

PROCUREMENT NOTICE

The Connecticut Department of Mental Health and Addiction Services (DMHAS) is issuing this RFP in collaboration with the Departments of Correction (DOC) and Social Services (DSS) to identify nursing home level of care for clients under state care who are difficult to place. These individuals may be transitioning from a correctional facility, have criminal justice involvement and/or be transitioning from a higher level of care provided by the Department of Mental Health and Addiction Services. The Departments are seeking proposals from vendors who are presently providing skilled nursing care and are interested in reorganizing their present business model to afford this population accessibility to long term nursing home care.

The Request For Proposal is available in electronic format on the State

Contracting Portal at: http://www.das.state.ct.us/Purchase/Portal/Portal_Home.asp

or from the Department's Official Contact:

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Title: Director of Older Adult Services, DMHAS
Address: 410 Capitol Avenue 4th Fl, PO Box 341431,
MS#14PSU, Hartford, CT 06134
Phone: 860-262-6991
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E-Mail: laurel.reagan@po.state.ct.us

The RFP is also available on the Department's website at www.ct.gov/dmhas/rfp .
A printed copy of the RFP can be obtained from the Official Contact upon request.

Deadline for submission of proposals is 2:00 p.m. local time on March 30, 2012.

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I. GENERAL INFORMATION

■ A. INTRODUCTION

1. **RFP Name or Number.** Nursing Home For Individuals In State Care Who Are Difficult To Place.
2. **Summary.** The Connecticut Department of Mental Health and Addiction Services (DMHAS) is issuing this RFP in collaboration with the Departments of Correction (DOC) and Social Services (DSS) to identify nursing home level of care for individuals in state care who are difficult to place. They could be transitioning from a correctional facility, have criminal justice involvement and/or be individuals transitioning from a higher level of care provided by the Department of Mental Health and Addiction Services.

DMHAS in consultation with DOC and the Department of Social Services (DSS), will enter into a contract to eventually provide approximately 95 beds for nursing home level of care for individuals in state care who are difficult to place and meet level 1 and 2 Preadmission Screening and Resident Review (PASRR) requirements as well as nursing facility level of care.

The agencies are seeking innovative submissions that effectively describe a plan for long-term care for certain DMHAS and DOC clients and are most interested in submissions that:

- stimulate innovation and efficiency in service delivery;
- support person-centered approaches;
- provide access to care for individuals that existing nursing homes refuse due to criminal histories and/or psychiatric disability;
- are financially sustainable.

3. Synopsis:

The Departments of Mental Health and Addiction Services (DMHAS) and Correction (DOC) have identified individuals that need long-term placement in a skilled nursing facility. DMHAS seeks to contract for the provision of nursing home level of care for these individuals who have not been able to access care from the state's present vendors but meet state and federal PASRR requirements.

The Departments are looking for innovative and effective approaches that will provide their clients access to long term care for a variety of reasons including:

- a) physical, medical, and/or cognitive needs requiring 24-hour skilled nursing services and/or;

- b) all community options have been explored and the health and safety needs of the client can only be met in a skilled nursing home setting and;
- c) the admission complies with federal and state PASRR criteria;
- d) meeting the Department of Social Service's definition of medical necessity for nursing home level of care as specified in 17b-259-b.

4. Commodity Codes. The services that the Department wishes to procure through this RFP are as follows:

- 1000: Healthcare Services

■ **B. ABBREVIATIONS / ACRONYMS / DEFINITIONS**

BFO	Best and Final Offer
C.G.S.	Connecticut General Statutes
CHRO	Commission on Human Rights and Opportunity (CT)
CT	Connecticut
DAS	Department of Administrative Services (CT)
DMHAS	Department of Mental Health and Addiction Services
DOC	Department of Correction
DSS	Department of Social Service
FOIA	Freedom of Information Act (CT)
IRS	Internal Revenue Service (US)
LOI	Letter of Intent
OAG	Office of the Attorney General
OPM	Office of Policy and Management (CT)
OSC	Office of the State Comptroller (CT)
POS	Purchase of Service
P.A.	Public Act (CT)
RFP	Request For Proposal
SEEC	State Elections Enforcement Commission (CT)
U.S.	United States

- *contractor*: a private provider organization, CT State agency or municipality that enters into a POS contract with the Department as a result of this RFP
- *departments*: the Departments of Correction, Mental Health and Addiction Services and Social Services
- *proposer*: a private provider organization, CT State agency or municipality that has submitted a proposal to the Department in response to this RFP
- *prospective proposer*: a private provider organization, CT State agency, or municipality that may submit a proposal to the Department in response to this RFP, but has not yet done so

- *subcontractor*: an individual (other than an employee of the contractor) or business entity hired by a contractor to provide a specific health or human service as part of a POS contract with the Department as a result of this RFP

■ C. INSTRUCTIONS

1. **Official Contact.** The Departments have designated the individual below as the Official Contact for purposes of this RFP. The Official Contact is the **only authorized contact** for this procurement and, as such, handles all related communications on behalf of the Department. Proposers, prospective proposers and other interested parties are advised that any communication with any other Department employee(s) (including appointed officials) or personnel under contract to the Department about this RFP is strictly prohibited. Proposers or prospective proposers who violate this instruction may risk disqualification from further consideration.

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 Fax: 860-262-5625
 E-Mail: laurel.reagan@po.state.ct.us

Please ensure that e-mail screening software (if used) recognizes and accepts e-mails from the Official Contact.

2. **RFP Information.** The RFP, amendments to the RFP, and other information associated with this procurement are available in electronic format from the Official Contact or from the Internet at the following locations:

- Department's RFP Web Page
www.ct.gov/dmhas/rfp
- State Contracting Portal
http://www.das.state.ct.us/Purchase/Portal/Portal_Home.asp

It is strongly recommended that any proposer or prospective proposer interested in this procurement subscribe to receive e-mail alerts from the State Contracting Portal. Subscribers will receive a daily e-mail announcing procurements and addendums that are posted on the portal. This service is provided as a courtesy to assist in monitoring activities associated with State procurements, including this RFP. Printed copies of all documents are also available from the Official Contact upon request.

3. **Contract Awards.** The Departments will award one proposer the right to negotiate a contract with the Departments for the services contemplated in

this RFP. The Departments anticipate that most clients will be Medicaid eligible and the program will be mostly funded through Medicaid. The provider's reimbursement will be cost-based. DMHAS will reimburse the provider through a POS contract for any individuals who are not eligible for Medicaid and have no other means of payment.

- 4. Eligibility.** Private provider organizations (defined as non-state entities that are either nonprofit or proprietary corporations or partnerships), CT State agencies and municipalities are eligible to submit proposals in response to this RFP. Individuals who are not a duly formed business entity are ineligible to participate in this procurement.

The Departments are interested in working with a vendor who:

- Owns an existing building that is properly zoned to accommodate individuals with a full range of past criminal offenses;
 - Has a demonstrated track record of experience in managing a skilled nursing facility, including an existing nursing facility serving approximately 95 residents;
 - Has a demonstrated ability to engage competently trained staff to meet the needs of this population.
- 5. Minimum Qualifications of Proposers.** To qualify for a contract award, a proposer must:
- Have a demonstrated track record of operating a skilled nursing facility;
 - Own and operate a nursing facility with a capacity of approximately 95 beds;
 - Comply with existing federal and state standards of practice in operating a licensed skilled nursing facility;
 - Agree to comply with a structured monitoring process established and operated in conjunction with DOC and DMHAS that will include: tracking of client referrals; admissions, treatments; client rights issues and discharges. Outcomes to be tracked may relate to client assessments, collaboration efforts, use of medical and behavioral services, rehabilitation, family involvement and quality of life
 - Demonstrate an ability to self monitor resident population to ensure the facility does not reach the status of an Institution for Mental Disease.
- 6. Procurement Schedule.** See below. Dates after the due date for proposals ("Proposals Due") are target dates only (*). The Department may amend the schedule, as needed. Any change will be made by means of an amendment to this RFP and will be posted on the State Contracting Portal and, if available, the Department's RFP Web Page.

- RFP Released: 2/6/12
- Bidder's Conference 3/5/12
- Deadline for Questions: 3/15/12
- Answers Released : 3/20/12
- Proposals Due: 3/30/12 2:00PM
- (*) Proposer Selection: 5/18/12
- (*) Start of Contract Negotiations: 6/8/12
- (*) Start of Contract: 1/1/13

- 7. Letter of Intent.** A Letter of Intent (LOI) is not required for this RFP.
- 8. Inquiry Procedures.** All questions regarding this RFP or the Department's procurement process must be directed, in writing, to the Official Contact before the deadline specified in the Procurement Schedule. The early submission of questions is encouraged. Questions will not be accepted or answered verbally – either in person nor over the telephone. All questions received before the deadline(s) will be answered. However, the Department will not answer questions when the source is unknown (i.e., nuisance or anonymous questions). Questions deemed unrelated to the RFP or the procurement process will not be answered. At its discretion, the Department may or may not respond to questions received after the deadline. The Department may combine similar questions and give only one answer. All questions and answers will be compiled into a written amendment to this RFP. If any answer to any question constitutes a material change to the RFP, the question and answer will be placed at the beginning of the amendment and duly noted as such. The agency will release the answers to questions on the date(s) established in the Procurement Schedule. The Department will publish any and all amendments to this RFP on the State Contracting Portal and, if available, on the Department's RFP Web Page.
- 9. RFP Conference.** An RFP conference will be held to answer questions from prospective proposers on March 5, 2012 at 9:30 a.m. at:
- Connecticut Valley Hospital
Merritt Hall, Lee Auditorium
Silver Street, Middletown, CT.
- 10. Proposal Due Date and Time.** The Official Contact is the **only authorized recipient** of proposals submitted in response to this RFP. Proposals must be received by the Official Contact on or before the due date and time:
- Due Date: March 30, 2012
 - Time: 2:00 PM
 - Place: Department of Mental Health and Addiction Services
410 Capitol Avenue 4th Fl, PO Box 341431,
MS#14 PSU
Hartford, CT 06134

Faxed or e-mailed proposals will not be evaluated. When hand-delivering proposals by courier or in person, allow extra time for compliance with building security procedures. The Department will not accept a postmark date as the basis for meeting the submission due date and time. Proposals received after the due date and time may be accepted by the Department as a clerical function, but late proposals will not be evaluated. At the discretion of the Department, late proposals may be destroyed or retained for pick up by the submitters.

An acceptable submission must include the following:

- one (1) original proposal;
- ten (10) conforming copies of the original proposal; and
- one (1) conforming electronic copy of the original proposal.

The original proposal must carry original signatures and be clearly marked on the cover as "Original." Unsigned proposals will not be evaluated. The original proposal and each conforming copy of the proposal must be complete, properly formatted and outlined, and ready for evaluation by the Screening Committee. The electronic copy of the proposal must be compatible with *Microsoft Office Word 2003*. For the electronic copy, required forms and appendices may be scanned and submitted in Portable Document Format (PDF) or similar file format.

- 11. Multiple Proposals.** The submission of multiple proposals is not an option with this procurement.
- 12. Declaration of Confidential Information.** Proposers are advised that all materials associated with this procurement are subject to the terms of the Freedom of Information Act (FOIA), the Privacy Act, and all rules, regulations and interpretations resulting from them. If a proposer deems that certain information required by this RFP is confidential, the proposer must label such information as CONFIDENTIAL. In Section C of the proposal submission, the proposer must reference where the information labeled CONFIDENTIAL is located in the proposal. *EXAMPLE: Section G.1.a.* For each subsection so referenced, the proposer must provide a convincing explanation and rationale sufficient to justify an exemption of the information from release under the FOIA. The explanation and rationale must be stated in terms of (a) the prospective harm to the competitive position of the proposer that would result if the identified information were to be released and (b) the reasons why the information is legally exempt from release pursuant to C.G.S. § 1-210(b).
- 13. Conflict of Interest - Disclosure Statement.** Proposers must include a disclosure statement concerning any current business relationships (within the last three (3) years) that pose a conflict of interest, as defined by C.G.S. § 1-85. A conflict of interest exists when a relationship exists between the proposer and a public official (including an elected official) or State employee that may interfere with fair competition or may be adverse to the interests of the State. The existence of a conflict of interest is not, in and of itself, evidence of wrongdoing. A conflict of interest may, however, become a legal matter if a proposer tries to influence, or succeeds in influencing, the outcome of an official decision for their personal or corporate benefit. The Department will determine whether any disclosed

conflict of interest poses a substantial advantage to the proposer over the competition, decreases the overall competitiveness of this procurement, or is not in the best interests of the State. In the absence of any conflict of interest, a proposer must affirm such in the disclosure statement.

Example: "[name of proposer] has no current business relationship (within the last three (3) years) that poses a conflict of interest, as defined by C.G.S. § 1-85."

■ D. PROPOSAL FORMAT

1. **Required Outline.** All proposals must follow the required outline presented in Section IV – Proposal Outline. Proposals that fail to follow the required outline will be deemed non-responsive and not evaluated.
2. **Cover Sheet.** The Cover Sheet is Page 1 of the proposal. Proposers must complete and use the Cover Sheet form provided by the Department in Section IV.I – Forms.
3. **Table of Contents.** All proposals must include a Table of Contents that conforms with the required proposal outline. (See Section IV.)
4. **Executive Summary.** Proposals must include a high-level summary, not exceeding 2 pages, of the main proposal and cost proposal.
5. **Attachments.** Attachments other than the required Appendices or Forms identified in Section IV are not permitted and will not be evaluated. Further, the required Appendices or Forms must not be altered or used to extend, enhance, or replace any component required by this RFP. Failure to abide by these instructions will result in disqualification.
6. **Style Requirements.** Submitted proposals must conform to the following specifications:
 - Binding Type: None specified
 - Dividers: None specified
 - Paper Size: 8.5x11
 - Page Limit: The narrative, exclusive of attachments, should not exceed 25 pages
 - Print Style: 2-sided
 - Font Size: None specified
 - Font Type: None specified
 - Margins: None specified
 - Line Spacing: None specified
7. **Pagination.** The proposer's name must be displayed in the header of each page. All pages, including the required Appendices and Forms, must be numbered in the footer.
8. **Packaging and Labeling Requirements.** All proposals must be submitted in sealed envelopes or packages and be addressed to the Official Contact. The Legal Name and Address of the proposer must appear in the upper left corner of the envelope or package. The RFP Name or Number must be clearly displayed on the envelope or package. Any received proposal that does not conform to these packaging or labeling instructions will be opened

as general mail. Such a proposal may be accepted by the Department as a clerical function, but it will not be evaluated. At the discretion of the Department, such a proposal may be destroyed or retained for pick up by the submitters.

■ E. EVALUATION OF PROPOSALS

1. **Evaluation Process.** It is the intent of the Department to conduct a comprehensive, fair and impartial evaluation of proposals received in response to this RFP. When evaluating proposals, negotiating with successful proposers and awarding contracts, the Department will conform with its written procedures for POS procurements (pursuant to C.G.S. § 4-217) and the State's Code of Ethics (pursuant to C.G.S. §§ 1-84 and 1-85).
2. **Screening Committee.** The Department will designate a Screening Committee to evaluate proposals submitted in response to this RFP. The contents of all submitted proposals, including any confidential information, will be shared with the Screening Committee. Only proposals found to be responsive (that is, complying with all instructions and requirements described herein) will be reviewed, rated and scored. Proposals that fail to comply with all instructions will be rejected without further consideration. Attempts by any proposer (or representative of any proposer) to contact or influence any member of the Screening Committee may result in disqualification of the proposer.
3. **Minimum Submission Requirements.** All proposals must comply with the requirements specified in this RFP. To be eligible for evaluation, proposals must (1) be received on or before the due date and time; (2) meet the Proposal Format requirements; (3) follow the required Proposal Outline; and (4) be complete. Proposals that fail to follow instructions or satisfy these minimum submission requirements will not be reviewed further. The Departments will reject any proposal that deviates significantly from the requirements of this RFP.
4. **Evaluation Criteria (and Weights).** Proposals meeting the Minimum Submission Requirements will be evaluated according to the established criteria. The criteria are the objective standards that the Screening Committee will use to evaluate the technical merits of the proposals. Only the criteria listed below will be used to evaluate proposals.

- Organizational Profile 10%
- Service Requirements 40%
- Staffing Requirements 20%
- Data and Technology 5%
- Work Plan 15%
- Budget and Budget Narrative 10%

Note:

As part of its evaluation of the Staffing Plan, the Screening Committee will consider the proposer's demonstrated commitment to affirmative action, as required by the Regulations of CT State Agencies § 46A-68j-30(10).

5. **Proposer Selection.** Upon completing its evaluation of proposals, the Screening Committee will submit the rankings of all proposals to the DMHAS

Commissioner. The final selection of a successful proposer is at the discretion of the Commissioner. Any proposer selected will be so notified and awarded an opportunity to negotiate a contract with the Department. Such negotiations may, but will not automatically, result in a contract. Pursuant to Governor M. Jodi Rell's Executive Order No. 3, any resulting contract will be posted on the State Contracting Portal. All unsuccessful proposers will be notified by e-mail or U.S. mail, at the Department's discretion about the outcome of the evaluation and proposer selection process.

- 6. Debriefing.** Within ten (10) days of receiving notification from the Department, unsuccessful proposers may contact the Official Contact and request information about the evaluation and proposer selection process. The e-mail sent date or the postmark date on the notification envelope will be considered "day one" of the ten (10) days. If unsuccessful proposers still have questions after receiving this information, they may contact the Official Contact and request a meeting with the Department to discuss the evaluation process and their proposals. If held, the debriefing meeting will not include any comparisons of unsuccessful proposals with other proposals. The Department will schedule and hold the debriefing meeting within fifteen (15) days of the request. The Department will not change, alter, or modify the outcome of the evaluation or selection process as a result of any debriefing meeting.
- 7. Appeal Process.** Proposers may appeal any aspect the Department's competitive procurement, including the evaluation and proposer selection process. Any such appeal must be submitted to the Department head. A proposer may file an appeal at any time after the proposal due date, but not later than thirty (30) days after an agency notifies unsuccessful proposers about the outcome of the evaluation and proposer selection process. The e-mail sent date or the postmark date on the notification envelope will be considered "day one" of the thirty (30) days. The filing of an appeal shall not be deemed sufficient reason for the Department to delay, suspend, cancel, or terminate the procurement process or execution of a contract. More detailed information about filing an appeal may be obtained from the Official Contact.
- 8. Contract Execution.** Any contract developed and executed as a result of this RFP is subject to the Department's contracting procedures, which may include approval by the Office of the Attorney General.

II. MANDATORY PROVISIONS

■ A. POS STANDARD CONTRACT, PARTS I AND II

By submitting a proposal in response to this RFP, the proposer implicitly agrees to comply with the provisions of Parts I and II of the State's "standard contract" for POS:

Part I of the standard contract is maintained by the Department and will include the scope of services, contract performance, quality assurance, reports, terms of payment, budget, and other program-specific provisions of any resulting POS contract. A sample of Part I is available from the Department's Official Contact upon request.

Part II of the standard contract is maintained by OPM and includes the mandatory terms and conditions of the POS contract. Part II is available on OPM's website at: http://www.ct.gov/opm/fin/standard_contract

Note:

Included in Part II of the standard contract is the State Elections Enforcement Commission's notice (pursuant to C.G.S. § 9-612(g)(2)) advising executive branch State contractors and prospective State contractors of the ban on campaign contributions and solicitations. If a proposer is awarded an opportunity to negotiate a contract with the Department and the resulting contract has an anticipated value in a calendar year of \$50,000 or more, or a combination or series of such agreements or contracts has an anticipated value of \$100,000 or more, the proposer must inform the proposer's principals of the contents of the SEEC notice.

Part I of the standard contract may be amended by means of a written instrument signed by the Department, the selected proposer (contractor), and, if required, the Attorney General's Office. Part II of the standard contract may be amended only in consultation with, and with the approval of, the Office of Policy and Management and the Attorney General's Office.

■ B. ASSURANCES

By submitting a proposal in response to this RFP, a proposer implicitly gives the following assurances:

1. **Collusion.** The proposer represents and warrants that the proposer did not participate in any part of the RFP development process and had no knowledge of the specific contents of the RFP prior to its issuance. The proposer further represents and warrants that no agent, representative, or employee of the State participated directly in the preparation of the proposer's proposal. The proposer also represents and warrants that the submitted proposal is in all respects fair and is made without collusion or fraud.

2. **State Officials and Employees.** The proposer certifies that no elected or appointed official or employee of the State has or will benefit financially or materially from any contract resulting from this RFP. The Department may terminate a resulting contract if it is determined that gratuities of any kind were either offered or received by any of the aforementioned officials or employees from the proposer, contractor, or its agents or employees.
3. **Competitors.** The proposer assures that the submitted proposal is not made in connection with any competing organization or competitor submitting a separate proposal in response to this RFP. No attempt has been made, or will be made, by the proposer to induce any other organization or competitor to submit, or not submit, a proposal for the purpose of restricting competition. The proposer further assures that the proposed costs have been arrived at independently, without consultation, communication, or agreement with any other organization or competitor for the purpose of restricting competition. Nor has the proposer knowingly disclosed the proposed costs on a prior basis, either directly or indirectly, to any other organization or competitor.
4. **Validity of Proposal.** The proposer certifies that the proposal represents a valid and binding offer to provide services in accordance with the terms and provisions described in this RFP and any amendments or attachments hereto. The proposal shall remain valid for a period of 180 days after the submission due date and may be extended beyond that time by mutual agreement. At its sole discretion, the Department may include the proposal, by reference or otherwise, into any contract with the successful proposer.
5. **Press Releases.** The proposer agrees to obtain prior written consent and approval of the Department for press releases that relate in any manner to this RFP or any resultant contract.

■ C. TERMS AND CONDITIONS

By submitting a proposal in response to this RFP, a proposer implicitly agrees to comply with the following terms and conditions:

1. **Equal Opportunity and Affirmative Action.** The State is an Equal Opportunity and Affirmative Action employer and does not discriminate in its hiring, employment, or business practices. The State is committed to complying with the Americans with Disabilities Act of 1990 (ADA) and does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services, or activities.
2. **Preparation Expenses.** Neither the State nor the Department shall assume any liability for expenses incurred by a proposer in preparing, submitting, or clarifying any proposal submitted in response to this RFP.
3. **Exclusion of Taxes.** The Department is exempt from the payment of excise and sales taxes imposed by the federal government and the State. Proposers are liable for any other applicable taxes.

4. **Proposed Costs.** No cost submissions that are contingent upon a State action will be accepted. All proposed costs must be fixed through the entire term of the contract.
5. **Changes to Proposal.** No additions or changes to the original proposal will be allowed after submission. While changes are not permitted, the Department may request and authorize proposers to submit written clarification of their proposals, in a manner or format prescribed by the Department, and at the proposer's expense.
6. **Supplemental Information.** Supplemental information will not be considered after the deadline submission of proposals, unless specifically requested by the Department. The Department may ask a proposer to give demonstrations, interviews, oral presentations or further explanations to clarify information contained in a proposal. Any such demonstration, interview, or oral presentation will be at a time selected and in a place provided by the Department. At its sole discretion, the Department may limit the number of proposers invited to make such a demonstration, interview, or oral presentation and may limit the number of attendees per proposer.
7. **Presentation of Supporting Evidence.** If requested by the Department, a proposer must be prepared to present evidence of experience, ability, data reporting capabilities, financial standing, or other information necessary to satisfactorily meet the requirements set forth or implied in this RFP. The Department may make onsite visits to an operational facility or facilities of a proposer to evaluate further the proposer's capability to perform the duties required by this RFP. At its discretion, the Department may also check or contact any reference provided by the proposer.
8. **RFP Is Not An Offer.** Neither this RFP nor any subsequent discussions shall give rise to any commitment on the part of the State or the Department or confer any rights on any proposer unless and until a contract is fully executed by the necessary parties. The contract document will represent the entire agreement between the proposer and the Department and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State shall assume no liability for costs incurred by the proposer or for payment of services under the terms of the contract until the successful proposer is notified that the contract has been accepted and approved by the Department and, if required, by the Attorney General's Office.

■ D. RIGHTS RESERVED TO THE STATE

By submitting a proposal in response to this RFP, a proposer implicitly accepts that the following rights are reserved to the State:

1. **Timing Sequence.** The timing and sequence of events associated with this RFP shall ultimately be determined by the Department.
2. **Amending or Canceling RFP.** The Department reserves the right to amend or cancel this RFP on any date and at any time, if the Department deems it to be necessary, appropriate, or otherwise in the best interests of the State.

- 3. No Acceptable Proposals.** In the event that no acceptable proposals are submitted in response to this RFP, the Department may reopen the procurement process, if it is determined to be in the best interests of the State.
- 4. Award and Rejection of Proposals.** The Department reserves the right to award in part, to reject any and all proposals in whole or in part, for misrepresentation or if the proposal limits or modifies any of the terms, conditions or specifications of this RFP. The Department may waive minor technical defects, irregularities, or omissions, if in its judgment the best interests of the State will be served. The Department reserves the right to reject the proposal of any proposer who submits a proposal after the submission date and time.
- 5. Sole Property of the State.** All proposals submitted in response to this RFP are to be the sole property of the State. Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of this RFP shall be the sole property of the State, unless stated otherwise in this RFP or subsequent contract. The right to publish, distribute, or disseminate any and all information or reports, or part thereof, shall accrue to the State without recourse.
- 6. Contract Negotiation.** The Department reserves the right to negotiate or contract for all or any portion of the services contained in this RFP. The Department further reserves the right to contract with one or more proposer for such services. After reviewing the scored criteria, the Department may seek Best and Final Offers (BFOs) on cost from proposers. The Department may set parameters on any BFOs received.
- 7. Clerical Errors in Award.** The Department reserves the right to correct inaccurate awards resulting from its clerical errors. This may include, in extreme circumstances, revoking the awarding of a contract already made to a proposer and subsequently awarding the contract to another proposer. Such action on the part of the State shall not constitute a breach of contract on the part of the State since the contract with the initial proposer is deemed to be void *ab initio* and of no effect as if no contract ever existed between the State and the proposer.
- 8. Key Personnel.** When the Department is the sole funder of a purchased service, the Department reserves the right to approve any additions, deletions, or changes in key personnel, with the exception of key personnel who have terminated employment. The Department also reserves the right to approve replacements for key personnel who have terminated employment. The Department further reserves the right to require the removal and replacement of any of the proposer's key personnel who do not perform adequately, regardless of whether they were previously approved by the Department.

■ E. STATUTORY AND REGULATORY COMPLIANCE

By submitting a proposal in response to this RFP, the proposer implicitly agrees to comply with all applicable State and federal laws and regulations, including, but not limited to, the following:

1. **Freedom of Information, C.G.S. § 1-210(b).** The Freedom of Information Act (FOIA) generally requires the disclosure of documents in the possession of the State upon request of any citizen, unless the content of the document falls within certain categories of exemption, as defined by C.G.S. § 1-210(b). Proposers are generally advised not to include in their proposals any confidential information. If the proposer indicates that certain documentation, as required by this RFP, is submitted in confidence, the State will endeavor to keep said information confidential to the extent permitted by law. The State has no obligation to initiate, prosecute, or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information pursuant to a FOIA request. The proposer has the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. While a proposer may claim an exemption to the State's FOIA, the final administrative authority to release or exempt any or all material so identified rests with the State. In no event shall the State or any of its employees have any liability for disclosure of documents or information in the possession of the State and which the State or its employees believe(s) to be required pursuant to the FOIA or other requirements of law.
2. **Contract Compliance, C.G.S. § 4a-60 and Regulations of CT State Agencies § 46a-68j-21 thru 43, inclusive.** CT statute and regulations impose certain obligations on State agencies (as well as contractors and subcontractors doing business with the State) to insure that State agencies do not enter into contracts with organizations or businesses that discriminate against protected class persons.
3. **Consulting Agreements, C.G.S. § 4a-81.** Proposals for State contracts with a value of \$50,000 or more in a calendar or fiscal year, excluding leases and licensing agreements of any value, shall include a consulting agreement affidavit attesting to whether any consulting agreement has been entered into in connection with the proposal. As used herein "consulting agreement" means any written or oral agreement to retain the services, for a fee, of a consultant for the purposes of (A) providing counsel to a contractor, vendor, consultant or other entity seeking to conduct, or conducting, business with the State, (B) contacting, whether in writing or orally, any executive, judicial, or administrative office of the State, including any department, institution, bureau, board, commission, authority, official or employee for the purpose of solicitation, dispute resolution, introduction, requests for information or (C) any other similar activity related to such contract. Consulting agreement does not include any agreements entered into with a consultant who is registered under the provisions of C.G.S. Chapter 10 as of the date such affidavit is submitted in accordance with the provisions of C.G.S. § 4a-81. The Consulting Agreement Affidavit (OPM Ethics Form 5) is available on OPM's website at http://www.ct.gov/opm/fin/ethics_forms
IMPORTANT NOTE: A proposer must complete and submit OPM Ethics Form 5 to the Department with the proposal.

- 4. Gift and Campaign Contributions, C.G.S. §§ 4-250 and 4-252(c); Governor M. Jodi Rell's Executive Orders No. 1, Para. 8 and No. 7C, Para. 10; C.G.S. § 9-612(g)(2).** If a proposer is awarded an opportunity to negotiate a contract with an anticipated value of \$50,000 or more in a calendar or fiscal year, the proposer must fully disclose any gifts or lawful contributions made to campaigns of candidates for statewide public office or the General Assembly. Municipalities and CT State agencies are exempt from this requirement. The gift and campaign contributions certification (OPM Ethics Form 1) is available on OPM's website at http://www.ct.gov/opm/fin/ethics_forms

IMPORTANT NOTE: The successful proposer must complete and submit OPM Ethics Form 1 to the Department prior to contract execution.

- 5. Nondiscrimination Certification , C.G.S. §§ 4a-60(a)(1) and 4a-60a(a)(1).** If a proposer is awarded an opportunity to negotiate a contract, the proposer must provide the Department with *written representation* or *documentation* that certifies the proposer complies with the State's nondiscrimination agreements and warranties. A nondiscrimination certification is required for all State contracts – regardless of type, term, cost, or value. Municipalities and CT State agencies are exempt from this requirement. The nondiscrimination certification forms are available on OPM's website at http://www.ct.gov/opm/fin/nondiscrim_forms

IMPORTANT NOTE: The successful proposer must complete and submit the appropriate nondiscrimination certification form to the awarding Department prior to contract execution.

III. PROGRAM INFORMATION

■ A. DEPARTMENT OVERVIEW

The Department of Mental Health and Addiction Services (DMHAS) is the state healthcare service agency responsible for health promotion and the prevention and treatment of mental illness and substance abuse in Connecticut. The single overarching goal of DMHAS is promoting and achieving a quality-focused, culturally responsive and recovery-oriented system of care. DMHAS has focused its efforts on greater involvement of persons in recovery in the planning and development of services, expanding system capacity through better care management of persons in treatment, promoting age, gender, sexual orientation, and culturally responsive services, and strengthening supportive community-based services. These efforts are captured in the Department's mission statement: "to improve the quality of life of the people of Connecticut by providing an integrated network of comprehensive, effective and efficient behavioral health services that foster self-sufficiency, dignity and respect."

The Department of Correction's mission includes the protection of the public, protection of staff and the provision of safe, secure and humane supervision of offenders. DOC is also responsible to provide all incarcerated offenders with a community standard of health care. If it is determined that an offender is suffering from a terminal condition, disease or syndrome, or is so debilitated or incapacitated by a terminal condition, disease or syndrome as to be physically incapable of presenting a danger to society, a release to a nursing home level of placement should be considered. DOC approaches care from a holistic perspective and the use of an outside nursing home facility as part of a range of care options enhances its commitment to providing safe, secure and humane supervision for offenders.

■ B. Program Overview

A responsive proposal must include a summary of the proposer's overall qualifications to successfully operate a skilled nursing facility in compliance with the federal and state Department of Public Health codes and regulations for long term care per the Nursing Home Reform Act of 1987 specifically:

- Processing referrals from DMHAS and/or the criminal justice system;
- Providing skilled nursing care to individuals who have physical, medical and/or cognitive needs that require 24 hour supervision and care;
- Developing person-centered programming for individuals with behavioral health and/or criminal justice involvement under Department of Health codes, regulations and guidelines;
- Developing a behaviorally-based process and environment to mitigate risks that individuals with dementia may bring to the nursing home setting;
- Providing evidence that admissions and continued resident utilization management reviews comply with federal and state PASRR requirements.

■ C. Main Proposal Components

1. Scope of Service

- A skilled nursing facility program that includes competently trained staff to treat individuals who meet PASRR criteria, and are otherwise difficult to place because of involvement with the Department of Correction or the Department of Mental Health and Addiction Services and have physical, medical and or/cognitive needs requiring 24 hour skilled care;
- The Departments are most interested in an organization that is presently successfully operating a skilled nursing facility;
- The proposed building must be properly zoned to accommodate individuals with a full range of past criminal offenses and have desirable space options to accommodate these individuals;
- Individuals considered for placement in this nursing home are currently under state care by the Department of Correction or the Department of Mental Health and Addiction Services.

Program Requirements: The facility will provide care according to the federal and state Department of Public Health codes and regulations for Skilled Nursing Care. In addition, the organization should:

- Have a behavioral health focus and/or the conceptual basis to design the milieu, adapting the physical environment and creating treatment relationships;
- Have a proven ability to skillfully work with individuals who may have multiple medical problems and co-occurring risky behavioral issues such as aggression and self harm;
- Employ and supervise staff that are competently trained to deal with individuals with multiple needs;
- Have the ability to work with a no-reject, no-eject policy and use staff resources and supports to enable individuals to maintain their place at the facility regardless of the behavior.

2. Staffing Requirements

- The organization will have appropriate staffing levels in accordance with state Department of Public Health regulations for the operation of a skilled nursing facility;
- The organization will employ mental health staff to develop and assist with the facilitation of person-centered behavioral health plans for individuals with co-occurring diagnosis.

3. Standards

- The organization will provide existing license information and any credentialing by the organization in its provision of skilled nursing care;
- The organization will provide information regarding any recent (past 2 years) citations by the Department of Public Health.

4. Start-Up Process

The Departments are seeking a vendor who is presently operating a skilled nursing home and is interested in converting an existing property for this new business. The program will begin mid-year with fewer beds in order to assure the efficacy of the programming. It

should eventually support approximately 95 beds. The ability to start up a viable facility in a short time frame will receive higher consideration in the evaluation process.

■ D. DATA AND TECHNOLOGY REQUIREMENTS

- Demonstrate capacity to collect and manage DMHAS required data regarding admissions and utilization management;
- It is expected that this facility will have access to a computer that is connected to the internet and can send/receive email communication;
- Organization contractor must have Quality Improvement systems and processes in place that utilize data to monitor and inform program management improvement.

■ E. COST PROPOSAL COMPONENT

The budget, as submitted, must represent the total expenses for the scope of work required by the RFP and described in the Bidder's proposal.

The Departments have a clear interest in the financial strength and stability of the selected bidder. For this reason, information pertinent to the Bidder's financial circumstances must be included in the proposal. The Proposal must provide Bidder specific information as described below:

Financial Statements applicable to the Bidder

- If publicly held, the Bidder must provide copies of their audited financial statements for the three most recent fiscal years for which the statements are available. The statements must include a balance sheet, income statement and a statement of cash flow. Statements must be complete with opinions, footnotes and management letters as well as the name, address and telephone number of the fiscally responsible representative, if applicable, of the Bidder's financial or banking organization. If no audited statements are available, explain why and submit un-audited financial statements; and
- If the Bidder is not a publicly held corporation, the reports and audited financial statements required of a publicly held corporation and a description of the organization, including size, longevity, consumer base, areas of specialization and expertise, and any other pertinent information must be submitted in such a manner that proposal evaluators may reasonably formulate a determination about the stability and financial strength of the organization. Additionally, a non-publicly held firm must provide a banking reference;
- Documentation of lines of credit available, including maximum credit amount and available amount;

- Short-term and long-term debt ratings by at least one nationally recognized rating service, if applicable;
- Analysis and evaluation of future financial condition and stability;
- A copy of the “face page” of general liability, professional liability and any other liability policies that the company holds which might provide coverage for activities associated with the Contract; Include a narrative description of the amount of coverage and any changes in coverage the Bidder might make, if selected;
- Estimates of the working capital necessary to operate this contract. If the most recent balance sheet for the organization does not indicate sufficient cash to meet the estimated capital needs, indicate how the program would be capitalized. Provide documentation of any necessary credit instruments and their expiration;
- Disclosure of any and all judgments, pending or expected litigation, or other real or potential financial reversals, which might materially affect the viability or stability of the organization, or state that no such condition is known to exist.

Business Narrative

- The proposal must include a narrative that explains and details the projected costs for each function under this contract;
- Budgets should separately identify direct costs, allocable as direct costs, and Administrative & General costs;
- Provide a proposed cost allocation plan that summarizes the methods and procedures the Bidder would use to equitably allocate costs to functions and programs contained in this RFP. Include an explanation of the method for determining which costs are considered direct, allocable as direct, and Administrative & General. This cost allocation plan should be updated annually and submitted to the Department for approval 30 days prior to each contract period (operational years);
- Explain changes in costs from one time period to the next and detail the assumptions on which any increases in costs are based;
- Explain and illustrate the proposed staffing pattern (key staff and management structure) by function;
- Delineate the key assumptions and staffing patterns used in constructing the budget, including detail for each function and program contained in this RFP;

Cost Proposal

- Bidders are required to provide cost proposals using the schedule in Attachment 7. The bid shall include a total contract cost for the start-up and initial implementation phase and the total annual contract cost. This bid shall represent the total fixed price for all design, development and implementation services by task of the initial start-up as well as all on-going operational tasks, activities, and expenses needed to meet the requirements of the RFP;
- Complete the budget template in Attachment 7 for each of the following time periods for the start-up period and annual operations for each function in this RFP as well as a consolidated budget for all functions combined:
 - Start-up from contract execution date until the program is fully operational; and
 - Fully annualized;
 - Each budget template must specify the number and type of FTEs associated with each function for each of the time periods;
 - The staffing schedule and budget should be based on key assumptions and volume projections for each function contained in this RFP;
 - The Bidder may not include (and under no circumstances will be reimbursed for) any costs associated with the preparation of the proposal, presentations for or follow up submissions of the proposal, or any negotiations with the Departments for the potential award of the contract. Only costs incurred after Contract award and specifically related to implementation or operation of the duties covered by the Contract may be included in this budget as direct costs;
 - The Department reserves the right to review all aspects of the cost proposal for reasonableness and to request clarification of any proposal where the cost component shows significant and unsupported deviation from industry standards or in areas where detailed pricing is required.

IV. PROPOSAL OUTLINE

This section presents the **required** outline that must be followed when submitting a proposal in response to this RFP. Proposals must include a Table of Contents that exactly conforms with the required proposal outline (below). Proposals must include all the components listed below, in the order specified, using the prescribed lettering and numbering scheme. Incomplete proposals will not be evaluated.

	Page
A. Cover Sheet	1
B. Table of Contents	2
C. Declaration of Confidential Information Etc.	
D. Conflict of Interest - Disclosure Statement	
E. Executive Summary	
F. Main Proposal	

1. Organizational Profile

Organizational Structure

a. Overview:

Give a brief overview of your organizational structure. Demonstrate current experience providing skilled nursing care to individuals with a variety of mental, physical and legal issues. Provide a clear, detailed summary of the organization’s experience and expertise relevant to the delivery of successful services by competent staff offered to a similar target population.

b. Qualifications, Relevant Experience:

Describe any potential risks to the Departments and risks that could be encountered by acting as the Departments’ contractor; propose solutions or approaches for managing those risks that show the proposer’s familiarity and sensitivity with managing individuals with multiple needs.

Submitting organizations should identify existing linkages to mental health services, legal services and specialized treatment or describe plans to establish such connections. In addition:

- Describe existing license information and any credentialing by the organization in its provision of skilled nursing care;
- Describe any recent (past 2 years) citations or infractions issued by the Department of Public Health regarding your organization’s delivery of skilled nursing care.

2. Service Requirements: A responsive proposal shall thoroughly address the following:

- a. **Geographic Area:** Describe in detail the geographic area of current and proposed site for the nursing home:
 - Provide the proposed address of the facility;
 - Explain in detail any community obstacles that may arise by providing services to individuals with a range of past criminal offenses;
 - Provide a physical description of the building including type of structure, capacity, proof of compliance with zoning, safety features including any type of cameras or security systems, fire code compliance, and public health and safety code compliance.
- b. **Target Population:** Describe your ability to ensure a culturally-responsive delivery of services that recognizes and affirms diversity and the specific needs of individuals who have had involvement with the correctional system or are receiving services from the Department of Mental Health and Addiction Services.
 - Describe the array of services that will be offered to the individuals including your acceptance of the no-reject and no-eject policy. Describe how your proposal fits within your organization's mission and current programs configuration;
 - Summarize the services you currently provide, especially for individuals with behavioral health issues and/or criminal justice involvement;
 - Describe any additional experience your organization has with individuals involved with the criminal justice system and mental health system;
 - Describe in detail your operating compliance practices with PASRR rules and regulations;
 - Describe the behavioral focus and/or the conceptual basis to be used in designing the milieu, adapting the physical environment and creating treatment relationships; and
 - Describe the ability of the organization to work with a no-reject, no-eject policy and the use of increased supports to enable individuals to maintain their place at the facility regardless of the behavior.
- c. **Number / Types of Clients:** Describe the specific type and length of experience of your organization has in the delivery of skilled nursing services to individuals, especially individuals who are transitioning from correctional facilities or receiving services from the Department of Mental Health and Addiction Services.
- d. **Client Evaluation / Assessment/Treatment**
 - Describe an admission, transfer and discharge process that includes oversight from DMHAS and DOC;
 - Describe the proposed assessment tool that will be completed on each individual and how the tool is designed to meet the needs and preferences of the individual;

- Describe the proposed application of an evidence- based chronic disease management program to address the co-morbid medical issues related to this population;
- Include information on any prior use of Positive Behavioral Support Plans to work with individuals;
- Describe any enhanced programming which will support person-centered care, clients' right issues and maintain or increase quality of life for each individual;
- Provide a Risk Assessment Policy and Procedure and any additional measures or tools used for risk assessment; and
- Provide a detailed description of a successful Utilization Management Policies and Procedure Program including collaboration with DMHAS and DOC.

3. Staffing Requirements: Describe your proposed staffing ratios and configurations of professional and paraprofessional staff to meet the skilled needs in a facility of approximately 95 beds. Please include the following:

- Describe staffing levels in accordance with state Department of Public Health regulations for the operation of a skilled nursing facility;
- Describe planned staffing levels. Describe the services of an experienced mental health practitioner, i.e. behavioral psychologist and the number of hours this person will be available.

a. Roles and Responsibilities

- Supervision / Management: Provide a table of organization to describe the reporting route for this facility including: Formal liaison with DMHAS and DOC regarding admission, transfer and discharge procedures;
- Credentials / Licensure: attach job descriptions in Appendices for proposed positions; and
- Description of your plan to recruit, hire and train staff to effectively provide skilled nursing home services for this population, including using alternative staffing initiatives and programs.

b. Staff Training/Education

- Provide a written annual staff training/education plan and/or schedule including education on the treatment of behavioral and mental health disorders.

4. Data and Technology Requirements: Provide a specific clear description of how the organization will collect, manage and report data:

- Provide examples of successful prior history in collecting, managing and reporting data to any federal or state agency.

- Describe how your organization will report Utilization Management data to DMHAS and DOC and other data as required;
- Describe how the organization will utilize data to improve quality management; .
- Describe a Quality Assurance and Improvement Plan addressing the key issues of federal and state regulatory compliance; and.
- Describe a Quality Assurance and Improvement Plan that encompasses a formal liaison with DMHAS and DOC.

5. Subcontractors: Please provide the following information if your organization will use any subcontractors for the provision or delivery of a service:

- Services To Be Provided Under Subcontract
- Legal Name of Agency, Address, FEIN
- Contact Person, Title, Phone, Fax, E-mail
- Subcontractor Oversight
- Subcontract Cost and Term

6. Work Plan: Realistic Implementation Timeline: Provide a detailed implementation plan which lists key dates such as conversion of existing property, renovations, hiring and training of staff, date to admit first individual, etc.

- Create a time line describing the start up process to convert an existing property;
- Create a time line describing the start up process to hire, orient and train staff;
- Estimate the date by which the first individual can be admitted to the facility; and
- The ability to start up a viable facility in a short time frame will receive higher consideration in the evaluation process.

G. Budget and Budget Narrative:

- Provide an anticipated startup and annualized budget for the services to be provided in the template provided in Attachment 7;
- Provide a detailed explanation of the need for the proposed expenditures; and
- The expense spreadsheets should be completed in accordance with the Instructions for Preparing the 2011 Annual Cost Report, which can be referenced at:
http://cjlrc.com/files/downloads/2011_Annual_Report_Instructions.pdf

H. Appendices:

Biographic Sketches/Resumes for existing staff and job descriptions for new positions.
Organization Structure (Table of Organization).

V. ATTACHMENTS

ATTACHMENT 1

Connecticut Department of Mental Health and Addictions Services
Request for Proposals - Nursing Homes for Individuals who are Transitioning from a
Correctional Facility or Receiving Services from the Department of Mental Health and Addiction
Services

Submission Cover Sheet

Name of Organization (Fiduciary for funding)
Address of Organization:
Organizational information:
Year Incorporated:
Is your organization tax exempt?
Amount of Request:
DMHAS Service Funding:
Name of Project:
Project Location (Town(s)):
Name of Contact:
Tel:
Fax:
Title:
Email:
Acting as the duly authorized representative, I hereby affirm that the governing body of the above named organization has reviewed and accepts all the conditions of the Request for Proposals for the Gatekeeper Program RFP, and that the organization is interested in being considered for participation in the Gatekeeper Program and becoming eligible to receive and administer Gatekeeper Program service funding subject to the conditions outlined in the RFP.
Signature of CEO/Executive Director
Date

Please complete page two of the submission cover sheet for collaborating organizations.

**Request for Proposals –Nursing Homes for Individuals who are Transitioning from a
Correctional Facility or Receiving Services from the Department of Mental Health and Addiction
Services.**

**Submission Cover Sheet – Page Two
Collaborating Organizations**

Organization: _____

Address: _____

Contact Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Authorized Signature: _____ Date: _____

Name (print): _____ Title: _____

Organization: _____

Address: _____

Contact Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Authorized Signature: _____ Date: _____

Name (print): _____ Title: _____

Organization: _____

Address: _____

Contact Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Authorized Signature: _____ Date: _____

Name (print): _____ Title: _____

Organization: _____

Address: _____

Contact Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Authorized Signature: _____ Date: _____

Name (print): _____ Title: _____

ATTACHMENT 2

Department of Mental Health and Addictions Services
Request for Proposals – Nursing Homes for Individuals who are Transitioning from a
Correctional Facility or Receiving Services from the Department of Mental Health and Addiction
Services.

Conditions Acceptance Form

Must be completed and signed by all submitting organizations

Acting as the duly authorized representative, I hereby affirm that the below named organization has reviewed and accepts all the conditions of the PROGRAM, including the following:

- a. Acceptance or rejection. DMHAS reserves the right to accept or reject any or all responses submitted for consideration.
- b. Ownership of submissions. All submissions in response to this RFP are to be the sole property of DMHAS and subject to the provisions of Section 1-210 of the Connecticut General Statutes (re: Freedom of Information)
- c. Timing and sequence. Timing and sequence of events resulting from this RFP will ultimately be determined by DMHAS.
- d. Oral agreement. Any alleged oral agreement or arrangement made by a submitting organization with any agency or employee will be superseded by a written agreement.
- e. Amending or canceling requests. DMHAS reserves the right to amend or cancel this RFP, prior to the due date and time, if it is in the best interest of DMHAS and the State.
- f. Rejection for default or misrepresentation. DMHAS reserves the right to reject the submission of any organization that is in default of any prior contract with the State or for misrepresentation.
- g. Clerical errors in awards. DMHAS reserves the right to correct inaccurate awards resulting from its clerical errors.
- h. Rejection of qualified submissions. Submissions are subject to rejection in whole or in part if they limit or modify any of the terms and conditions and/or specifications of this RFP.
- i. Presentation of supporting evidence. A submitting organization must be prepared to present evidence of experience, ability, service facilities, and financial standing necessary to meet the requirements set forth or implied in the RFP.
- j. Collusion. By responding, the submitting organization implicitly states that the submission is not made in connection with any competing organization submitting a separate response to the RFP, and is in all respects fair and without collusion or fraud.
- k. This Request for Proposals does not represent any obligation or agreement whatsoever on the part of the State of Connecticut or DMHAS, such obligation or agreement could only be incurred or entered into by written agreement approved as necessary by the Office of the Attorney General.
- l. Neither the State of Connecticut nor DMHAS is obligated to pay, nor shall in fact pay, any costs or losses incurred by any submitting organization at any time,

including the cost of responding to this RFP.

- m. Any determination to be made in connection with the RFP shall be in the sole discretion and judgment of DMHAS.
- n. The qualifications of a submitting organization will not create any rights on the submitting organization's part, including without limitation, rights of enforcement, equity or reimbursement, until all necessary documents are fully executed and approved by the appropriate State agencies.
- o. DMHAS reserves the right, at its sole option, to alter all program guidelines.
- p. The State of Connecticut and DMHAS reserve the right, at their sole discretion, to reject at any time, any or all submissions, to withdraw the RFP, and to negotiate with one or more submitting organizations on terms other than those set forth herein. The State of Connecticut and DMHAS likewise reserve the right, at any time, to waive compliance with or change any of the terms and conditions of this RFP.
- q. The State of Connecticut and DMHAS reserve the right to amend, modify or withdraw this RFP, to waive or alter any requirements of this RFP, to require supplemental statements and information from submitting organizations, modification or additions to submitted materials, and to hold discussions with any submitting organizations and to extend the deadline for submissions under this RFP.
- r. Each submission must contain all of the information required by this RFP. However, DMHAS may, but is not required to, allow a submitting organization whose submission is incomplete to submit further information in order to remedy such defect.

Organization: _____ Date: _____

Signature: _____ Name/Title: _____

ATTACHMENT 3

COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
CONTRACT COMPLIANCE REGULATIONS

NOTIFICATION TO BIDDERS

The contract to be awarded is subject to contract compliance requirements mandated by Sections 4a-60 and 4a-60a of the Connecticut General Statutes; and, when the awarding agency is the State, Sections 46a-71 (d) and 46a-81I(d) of the Connecticut General Statutes. There are Contract Compliance Regulations codified at Section 46a-68j-21 through 43 of the Regulations of Connecticut State Agencies, which establish a procedure for awarding all contracts covered by Sections 4a-60 and 46a-71 (d) of the Connecticut General Statutes.

According to Section 46a-68j-30(9) of the Contract Compliance Regulations, every agency awarding a contract subject to the contract compliance requirements has an obligation to “aggressively solicit the participation of legitimate minority business enterprises as bidders, contractors, subcontractors and suppliers of materials.” “Minority business enterprise” is defined in Section 4a-60 of the Connecticut General Statutes as a business wherein fifty-one percent or more of the capital stock, or assets belong to a person or persons: “(1) Who are active in daily affairs of the enterprise; (2) who have the power to direct the management and policies of the enterprise; and (3) who are members of a minority, as such term is defined in subsection (a) of Section 32-9n.” “Minority” groups are defined in Section 32-9n of the Connecticut General Statutes a “(1) Black Americans... (2) Hispanic Americans... (3) persons who have origins in the Iberian Peninsula... (4) Women... (5) Asian Pacific Americans and Pacific Islanders; (6) American Indians...” An individual with a disability is also a minority business enterprise as provided by Section 32-9e of the Connecticut General Statutes. The above definitions apply to the contract compliance requirements by virtue of Section 46a-68j-21 (11) of the Contract Compliance Regulations.

The awarding agency will consider the following factors when reviewing the bidder’s qualifications under the contract compliance requirements:

- the bidder’s success in implementing an affirmative action plan;
- the bidder’s success in developing an apprenticeship program complying with Sections 46a-68-1 to 46a-68-17 of the Connecticut General Statutes, inclusive;
- the bidder’s promise to develop and implement a successful affirmative action plan;
- the bidder’s submission of employment statistics contained in the “Employment Information Form”, indicating that the composition of its workforce is at or near parity when compared to the racial and sexual composition of the workforce in the relevant labor market area; and
- the bidder’s promise to set aside a portion of the contract for legitimate minority business enterprises. See Section 46a-68j-30(10)(E) of the Contract Compliance Regulations.

*INSTRUCTION: Bidder must sign acknowledgement below, detach along dotted line and return acknowledgement to Awarding Agency along with bid proposal.

The undersigned acknowledges receiving and reading a copy of the “Notification to Bidder’s” form.

(Signature)
On behalf of:

(Date)

ATTACHMENT 4

**STATE OF CONNECTICUT
DEPARTMENT OF
MENTAL HEALTH AND ADDICTION SERVICES**

CONTRACT COMPLIANCE PRE-AWARD REQUIREMENTS

Contract Compliance Regulations¹ of the Regulations of State Agencies requires the Department of Mental Health and Addiction Services to consider the following in determining the qualifications of the bidder to meet its contract compliance requirements:

- a. the bidder's success in implementing an affirmative action plan;
- b. the bidder's success in developing an apprenticeship program complying with Equal Employment Opportunity apprenticeship and training Regulations 2;
- c. the bidder's promise to develop and implement a successful affirmative action plan;
- d. the bidder's submission of EEO-1 Report (MHAS-38) indicating that the composition of its work force is at or near parity when compared to the racial and sexual composition of the work force in the relevant labor market area;
- e. the bidder's promise to set aside a portion of the contract for legitimate minority business enterprises.

Please provide the information requested on the EEO-1 Report in order that this contract compliance requirement may be met. Please return EEO-1 Report with bid proposal as this information is necessary to complete the contract award process. If you believe that any of the information requested is not applicable to you, please indicate and explain.

1 Section 4a-60

2 Section 46a-68-1 thru 17

STATE OF CONNECTICUT

EMPLOYMENT INFORMATION FORM

COMMISSION ON HUMAN RIGHTS & OPPORTUNITIES

WORKFORCE ANALYSIS AFFIRMATIVE ACTION REPORT

BIDDER/CONTRACTOR	CONTACT PERSON	DATE
ADDRESS	PHONE NUMBER	CONTRACT AWARD NUMBER

Report all permanent full-time or part-time employees, including apprentice and on-the-job trainees. Enter the numbers on all lines and in all columns.

JOB CATEGORIES	OVERALL TOTALS (Sum of all columns, A thru E Male and Female)	A WHITE (NOT OF HISPANIC ORIGIN)		B BLACK (NOT OF HISPANIC ORIGIN)		C HISPANIC		D ASIAN OR PACIFIC ISLANDER		E AMER. INDIAN OR ALASKAN NATIVE	
		MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Officials and Managers											
Professionals											
Technicians											
Sale Workers											
Office and Clerical											
Craft Workers (Skilled)											
Operatives (Semi-skilled)											
Laborers (Unskilled)											
Service Workers											
TOTALS ABOVE											

Do you use minority businesses as subcontractors or Suppliers?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Explain:
If Ct. based, do you post all employment openings with the State of Connecticut Employment Service?	YES	NO	Explain:
Do you implement a written Affirmative Action Plan?	YES	NO	Explain:

DESCRIBE YOUR RECRUITMENT, HIRING, TRAINING AND PROMOTION ANTIDISCRIMINATION PRACTICES

ATTACHMENT 5



STATE OF CONNECTICUT
CONSULTING AGREEMENT AFFIDAVIT

Affidavit to accompany a State contract for the purchase of goods and services with a value of \$50,000 or more in a calendar or fiscal year, pursuant to Connecticut General Statutes §§ 4a-81(a) and 4a-81(b)

INSTRUCTIONS:

If the bidder or vendor has entered into a consulting agreement, as defined by Connecticut General Statutes § 4a-81(b)(1): Complete all sections of the form. If the bidder or vendor has entered into more than one such consulting agreement, use a separate form for each agreement. Sign and date the form in the presence of a Commissioner of the Superior Court or Notary Public. If the bidder or vendor has not entered into a consulting agreement, as defined by Connecticut General Statutes § 4a-81(b)(1): Complete only the shaded section of the form. Sign and date the form in the presence of a Commissioner of the Superior Court or Notary Public.

Submit completed form to the awarding State agency with bid or proposal. For a sole source award, submit completed form to the awarding State agency at the time of contract execution.

This affidavit must be amended if the contractor enters into any new consulting agreement(s) during the term of the State contract.

AFFIDAVIT: [Number of Affidavits Sworn and Subscribed On This Day: _____]

I, the undersigned, hereby swear that I am the chief official of the bidder or vendor awarded a contract, as described in Connecticut General Statutes § 4a-81(a), or that I am the individual awarded such a contract who is authorized to execute such contract. I further swear that I have not entered into any consulting agreement in connection with such contract, except for the agreement listed below:

Form with fields for Consultant's Name and Title, Name of Firm (if applicable), Start Date, End Date, and Cost.

Description of Services Provided: _____

Is the consultant a former State employee or former public official? [] YES [] NO

If YES: Name of Former State Agency _____ Termination Date of Employment _____

Sworn as true to the best of my knowledge and belief, subject to the penalties of false statement. Shaded area with fields for Printed Name of Bidder or Vendor, Signature of Chief Official or Individual, Date, Printed Name (of above), and Awarding State Agency.

Sworn and subscribed before me on this _____ day of _____, 20____.

Commissioner of the Superior Court or Notary Public

ATTACHMENT 6

NOTICE TO EXECUTIVE BRANCH STATE CONTRACTORS AND PROSPECTIVE STATE CONTRACTORS OF CAMPAIGN CONTRIBUTION AND SOLICITATION BAN

This notice is provided under the authority of Connecticut General Statutes 9-612(g)(2), as amended by P.A. 07-1, and is for the purpose of informing state contractors and prospective state contractors of the following law (italicized words are defined on page 2):

Campaign Contribution and Solicitation Ban

No state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor, with regard to a state contract or state contract solicitation with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder of a valid pre-qualification certificate, shall make a contribution to, or solicit contributions on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee;

In addition, no holder or principal of a holder of a valid pre-qualification certificate, shall make a contribution to, or solicit contributions on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of State senator or State representative, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee.

Duty to Inform

State contractors and prospective state contractors are required to inform their principals of the above prohibitions, as applicable, and the possible penalties and other consequences of any violation thereof.

Penalties for Violations

Contributions or solicitations of contributions made in violation of the above prohibitions may result in the following civil and criminal penalties:

Civil penalties--\$2000 or twice the amount of the prohibited contribution, whichever is greater, against a principal or a contractor. Any state contractor or prospective state contractor which fails to make reasonable efforts to comply with the provisions requiring notice to its principals of these prohibitions and the possible consequences of their violations may also be subject to civil penalties of \$2000 or twice the amount of the prohibited contributions made by their principals.

Criminal penalties—Any knowing and willful violation of the prohibition is a Class D felony, which may subject the violator to imprisonment of not more than 5 years, or \$5000 in fines, or both.

Contract Consequences

Contributions made or solicited in violation of the above prohibitions may result, in the case of a state contractor, in the contract being voided.

Contributions made or solicited in violation of the above prohibitions, in the case of a prospective state contractor, shall result in the contract described in the state contract solicitation not being awarded to the prospective state contractor, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

The state will not award any other state contract to anyone found in violation of the above prohibitions for a period of one year after the election for which such contribution is made or solicited, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

Receipt acknowledged: _____ (signature) _____ (date)

Print name: _____

Title: _____

Company Name: _____

Additional information and the entire text of P.A. 07-1 may be found on the website of the State Elections Enforcement Commission, www.ct.gov/seec. Click on the link to "State Contractor Contribution Ban"

Definitions:

"State contractor" means a person, business entity or nonprofit organization that enters into a state contract. Such person, business entity or nonprofit organization shall be deemed to be a state contractor until December thirty-first of the year in which such contract terminates. "State contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Prospective state contractor" means a person, business entity or nonprofit organization that (i) submits a response to a state contract solicitation by the state, a state agency or a quasi-public agency, or a proposal in response to a request for proposals by the state, a state agency or a quasi-public agency, until the contract has been entered into, or (ii) holds a valid pre-qualification certificate issued by the Commissioner of Administrative Services under section 4a-100.

"Prospective state contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Principal of a state contractor or prospective state contractor" means (i) any individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in, a state contractor or prospective state contractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, (ii) an individual who is employed by a state contractor or prospective state contractor, which is a business entity, as president, treasurer or executive vice president, (iii) an individual who is the chief executive officer of a state contractor or prospective state contractor, which is not a business entity, or if a state contractor or prospective state contractor has no such officer, then the officer who duly possesses comparable powers and duties, (iv) an officer or an employee of any state contractor or prospective state contractor who has managerial or discretionary responsibilities with respect to a state contract, (v) the spouse or a dependent child who is eighteen years of age or older of an individual described in this subparagraph, or (vi) a political committee established or controlled by an individual described in this subparagraph or the business entity or nonprofit organization that is the state contractor or prospective state contractor.

"State contract" means an agreement or contract with the state or any state agency or any quasi-public agency, let through a procurement process or otherwise, having a value of fifty thousand dollars or more, or a combination or series of such agreements or contracts having a value of one hundred thousand dollars or more in a calendar year, for (i) the rendition of services, (ii) the furnishing of any goods, material, supplies, equipment or any items of any kind, (iii) the construction, alteration or repair of any public building or public work, (iv) the acquisition, sale or lease of any land or building, (v) a licensing arrangement, or (vi) a grant, loan or loan guarantee. "State contract" does not include any agreement or contract with the state, any state agency or any quasi-public agency that is exclusively federally funded, an education loan or a loan to an individual for other than commercial purposes.

"State contract solicitation" means a request by a state agency or quasi-public agency, in whatever form issued, including, but not limited to, an invitation to bid, request for proposals, request for information or request for quotes, inviting bids, quotes or other types of submittals, through a competitive procurement process or another process authorized by law waiving competitive procurement.

"Managerial or discretionary responsibilities with respect to a state contract" means having direct, extensive and substantive responsibilities with respect to the negotiation of the state contract and not peripheral, clerical or ministerial responsibilities.

"Dependent child" means a child residing in an individual's household who may legally be claimed as a dependent on the federal income tax of such individual.

"Solicit" means (A) requesting that a contribution be made, (B) participating in any fund-raising activities for a candidate committee, exploratory committee, political committee or party committee, including, but not limited to, forwarding tickets to potential contributors, receiving contributions for transmission to any such committee or bundling contributions, (C) serving as chairperson, treasurer or deputy treasurer of any such committee, or (D) establishing a political committee for the sole purpose of soliciting or receiving contributions for any committee. Solicit does not include: (i) making a contribution that is otherwise permitted by Chapter 155 of the Connecticut General Statutes; (ii) informing any person of a position taken by a candidate for public office or a public official, (iii) notifying the person of any activities of, or contact information for, any candidate for public office; or (IV) serving as a member in any party committee or as an officer of such committee that is not otherwise prohibited in this section.

ATTACHMENT 7

COST PROPOSAL BUDGET SCHEDULES

Complete the Budget Schedule EXCEL spreadsheets posted on the DMHAS and DAS websites for this RFP.