RFP as **RFP# 1115096MG** and that it is in response to Family Economic Security Program through the Temporary Assistance for Needy Families (TANF) Block Grant. Letters must identify the type of services likely to be proposed; the collaborative group involved, with a lead agency listed for consideration and reimbursement payment services, and must confirm the county or service area(s) proposing to be served. Failure to submit a letter of intent to propose disqualifies a potential proposer from submitting a proposal.

The letter of intent to propose must be directed to the procurement official for the Department as specified in Section D and must be addressed as specified in Section D. The letter of intent may be submitted by mail, fax, or personal delivery. **Submission by e-mail is permitted; however, the Department is not responsible for letters that are not received due to technical difficulties. If you would like to receive verification of receipt you must clearly state it in your letter.**

The letter must include a statement identifying this RFP request with specificity and any subsequent addenda to this RFP. The letter of intent to propose must be received no later than **5:00 p.m. on October 25, 2010.**

F. Submission of Proposals and Rejection of Late Proposals

A proposer must submit its proposal as directed in this RFP.

The proposal must be received in its entirety no later than **5:00 p.m. on November 19, 2010.** The proposal must be directed to the procurement official specified in Section D and must be

addressed as specified in Section D.

The proposal must be submitted by **mail or personal delivery**. All pages of a proposal must be received by the required date and time. **Submission by email and fax is not permitted.**

The proposal must include a statement identifying this RFP request with specificity and any subsequent addenda to this RFP.

An original and two (2) copies of the proposal must be submitted.

The proposer is solely responsible for the timely delivery of the proposer's proposal. The Department does not waive delivery requirements due to failure in the mode of delivery selected by the proposer.

A proposal received after the date and time specified for submission of proposals is not accepted for consideration regardless of cause. A submitted proposal for which not all pages or attached materials are present at the date and time specified for submission of proposals is not accepted for consideration regardless of cause.

A late proposal is destroyed unless the proposer requests return of the proposal and agrees to pay the costs involved.

G. Withdrawal and Resubmission

A proposer may withdraw a proposal at any time prior to the date and time the Department designates the successful proposer. A proposal withdrawn prior to that date and time may be resubmitted in a modified form if done so within the time period allowed for submittal of proposals.

H. Compliance with the Terms of This Request for Proposals

This RFP contains the instructions governing the submission of a proposal, the descriptions of the tasks to be performed, and the requirements necessary to undertake performance. The Department, acting through the procurement official, an evaluation committee, a division administrator and other personnel, determines a proposer's compliance with the requirements of this RFP.

The Department in evaluating the submitted proposals first determines whether a proposal is responsive. A proposal that is not presented substantively in the required format, does not contain all the requested information, contains clearly erroneous information, or is deficient in any respect may be rejected as nonresponsive and may receive no further consideration.

The Department, in its discretion, may request further information, clarification or correction of obvious mistakes from any and all proposers. The Department, in its discretion, may request a proposer to correct obvious mistakes or provide needed clarifications in a proposal either before or after the date for submittal.

A proposer may not unilaterally make changes in a submitted proposal after the date for submittal has passed.

I. Proposal Format

A proposal must be written in a **legible type**, be organized by **sections** in accordance with this RFP, have **numbered pages**, and have a **table of contents**. If not in correct format, the proposal will be considered non-responsive.

J. Proposer's Representations

A proposer by submitting a proposal for consideration represents that this RFP has been read and is fully understood and that the submitted proposal is based upon that understanding of the specifications, tasks and requirements described in this RFP.

This request for proposals is to be incorporated into and made a part of the contract. Consequently, the provisions of this RFP are to be binding upon the contractor.

The proposer by submitting a proposal agrees that, if it receives and accepts an offer to contract from the Department, it is to be bound by the terms of this RFP and the contract along with any attachments to either document.

A proposer further represents that it has the ability to deliver the services specified, to perform the tasks and responsibilities in accordance with the time lines presented in this RFP, and to deliver the services at no more than the costs specified in the proposer's proposal.

K. Notice of Ambiguities, Inconsistencies or Errors

A proposer must provide notice in writing to the Department prior to or at the time of the proposers' conference of any possible ambiguity, inconsistency or error in the RFP that it discovers.

L. Corrections of or Changes to This RFP

Any correction of or change to this RFP made by the Department is to be made by written addendum. Any information provided or received in any other manner that purports to correct or change this RFP is not binding and may not be relied upon.

M. Questions and Answers, Proposer's Conference, and Presentations

Proposers may submit written questions concerning the RFP process and the services to be provided. Written questions must be submitted by **October 29, 2010**. Questions submitted to the Department are to be in writing and directed to the procurement official and address specified in Section D. The questions and answers are distributed to those entities (that have submitted a letter of intent to propose) by **November 5, 2010.**

Oral questions, other than those presented at the proposers' conference, if held, are not accepted. Any information received by a proposer that does not originate with the procurement official, is not in writing or is not shared with all proposers is not official, is not part of this RFP and may not be relied upon.

The proposers' conference provides potential proposers the opportunity to ask questions concerning the RFP process and the services to be provided. Those proposers wishing to have a proposers' conference must notify the RFP procurement officer by **October 25, 2010**. Any party

interested in potentially providing the services to be contracted for is encouraged to attend the proposers' conference. If there is **no interest** in such a conference then **NO PROPOSERS CONFERENCE WILL BE HELD ON October 27, 2010.**

The Department, in its discretion, may request that proposers make presentations concerning their proposals and capabilities as organizations. The Department may specify and limit the particular features of the presentations.

N. Public Access and Confidential Information

1. Public Access

A proposal, inclusive of the information within and attached to the proposal, is submitted for the purpose of evaluation of the proposal and, if the proposer is successful, is then incorporated into the contract as one of the principal features defining and governing performance. Upon entry into a contractual relationship, the Department has the right to use or disclose the proposal and related information to any extent required by law.

All proposals and other information received in response to this RFP are available to the public, except for trade secrets as defined by the Uniform Trade Secrets Act, Title 30, Chapter 14, Part 4, MCA, corporate financial information, matters of personal privacy, and other confidential information as recognized in Montana law.

All proposals are available for inspection during regular business hours. Please contact the procurement official for further details.

The proposer's conference, if held and the meeting of the evaluation committee are open to the public for observation.

2. Submission of Confidential Information

Proposers are discouraged from submitting information for which there is a claim of privacy unless it is considered essential for proper evaluation of the application. The Department may not be able to enter into a contract with a proposer, if the proposer has claimed that proposal information is confidential, since the information is likely to be considered public information under Montana law.

The Department rejects as nonresponsive any proposal for which there is a claim of privacy for the proposed costs of service delivery or other information that is commonly recognized by the law to not be confidential in nature or, if recognized as confidential, is commonly available to the public based on the public interest in the right to know.

Upon receipt, proposal information is disclosed only to persons participating in the evaluation or contracting process until the proposal has been reviewed and all marked confidential information has been removed. After this review, all remaining proposal materials are open for public inspection and copying. Material marked as confidential may be released at a later date if it is determined that the material is not confidential or that, even if the material is confidential, the public interest in the right to know outweighs the privacy interest. In addition, the Department may release any information for which there is a claim of privacy, if the information is available to the public without restriction from another source or has been released to the public otherwise

by the proposer.

In order for a proposer to claim that information presented in the proposal is confidential, the following conditions must be met:

1) Information for which confidentiality is claimed must be clearly marked and separated from the rest of the proposal.
2) An affidavit from the proposer's legal counsel attesting to and explaining the claim of privacy for the information must be attached to the proposal.
3) A proposer making any claim for protection of information in a proposal as confidential must indemnify the Department in writing for the retention and costs of legal counsel and all other legal costs and fees necessary for and related to any defense of the claim of privacy.

Documents not meeting all of the requirements for protections from release based on confidentiality are available for public inspection, including copyrighted materials.

0. Costs of Developing and Presenting Proposal

The cost of developing and presenting a response to this RFP is entirely the responsibility of the proposer and is not reimbursable by the Department.

P. Rights Reserved To the Department

While the Department intends to award a contract, issuance of this RFP and the conduct of the selection process is a discretionary act and does not commit the Department to the award of a contract.

The Department reserves the right to:

1) Amend or cancel or terminate this RFP process;
2) Reject any or all proposals received; and
3) Waive any procedural or substantive requirement of this RFP that it determines does not substantively impact in a negative way this RFP process or any or all of the proposers.

The right of the Department to waive a requirement of this RFP does not afford a proposer the right to unilaterally fail to comply with a requirement or to obtain a waiver of a requirement.

II. SERVICES TO BE PROVIDED

A. Contracted Services

The services **must** include, but are not limited to the following:

1. Completion of a curriculum to increase the families' knowledge in financial literacy that may include credit options, tax incentives or options, savings benefits and lending issues;
   AND
2. Receiving education or training in a high demand field leading to employment with an increased wage through college, employment or other specialized training.

Proposals must ensure all families receive the services described above.

Service Population
Applications can be accepted for the following service population:

1. Adults over the age of 18 who are not receiving TANF cash assistance whose household gross income is at or below 185% of Federal Poverty Level and who have a minor child residing in their household (otherwise TANF-eligible); or
2. Anyone age 16—18 or up to age 19 if still in high school (receiving TANF or not) whose household gross income is at or below 185% of Federal Poverty Level.

The Department will expect quarterly reports on progress, successes and failures of the projects as well as will expect project participation in outcome measure evaluation as determined by the Department.

It is required that successful proposals will form partnerships with at least three key community partners such as two-year colleges, tribes and or tribal colleges, Human Resource Development Council's, workforce development community teams, financial education network members and nonprofit or private businesses as demonstrated through written memorandum of agreements. The local Offices of Public Assistance and Work Readiness Component (WoRC) operators are considered mandatory partners and must be included in the proposal. Preference will be given to proposals that include utilization of statewide efforts or curriculums and demonstrate stateside effectiveness. In addition, a preference will be given to efforts to bring additional funding or opportunities to leverage the funding.

Desired services must include:

- A plan to provide services to accomplish the goals stated above. The plan must address both required elements from the list above. Innovative other elements may be added.
- Details on services to be provided.
- Project budget and narrative.
- Community collaboration agreement and roles.
- A plan to provide project sustainability (leverage funding).
- A description of outcomes and goals for the project and how they contribute to the overarching goal of family economic security. Goals must be measurable.
- Other reports may be required at the request of the Department.

B. Term of Contract
The term of this contract is January 1, 2011 – June 30, 2011.

C. Number of Contracts to be Awarded
It is the intent of the Department to award **one** contract to fulfill the goals of the RFP.

D. Consideration
Consideration under the contract will be as specified by the Department based upon the available funding for the services and the cost of services as specified by the successful proposer in its proposal or as specified in best and final negotiations between the parties.

The Department within its discretion may change the consideration during the term of the contract due to reductions in federal or state funding for the services, due to changes in responsibilities that were not contemplated at the time of award of the contract, or due to

programmatic changes.

Upon extension of the term of the contract, the Department provides no assurances that consideration would be increased even to cover increased costs.
A lead agency will be required for collaborative proposals for reimbursement procedures. This assures that payment will be made timely and per Department contracting procedures.

Invoicing will be done in accordance with the practices of the Department.

III. INFORMATION ON CONTRACTUAL RELATIONSHIP

A. Contract Provisions and Attachments

This RFP with related attachments and the successful proposal, along with any modifications agreed to by the Department, are to be attachments to the resulting contract.

The Department in the contract to be signed may remove contractual provisions that appear with this RFP, add contractual provisions that do not appear with this RFP, or change contractual language from that appearing with this RFP.

The attached "Contract for Services Format" contains the standard, general and specific contractual provisions that are to be applicable to the contractual relationship between the Department and the Contractor.

Any additional service plans per legislative mandates that need to be expressly written up become an attachment to the contract and are binding.

B. Consideration and Payments

The consideration under the contract may not vary from that stated in this RFP or in the proposal, which ever is applicable, unless the RFP specifically provides that the consideration is subject to change either through negotiation of the parties or at upon the action of the Department.

The Department within its discretion may during the term of the contract terminate the contract or renegotiate the consideration due to reductions in federal or state funding for the services, due to changes in responsibilities that were not contemplated at the time of award of the contract, due to programmatic changes or due to changes in the circumstances governing the delivery of the services.

Upon extension of the term of the contract, the Department provides no assurances that consideration would be increased at that time as requested by the contractor to cover possible increased costs.

Invoicing and payments are to be done in accordance with the practices of the Department.

See the "Consideration and Payments" provision in the "Contract for Services Format".

C. Assignment, Transfer, and Subcontracting

The proposer that becomes a contractor is the prime contractor and is responsible in total for all

work performed under the contract. The contractor may not assign, transfer, or subcontract any responsibilities or duties under the terms of the contract without the written approval of the Department. All intended subcontractors must be listed in the Proposer's proposal.

The contractor is responsible to the Department for the acts and omissions of all subcontractors and of persons directly or indirectly employed by subcontractors, and for the acts and omissions of persons employed directly by the contractor.

Nothing contained within this RFP or any contract documents derived from this document creates any contractual relationship between any subcontractor and the Department.

See the "Assignment, Transfer and Subcontracting" provision in the "Contract for Services format".

D. Allowable Costs and Audits

1. Allowable Costs

Costs are only allowable in the expenditure of federal monies if in substantial compliance with the following cost principles:

The cost principles applicable to federal funding received by a governmental or nonprofit entity are those adopted at 45 CFR 74.27 and 92.22. Those provisions incorporate by reference the following OMB Circulars or other regulations:

* OMB Circular A-21 - Cost Principles for Educational Institutions
* OMB Circular A-87 - Cost Principles for State and Local Governments and Indian Tribal Governments
* OMB Circular A-122 - Cost Principles for Non Profit Institutions
* 45 CFR 74, Appendix E - Cost Principles for Hospitals
* 45 CFR Part 263 – Expenditures of State and Federal TANF Funds

THE OMB CIRCULARS REFERENCED MAY BE OBTAINED THROUGH THE WEBSITE FOR THE OFFICE OF MANAGEMENT OF THE BUDGET AT WWW.WHITEHOUSE.GOV/OMB. AT THAT WEBSITE CLICK ON "GRANTS MANAGEMENT" TO ACCESS THE PAGE WHEREIN THE CIRCULARS MAY BE CALLED UP AND OBTAINED BY PRINTING.

The cost principles applicable to federal funding received by a for profit entity are those adopted for commercial organizations set forth in the Federal Acquisition Regulation at 48 CFR Part 31.2. A profit, that being an amount in excess of actual allowable, allocable, and reasonable direct and indirect costs, is unallowable except for the routine purchase of goods or services on a standard charge or fee basis.

The fact that a cost requested in a budget is awarded, as requested, does not ensure a determination of allowability. The entity is responsible for presenting costs consistently and in accordance with the relevant authorities governing cost principles.

The cost principles that determine allowability encompass four tests: reasonableness, allocability, consistency, and conformance with the purposes, limitations and exclusions as specified in the terms and conditions of the contract and other applicable authorities.

Reasonableness
A cost may be considered reasonable if the nature of the goods or services acquired or applied and the associated dollar amount reflects the action that a prudent person would have taken under the circumstances prevailing at the time the decision to incur the cost was made. The cost principles elaborate on this concept and address considerations such as whether the cost is of a type generally necessary for the organization's operations or the contract performance; whether the recipient complied with its established institutional policies in incurring the cost; and whether the persons responsible for the expenditure acted with due prudence in carrying out their responsibility to the funding program and the public as well as to the organization.

Allocability
A cost is allocable to a specific contract, function, department, etc., known as a cost objective, if the goods or services involved are chargeable or assignable to that cost objective in accordance with the relative benefits received or other equitable relationship. A cost is allocable to a contract if it is incurred solely in order to advance work under the contract; it benefits both the contract and other work of the institution, including other contract-supported projects; or is necessary to the overall operation of the organization and is deemed to be assignable, at least in part, to the contract.

Any cost allocable to a particular program or cost objective under these principals may not be shifted to other programs to overcome fund deficiencies, avoid restriction imposed by law or grant agreement or for other reasons.

Family Economic Security regulations for allowable expenditures and a 15% administrative cap will be followed. Administrative costs are defined as fiscal duties, director's wage, indirect costs (costs not readily identifiable) and IT costs.

The contractor agrees not to use contract funding to compensate personal services in excess of the Federal Cost of Living Adjustment. This includes but is not limited to salary increases, cost of living differentials, and incentive awards and bonuses.

Consistency
A contractor must be consistent in assigning costs to cost objectives. Therefore, costs must be treated consistently for all work of the organization under similar circumstances, regardless of the source of funding, so as to avoid duplicate charges.

Conformance
The expenditures of the monies received through the contract must be in conformance with the purposes, limitations and exclusions as contained in the terms and conditions of the contract. These expenditures must be properly recorded and supported by source documentation.

2. Audits
A governmental or nonprofit entity contractor is subject to the audit requirements of OMB Circular A-133, as implemented by 45 CFR 74.26 and 92.26, if that entity is spending $500,000 or more per year in federal monies.

A for profit entity contractor is subject to the audit requirements stated in 45 CFR 74.26(d), if that entity is spending $500,000 or more per year in federal monies. Under that provision, a for profit

entity may either have an audit conducted in accordance with OMB Circular A-133 or the Government Auditing Standards. The Government Auditing Standards are available in the document GPO stock #020-000-00-265-4.

An audit for the purpose of the contractual relationship is a systematic review made to determine whether internal accounting and other control systems provide reasonable assurance that:

* Financial operations are properly conducted;
* Financial reports are presented fairly and accurately;
* Applicable laws, regulations, and other grant terms have been complied with;
* Resources are managed and used in an economical and efficient manner; and
* Desired results and objectives are being achieved in an effective manner.

The cost principles cited above are an essential feature of any audit.

State law, 5-13-304 and 18-1-118, MCA, provide that the State may conduct its own audits. The Legislative Auditor, the Department, or federal auditors may conduct audits for federal and state purposes. The Department may use its own or contract personnel for purposes of conducting audits. Those audits are in addition to the standard annual independent audit arranged for by the contractor in accordance with 45 CFR 74.26 and 92.26. Audits conducted by the Department may include tests for programmatic conformance.

AGAIN, THE OMB CIRCULAR REFERENCED ABOVE MAY BE OBTAINED THROUGH THE WEBSITE FOR THE OFFICE OF MANAGEMENT OF THE BUDGET AT WWW.WHITEHOUSE.GOV/OMB. AT THAT WEBSITE CLICK ON "GRANTS MANAGEMENT" TO ACCESS THE PAGE WHEREIN THE CIRCULARS MAY BE CALLED UP AND OBTAINED BY PRINTING.

3. Audit Settlements

The Department reserves the right to set the terms of settlement for any audit that results in findings that the contractor owes the Department monies.

Settlement may encompass, but is not limited to, payment of monies owning in a lump sum or through payments paid by the Contractor, recoupment by the Department of the monies owing from current contractual payments to be made by the Department to the Contractor, the receipt of equipment and other items the current value of which is equivalent to the sum of the monies owing, the receipt of services the current value of which is equivalent to the sum of the monies owing, or the receipt of interests in real property the current value of which is equivalent to the sum of the monies owing. The choice of the mode of settlement is within the discretion of the Department to determine.

See the "Accounting, Cost Principles and Audit" provision in the "Contract For Services Format".

IV. CONTENTS AND FORMAT OF PROPOSAL

A. **Contents:** Proposals are limited to 30 pages, including complete budget materials. Certain attachments are required and do not count in the page limit. Other attachments do count in the page limit. See Section I of this RFP for specific information.

Proposal submission must include one original and two (2) copies.

A proposal must contain all of the following elements arranged in the following order:

1) Cover Letter with Summary;
2) Table of Contents;
3) Description of services, delivery of such, location of such and work plan;
4) Administration;
5) Experience;
6) Resources/Supports;
7) Financial Management and Information;
8) Assurances; and,
9) Attachments.

B. Cover Letter with Summary

The cover letter introduces the organization and **must contain a summary of the principal features of the proposal.** The proposer may call attention to those aspects of proposed performance and its organization that it views as its strengths. **The cover letter is <u>not counted</u> in the page limitation of the proposal.**

C. Table of Contents

Table of contents do **<u>not</u>** count in the page limit.

D. Description of Services, Delivery and Work Plan

This section provides specific information regarding the proposer's plans for types of services, service delivery, proposed number of individuals that will receive services, location of services including any mandated coordination with other services, quality control measures and performance expectations. The information provided must include detailed information, including but not limited to financial literacy curriculum information, education and training curriculum, instructor information and resume, timelines for education and training or financial literacy services and a description of outcomes and goals for the project and how they contribute to the overarching goal of family economic security.

All pages count toward the total limit.

E. Administration

This section provides general information about the administrative features of the proposer's organization. This section **must include**, but is not limited to the following:

1. Address and telephone number of the applicant or the organization's corporate office and the name of the director or chief executive;
2. Names and addresses of board members, if applicable and statement certifying the independence of the Board from current or prospective employees; and
3. Proof of incorporation or certified statement of government status;
4. Proof of registration with the Montana Secretary of State;
5. Verification of workers' compensation coverage for any paid program employee;
6. Employer identification number (EIN).

All pages in this section count toward the total limit.

F. Subcontracts

If the proposer intends to enter into a subcontract as defined in Section III C, a copy of the

proposed Memorandum of Understanding (MOU) with the subcontractor must be provided for approval by the Department. The MOU pages count toward the total limit.

G. Experience

This section provides information about the proposer's general background, relevant experience, and qualifications necessary for the effective delivery of the required services. This section must include, but is not limited to the following:

1. A description of the primary purpose or goals of the organization or organizations involved;
2. A description of all of the services provided by the applicant or organization, including the locations of service sites;
3. Resume of key personnel and/or instructors that may be directly involved with the program/project;
4. A narrative describing the proposer's experience as it relates to this project;
5. Letters of support for the proposal demonstrating familiarity with the specifics of the proposal submitted;
6. A list of persons with addresses and phone numbers and e-mail addresses who are familiar with the delivery of similar services by the proposer to the Department in the past or to other programs similar to that of the Department; and
7. Any additional information related to the proposer's organization, personnel, and experience that would substantiate its qualifications and capabilities to perform the services described. This should include the project team or coordination partnerships developed to ensure that the project includes key community partners.

All pages count toward the limit except individual resumes if placed as an attachment and letters of support that are placed as an attachment. PLEASE, if placing such as attachments note them in the general section under experience and give the page numbers (and tabs if applicable) indicating where the attachments are located.

H. Resources/Supports

This section which is placed in the Services Plans identifies the community and organizational features to be used that are necessary to or complementary to the delivery of services.

This section must include, but is not limited to the following:

1. Staffing, including subcontracted personnel;
2. Computer and software capabilities; and
3. Proposed coordination and subcontractual agreements.

All pages count.

I. Financial Information and Management

This section provides the financial information and describes the financial practices of the proposer by which the Department can assess the appropriateness and cost-effectiveness of service delivery.

This section must include, but is not limited to the following:

1. Specified costs for the particulars of service delivery;
2. A budget for the project which includes a complete breakdown and description of personnel costs, administrative costs, wages and fringe; and
3. The name, address and phone number of the financial officer or other responsible fiscal person designated by the applicant organization.

All pages count.

J. Assurances and Documents of Compliance

1. In General

This section requires the proposer to provide the Department with the documents of compliance and the assurances necessary to ascertain that the proposer's organization is legally and otherwise acceptable as a contractor.

By submitting a proposal, the proposer is assuring the Department that it is in compliance with the general and labor law assurances stated in this section.

The contractor is responsible for determining which requirements and assurances are applicable to the Contractor and its subcontractors and for assuring compliance by its subcontractors with those that are applicable to the subcontractors.

The documents noted in this section need to be signed by the proposer and submitted to the Department with the proposal.

Failure to abide by these assurances or to provide the department with documents of compliance during the course of contracting is cause for termination of the contract by the Department.

2. Documents of Compliance

The Proposer must submit to the Department:

a. Proof of incorporation or certified statement of government status;
b. Proof of registration with the Montana Secretary of State;
c. Certificate of general liability and auto insurance;
d. Certificate of insurance and any endorsements to those policies in this RFP and any subsequent modifications to those policies; and
e. Verification of workers' compensation coverage for any paid program employee.

3. General Assurances

a. The proposer assures the Department that it accounts for expenditures of monies provided through the type of documentation specified by the Department and maintains an accounting system for its entire operation that is in accordance with Generally Accepted Accounting Practices (GAAP) and the cost principles stated in this RFP.
b. The proposer assures the Department that it conducts its business in accordance with all federal and state legal authorities that are applicable to its operation.
c. The proposer assures the Department that it has not acted in collusion with other proposers or contractors for the purpose of gaining unfair advantages for it or other proposers/contractors or for the purpose of providing the services at a noncompetitive price or in a noncompetitive manner.
d. If a non-profit, the proposer assures the Department that it meets the federal and state legal requirements applicable to its status as a nonprofit corporation.
e. If a non-profit, the proposer assures the Department that the proposer's board of directors is representative of the community and that none of the proposer's employees or their

relatives are members of the proposer's board of directors.

The general assurances page(s) count.

4. Labor Law Assurances

a. The proposer assures the Department that it is either an incorporated entity that maintains necessary and appropriate workers' compensation and unemployment insurance coverage or an independent contractor, as certified by the Montana Department of Labor.

b. The proposer assures the Department that it is solely responsible for and must meet all legal requirements pertaining to its activities and employees, including payment of all applicable taxes, premiums, deductions, withholdings, overtime and other obligations which may be legally required with respect to the proposer, as a legal entity, and the employment and use of all persons providing services for the proposer's/contractor's performance under contract.

5. Federal Assurances - Forms to Be Submitted

The proposer must sign and submit with its proposal the federal OMB 424B (Rev. 7-97) form, known as "ASSURANCES - NON-CONSTRUCTION PROGRAMS"; the Department's "CERTIFICATION FOR DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES OF THE CONTRACTOR'S COMPLIANCE WITH CERTAIN STATE AND FEDERAL REQUIREMENTS (May 2010)" form; and the "Sources of Information on the Privacy, Transactions and Security Requirements Pertaining to Health Care Information of the Federal Health Insurance Portability and Accountability Act (HIPAA)" form. Those documents specify requirements and assurance in addition to those appearing in this RFP and the contract. The signature of the proposer on the forms is assurance to the Department and the relevant federal entities that the proposer is aware of and is in compliance with the requirements stated on the forms. Copies of the forms are available from the Department. The Department's form encompasses several federal requirements for assurance that do not appear in OMB 424B.

The proposer must assure the Department that it is in compliance with the federal laws and regulations governing political and lobbying activities as stated in "Contract for Services Format". The successful proposer must complete the federal Standard Form LLL, "Certification Regarding Lobbying", and submit it with its proposal.

Copies of the forms are attached to this RFP.

6. State Assurances - Forms to Be Submitted

The proposer, in addition to the state law requirements specified in the contract and any attachments to the contract, must comply with the applicable state law requirements and assurances for recipients of state monies provided in the Department's "CERTIFICATION FOR DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES OF THE CONTRACTOR'S COMPLIANCE WITH CERTAIN STATE AND FEDERAL REQUIREMENTS (May 2010)". Copies of the form are available from the Department. While the Department's form encompasses numerous federal requirements for assurance, completion of the form is for assurance of the state law requirements that appear in the form.

A copy of the form is attached to this RFP.

J. Attachments

1. A **cover letter** and **summary** must accompany the proposal. It **does not count** in your limit.
2. A section on **Administration** is required and **counts** toward the page limit.
3. A section on **Experience** is required and **counts** toward the page limit. The **resume portion** of this section may be an attachment that **does not count** toward the page limit. Also, the **letters of support** for the proposal that demonstrate familiarity with the specific activities and services of the proposal are required, **but do not count** toward the page limit.
4. If applicable, the **MOU with a proposed subcontractor** is required and counts toward the page limit.
5. A section on **Resources & Supports** is required and **counts** toward the page limit.
6. A **statement of (general) assurances** is required and **counts** toward the page limit. However, the Assurance Certifications and forms **do not count** toward the page limit.

IV. SELECTION PROCESS

A. In General

The selection of the proposer to be offered a contract with the Department for the purposes of this RFP is a discretionary act of the Department.

The selection of the proposer to be offered a contract is the responsibility of the administrator of the division that administers the program of services.

The procurement official for the Department reviews the proposals initially to determine whether they have been submitted by the required time and date, whether they are in form and content in compliance with this RFP, and whether there are any matters such as claim of confidential material that must be immediately addressed.

The proposals that appear to be responsive are submitted to an evaluation committee to be evaluated in relation to the scored criteria. The evaluation committee, in addition to evaluating the scored criteria, may recommend that a proposal be rejected as nonresponsive for either form and content or failure to meet substantive requirements of this RFP.

The proposal evaluation committee, based upon the scores compiled by the committee, recommends to the administrator of the division the proposal or proposals to be selected.

The administrator of the division determines which departmental staff is to obtain reference information from references and other sources.

The administrator, based on information from references or other sources concerning matters of past performance or integrity and total cost, may select a proposer other than the proposer recommended by the evaluation committee.

The Department reserves the right to amend or cancel and terminate this RFP at any time.

B. Proposal Evaluation Committee

A Proposal Evaluation Committee is established by the Department to evaluate all proposals for the program determined to be responsive and to make a recommendation based on the scored

evaluation portion of the selection process as to the proposer to which contracts should be offered. The Department selects the members of the committee.

C. Rejection of a Proposal as Nonresponsive

A proposal must meet basic requirements for delivery of services in order to be considered in the selection process.

A proposal may be found nonresponsive at any time during the selection process. Once a proposal is determined to be nonresponsive no further consideration is given in the selection process to that proposal.

The Department in evaluating the submitted proposals first determines whether a proposal is presented in the form and with all the components that are necessary for consideration of the proposal in the evaluation process. **A proposal that is not presented substantively in the required format, does not contain all the requested information, contains clearly erroneous information, or is deficient in any respect may be rejected as nonresponsive and may receive no further consideration.**

A proposal also may be found nonresponsive if it fails to meet the basic criteria for delivery of services. The basic criteria for delivery of services may include but is not limited to: performance of certain services by certain types of professionals or by persons with specified experience; possession of all requisite corporate and individual licensure, certification and other legally necessary requirements and approvals; requisite staffing and facility development and location for delivery to specified consumer populations or geographical areas; and a maximum limit to the costs of performance.

D. Selection Criteria

The proposals for the Family Economic Security Program are to be evaluated based on the following criteria:

1. The scores of the various proposals received in the scored process of the evaluation,
2. The information concerning past performance and integrity received from references and other sources, and
3. The total costs of the proposals.

The Department independently evaluates these criteria. The administrator selects the successful proposer based on the following results in the evaluation of the criteria:

1. The receipt of a high ranked scored evaluation;
2. The receipt of overall positive responses and information from references and other sources concerning past performance in respect to the areas and features of intended performance and in respect to integrity; and
3. The total cost being at an acceptable amount.

E. Information on Past Performances and Other Matters

The Department obtains and relies upon information from references and other sources as to a proposer's past performances in respect to the areas and features of intended performance and in respect to integrity. This information may include the proposer's history of working successfully

and cooperatively with the Department and other entities.

F. Proposal Scoring Method

The scored evaluation of this RFP for is based on the following criteria:

1) Proposer's Experience and Capabilities: Possible points: **25 points.** Minimum points necessary: **20 points.**

This section is an evaluation of information related to the proposer's organization, personnel, and experience plus those of the partnership team (key community partners) that would substantiate its qualifications and capabilities to perform the services described. The evaluation includes:

- Administrative capabilities of the organization in relation to the delivery of services;
- Resources and supports of the organization that can be applied to the delivery of services;
- Experience of organization in delivery of the sought after services or services similar to the sought after services;
- Qualifications of staff to be assigned to the work, including subcontractors if applicable; and
- Mandatory and key partner involvement.

2) Services proposed, service delivery methods, areas covered, quality control methods and performance expectations: Possible points: **70 points.** Minimum points necessary: **55 points.**

This section is an evaluation of:

- Service area to be covered– 5 points
- Description of project services/activities – 30 points
- Outreach and recruitment activities to find qualified, motivated and capable family participants – 5 points
- Innovation in services or service delivery – 10 points
- Ability to leverage other resources – 5 points
- Outcomes listed and methods for evaluation of such – 15 points

The evaluation committee reviews information presented by the proposer to substantiate the proposer's understanding of the goals and responsibilities and to determine the feasibility and quality of the proposer's proposed performance.

The evaluation includes:

- Appropriateness, quality, and effectiveness of each of the services as proposed for the delivery; and
- Resources and supports the organization can obtain from community and other sources that contribute to the development, maintenance and delivery of services.

3) Budget: Possible points: **25 points**. Minimum points necessary: **20 points.**
This section includes an evaluation of the proposed budget to determine whether the proposer has an appropriate budget proposal for purposes of adequate and competent performance of the contractual duties and responsibilities. This section includes evaluation of:

- Whether the budget categories are appropriate and acceptable for performance;
- Whether the sums designated in the budget are appropriate for the various particulars of performance; and
- Required information: the name, address and phone number of the financial officer or other responsible fiscal person designated by the applicant organization (lead agency).

Total score available is 120 points. Minimum score of 90 must be achieved.

G. Decision

The administrator of the division that is seeking services makes the selection of the successful proposer. The administrator as the decision maker for this proposal process may specifically designate another person to do this.

The selection is made after review of the recommendations of the proposal evaluation committee, the information concerning past performance and integrity, and the total costs, along with supporting materials and other information obtained for purposes of the selection process.

H. Notice Letters

Upon a final decision as to the proposer to be offered a contract for services, the Department provides written notice of that decision to all proposers.

VI. ENTERING INTO A CONTRACT

A. Awarding of Contract

The Department offers a contract to a proposer that is selected through the selection process. If a selected proposer is unwilling or unable to enter into a contract with the Department, the Department may offer a contract to the next most desirable proposer.

B. Process

The Department and the proposer only establish a contractual relationship with the Department upon the signing of the offered contract.

A proposer may not commence work or commit funds, incur costs, or in any way act to obligate itself or the Department, as if it were the contractor prior to the award of the contract by the Department and the signing of the contract. All such efforts, costs, and other expenses incurred by a proposer prior to the signing of the contract are entirely the proposer's expense and may not be counted as performance or invoiced under any subsequently executed contract.

C. Submission of Necessary Certificates and Forms

1. Mandatory Submission

A contract is not entered into with a proposer that fails to provide the required documentation within the allotted time frame. The Department may terminate a contract if a proposer or a contractor submits inaccurate information on a form, that in any way misrepresents circumstances relating to the requirements noted below, that fails to appropriately revise a form or certification based on changing circumstances, or that fails to maintain a coverage requirement, is subject to termination by the department.

2. **Completion of Assurances and Forms**
Any forms required for the receipt of any federal monies committed to the services to be delivered under the contract, must be completed and submitted by a proposer prior to the signing of the contract. The contractor must submit a revised form immediately upon any change in circumstances that effect a substantive change in the information or assurances provided through the then current form.

3. **Workers' Compensation Coverage**
A certificate of coverage for workers' compensation insurance or, if appropriate, an independent contractor's exemption, must be presented to the Department by a proposer prior to the signing of the contract. The insurance coverage or exemption must be maintained at all times during the term of the contract.

4. **Insurance Coverage**
A certificate of insurance coverage, indicating compliance with the required insurance coverage, must be presented to the Department by a proposer prior to the signing of the contract. The insurance coverage must be maintained at all times during the term of the contract.