

Department of Social Services  
Contract Administration and  
Procurements

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# **PROCUREMENT MANUAL**

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# Acronyms, Abbreviations, and Definitions

The following acronyms, abbreviations, and definitions apply to this Manual:

1. Business day - Normal operating hours for the State of Connecticut, usually from 8:30 am to 5 pm, Monday through Friday.
2. Commissioner - The Commissioner of the Department of Social Services, as defined in General Statutes of Connecticut (C.G.S.) §17b-3
3. Competitive Procurement - The process of obtaining services through an open, fair and competitive process, where all potential respondents have an equal opportunity to pursue and possibly be offered the right to negotiate a contract to provide services to the Department, conducted in accordance with applicable law and policy
4. Letter of Intent (LOI) - A written statement expressing a prospective respondent's intention to submit a proposal in response to an RFP
5. Non-competitive Procurement- A "non-competitive procurement" is the acquisition or purchase of services by a State agency without a full and open process (as described herein). When the Department solicits and negotiates with only one potential contractor, the acquisition method is called a "sole source" procurement.
6. Objective - The desired or needed result to be achieved
7. Request for Applications (RFA) - A document issued by the Department to solicit applicants interested in applying for funding from the Department to provide a specific service as identified by the Department that results in the offer of the right to negotiate a contract
8. Request for Information (RFI) - A document issued by the Department to obtain information on the services an organization has to offer, or how a prospective respondent would propose to perform certain work; RFIs are not used to obtain price information
9. Request for Proposals (RFP) - A document issued by the Department to solicit proposals from respondents based on a generalized scope of work that results in the offer of the right to negotiate a contract to the lowest priced, qualified, responsible proposer submitting the most advantageous and responsive proposal; the outcome of an RFP is based on price and the respondent's proposed technical solution to a particular need identified by the Department
10. Request for Qualifications (RFQ) - A document issued by the Department to obtain the qualifications, which may include certain licenses, certifications, and experience, from respondents interested in providing a specific service for the Department that results in the offer of the right to negotiate a contract
11. Subcontract - Any written agreement between a contractor and another party to fulfill any contractual requirements

## Section I - Introduction

### A. Purpose of Procurement Manual

The Department of Social Services Procurement Staff have developed this manual to provide guidance and assistance to staff involved with the procurement of services through both competitive and non-competitive solicitations. The Department's most commonly used process for competitive solicitation is the Request for Proposals (RFP). The RFP is an invitation to a service provider or vendor to submit an offer to do business with the Department. The offer should provide a service to the Department that satisfies the requirements set forth in the RFP.

Other processes commonly used by the Department to procure services include the competitive Request for Applications (RFA) and Request for Qualifications (RFQ). Occasionally the Request for Information (RFI) is used to obtain information about services that might be procured, to assist the Department in making a determination as to what services it wishes to seek.

The Department is committed to performing all State services with the highest degree of professionalism, integrity, and ethical standards. Therefore, this manual was developed to provide the reader with step-by-step guidance to the procurement process in conformance with State executive branch agency [Procurement Standards](#), which is embedded as a hyperlink. The Department is committed to purchasing quality and cost-effective services from providers in an open, transparent, and fair manner.

### B. Contact Information

Questions regarding the information contained in this manual may be directed to the following staff members in Contracts and Procurement.

Marcia McDonough	(860) 424-5214
Crystal Redding	(860) 424-5234

### C. Overview of the Department of Social Services

The Department of Social Services (DSS) administers and delivers a wide variety of services to children, families, adults, people with disabilities and the elderly, including health care coverage, child care, child support, long-term care and supports, energy assistance, food and nutrition aid, and program grants. DSS administers myriad state and federal programs and one-third of the state budget, currently serving more than 848,000 individuals in nearly 540,000 households (April 2014 data).

By statute, DSS is the state agency responsible for administering a number of programs under federal legislation, including the Food Stamp Act, the Older Americans Act, and the Social Security Act.

The Department is headed by the Commissioner of Social Services, and there are deputy commissioners for programs and administration. The agency delivers most of its programs through 12 field offices (including three benefits centers available by phone) located throughout the state, with central administrative offices located in Hartford. In addition, many

services funded by the agency are available through community-based agencies and partner contractors. The agency has out stationed employees at hospitals to expedite Medicaid/HUSKY applications, and also works with community service providers to facilitate program applications.

Attached to the department for administrative purposes only are the Department of Rehabilitation Services, encompassing vocational rehabilitation services, services for the blind and visually-impaired and the deaf and hearing-impaired, and disability determination services; the Department on Aging; and the Child Day Care Council.

### ***Mission and Vision***

#### **DSS Mission**

*Guided by shared belief in human potential, we aim to increase the security and well-being of Connecticut individuals, families, and communities.*

#### **DSS Vision**

*To become a world-class service organization.*

## **D. Overview of Contract Administration and Procurements**

The Department of Social Services Contract Administration and Procurements unit is charged with oversight and administration of all contracting functions for the Department through the purchase of services. Contract Administration supports all agency units by facilitating and managing the contracting process.

The unit is charged with obtaining actual service delivery through contractual arrangements with many non-profit community based human service agencies, other governmental agencies, and for-profit corporations that provide administrative services to the Department. Contract Administration is responsible for ensuring that the Department complies with all applicable laws and policies that govern contract activities, including contract negotiations, contract amendments, contracts processing, administration and enforcement.

The Department of Social Services Procurements provides guidance with the proper application of State procurement laws and regulations and the use of prudent business practices by the Department for the acquisition of services. Procurement staff provide assistance to other Department staff in the contractor selection process to ensure a fair, open and competitive process that results in a cost-effective and efficient procurement of services.

## **F. Competitive vs. Non-competitive Procurement**

### **1. Competitive Procurement**

A “competitive procurement” is the acquisition of services by a State agency through an open, fair and competitive process, where all responsible sources have an equal opportunity to pursue and possibly be offered the right to negotiate a contract to provide the agency with the desired services.

As defined here, the term “competitive procurement” refers to a specific type of acquisition method – most typically, one involving a procurement document called a Request for

Proposals (RFP), though other methodologies are utilized as well (ie: RFQs and RFAs). Using an RFP, the Department of Social Services publicly communicates information about what the agency wishes to procure. Interested parties submit written proposals in response to the Department's procurement. The submitted proposals are evaluated and rated according to predetermined criteria. The Department selects the lowest cost, qualified, responsible proposer and offers them the right to negotiate a contract.

Pursuant to statute, unless the Department receives a waiver from competitive solicitation, discussed below, it must conduct an RFP process to select a contractor when the anticipated cost or term of a future contract exceeds \$20,000 or one year.

The RFP and the proposals received provide the basis for the final contract.

## 2. Non-competitive Procurement

A "non-competitive procurement" is the acquisition or purchase of services by a State agency without a full and open process (as described above). When the Department solicits and negotiates with only one potential contractor, the acquisition method is called a "sole source" procurement and contract administration staff handles the procurement request with OPM.

When the Department wishes to make a sole source procurement and the anticipated cost or term of the contract exceeds \$20,000 or one year, the Department must request a waiver from competitive solicitation and obtain approval from OPM **before discussions are held with any potential contractor**. The Department must not begin the sole source procurement before receiving **prior approval** from OPM.

Sole source procurements that may qualify for a waiver from OPM include, but are not limited to:

- services for which the cost to the State of a competitive procurement process outweighs the benefits of such a process, as documented by the State agency;
- services provided by a contractor mandated by the Connecticut General Statutes or by a Public or Special Act;
- emergency services, including those needed for the protection of life or health; and
- services provided by a contractor having special capability, unique experience, proprietary services, or patent rights.

# Section II – The Procurement Process

The procurement process requires a multitude of [steps](#), embedded here as a hyperlink, beginning with identification of a need and resulting with the offer of the right to negotiate a contract. Some steps are optional, depending on the nature and complexity of the service being procured. Procurement staff will assist with determining what steps are required for the particular service being procured.

## A. Planning

### 1. Planning and Preparation

Advance planning and preparation will produce more effective procurements, which ultimately will provide the Department with the services needed in an acceptable and timely manner. Procurement planning is a process that involves all staff responsible for a significant aspect of the procurement to ensure each requirement is coordinated and integrated into the RFP in a comprehensive manner. The detail of the planning and preparation process will vary according to the size, complexity, need, and dollar value of the service(s) being procured. Procurement planning must include the related budget planning. Receiving OPM approval of the projected dollars necessary to operate the program is the first step necessary to begin the planning and preparation process.

Among the benefits of procurement planning are:

- a. saving money by anticipating costs;
- b. obtaining more efficient and effective products and services;
- c. allowing better workload planning and scheduling;
- d. consolidating services where appropriate;
- e. providing sufficient time to obtain required approvals;
- f. identifying potential problems before they arise;
- g. ensuring the accuracy of specifications or statements of work;
- h. ensuring adequate competition;
- i. avoiding unrealistic delivery of services or performance schedules; and
- j. receiving acceptable services in a timely manner.

### 2. Roles and Responsibilities

Procurement planning requires a team effort. At a minimum the team shall include the requesting program staff and procurement staff. Although program staff play a key role in the procurement process, overall responsibility for the development and facilitation of the RFP process lies with the procurement staff.

#### a. Program Staff Responsibilities

Program staff must contact procurement staff at a minimum of 9 months before the anticipated contract start date to allow sufficient time to complete the process. Program staff must identify, prepare, and provide an initial description of the service being requested in order to assist procurement staff with development of an RFP. Program staff are responsible for identifying any particular statute or regulation that requires compliance, any specific program requirements, funding requirements, and justifications of the amount being requested. Program staff must also educate procurement staff regarding the description of

the service required, and identify the anticipated resulting contract start date and term. Program staff responsibilities include but are not limited to:

- 1) Defining the procurement goals;
- 2) Developing a plan for reaching the goals;
- 3) Identifying a project lead to work with procurement staff;
- 4) Obtaining necessary management approvals;
- 5) Submitting an official Procurement Request Form to the Official Contact for the procurement; and
- 6) Entering a Request for a Personal Service Agreement (PSA) or Request for Purchase of Services (POS) via the [Office of Policy and Management \(OPM\) PSA and POS Request Web Site](#), embedded as a hyperlink;
- 7) Reviewing any drafts offered by procurement staff; and
- 8) Obtaining any internal approvals necessary to move the procurement forward.

b. Procurement Staff Responsibilities

Procurement staff are responsible for procedures related to the acquisition of contractual services for the Department. Staff write the Request for Proposals, facilitate the review and evaluation of proposals, and draft recommendations for the right to negotiate a contract based on the review and evaluation of proposals. Procurement staff must ensure that the Department is in conformance with State procurement regulations, policies, and standards and provide advice to program staff on relevant State procurement processes and procedures. Procurement staff are available to help program staff with every aspect of the RFP process beginning with the receipt of an initial RFP request from program staff and concluding with the offering of the right to negotiate a contract to the successful Respondent. Such tasks include:

- 1) working with program staff to identify requirements, and determining the type of procurement needed and the type of contract to be offered;
- 2) planning meeting dates and timelines;
- 3) preparing an evaluation tool;
- 4) providing guidance throughout the procurement process;
- 5) providing assistance with identification of specific evaluation criteria;
- 6) recommending additional information to be incorporated into the RFP such as specific Respondent requirements, licenses, certifications, experience, insurance, bonding prerequisites, and the acceptance of subcontractors; and
- 7) drafting an RFP for program staff's consideration.

Procurement staff serve as the primary point of contact with program staff and prospective/ actual Respondents as appropriate. Procurement staff maintain effective working relationships with program staff and other organizations that participate in the procurement process, issue the final RFP, and post the RFP on the [State Contracting Portal](#) and the [DSS RFP Web Page](#). Procurement staff review RFP minimum submission requirements for completeness and clarity, facilitate the evaluation process, contact references, and ensure that all Respondents are provided with a fair and equitable opportunity to be offered the right to negotiate a contract. Procurement staff also assist with evaluation team selection if needed. Procurement staff develop the procurement summary and recommendations for the Commissioners to approve or reject if appropriate, keep track of procurement scheduling dates and timely completion of the review and scoring process.

3. Ethical Responsibilities

All individuals involved in the procurement process are required to comply with the State's ethics laws when performing the State's business. The State's Code of Ethics for Public

Officials is set forth in the Connecticut General Statutes (C.G.S.), Chapter 10. Additional ethics requirements are outlined in Governor M. Jodi Rell's Executive Order No. 1, dated July 1, 2004.

Any public official or State employee having responsibility for the review, award, or monitoring of State contracts must file a *Statement of Financial Interests* form with the [Office of State Ethics \(OSE\)](#), embedded as a hyperlink, under the terms provided by C.G.S. § 1-83. The form is available on OSE's website. This policy is pursuant to Governor M. Jodi Rell's guideline for implementing Executive Order No. 1, which was issued on July 19, 2004.

#### 4. Planning Documentation

##### a. Completion of Procurement Request Form

Upon the receipt of an initial procurement request from program staff, a procurement staff member will be designated to act as the Official Contact for the procurement. The Official Contact will forward a [Procurement Request Form](#), embedded as a hyperlink, to program staff for completion. Once completed, the Procurement Request Form provides information on services and funding that will be utilized to develop the RFP.

##### b. Initial Procurement Meeting

Upon receipt of the completed Procurement Request Form from program staff, an initial meeting is scheduled to begin the process of RFP planning and development. Procurement staff will recommend additional meetings as necessary throughout the procurement process.

##### c. Project File

The official project file is started at the beginning of the procurement process and must contain all documentation associated with the procurement. The file is established electronically as well as a hard copy binder, maintained by the Official Contact. Information contained in the file is available for review in conformance with the Freedom of Information Act.

##### d. Ethics and Confidentiality Statement

All individuals involved with the development and review of the RFP must sign an [Ethics and Confidentiality Statement](#), embedded as a hyperlink, that indicates their agreement to maintain the confidentiality of all information and decisions regarding RFP development and review. It also provides assurance that the individual shall avoid any actual or appearance of conflict of interest in the development and evaluation of the.

Any person involved in the development of the RFP who questions the propriety of certain circumstances, or believes his or her position in this process represents a conflict of interest, or believes his or her ability to fairly participate in the development and/or evaluation of the RFP may be compromised by influence or attempted influence by others must discuss the situation with the Department's Official Contact immediately.

#### 5. Office of Policy and Management (OPM) Approval

In a November 5, 2005 formal opinion, the Attorney General concluded that there is no legal distinction between a purchase of service (POS) agreement and personal service agreement (PSA) and that both are subject to the competitive procurement requirements contained in C.G.S. 4-212, et seq. The Office of Policy and Management (OPM) requires that all

Executive Branch State agencies must obtain approval from OPM before entering into most Personal Service Agreements (PSAs) and Purchase of Service (POS) contracts.

During the initial planning process, program staff must determine the cost and term of the anticipated contract. If the cost is \$50,000 or more or the term of the anticipated contract is 1 year or more, then a request to competitively procure services must be submitted to OPM for approval prior to the release of the RFP. Program staff enters a Request for Purchase of Service (POS) or Request for Personal Service Agreement (PSA) via the OPM [PSA and POS Request Web Site](#). The Official Contact reviews the Request for POS or Request for PSA and checks, "Reviewed." The Official Contact notifies the Contract and Procurement Administrator by e-mail when the Request for PSA or Request for POS is ready to be submitted to OPM. The Contract and Procurement Administrator submits the PSA Request or POS Request to OPM. The Contract and Procurement Administrator receive the OPM approval of the PSA Request or POS Request by e-mail. The Official Contact forwards the OPM approval to program staff.

## B. RFP Development - when creating a POS RFP, the following template, embedded as a hyperlink, may be used. [Standard POS Template](#)

1. Writing the RFP - The very first page of the RFP should include at a minimum:
  - a. Purpose of the RFP;
  - b. Eligibility of Respondents;
  - c. Qualifications of Respondents;
  - d. Resultant contract start and end date;
  - e. Timeline for submission of a letter of intent, if required;
  - f. Proposal submission due date; and
  - g. Official contact for the RFP.

The information included on the first page of an RFP may be used as a legal notice, if needed.

2. Content Guidelines - The following list provides RFP content guideline inclusive with explanation to begin the RFP.
  - a. **Background Information and Program Objectives** contains information about the Department, the procuring unit, the current program, the anticipated program being procured, and program goals and objectives.
  - b. **Overview of the Procurement Process** provides the sequence and steps in the Department's procurement process.
  - c. **Proposal Format Requirements and Instructions** provides instructions to prospective Respondents on how to submit a proposal.
  - d. **Proposal Contents** defines the proposal responses. Respondents to the RFP should provide their proposals in a minimum of three (3) parts with specified subsections. The following are examples of the three minimum parts.
    - 1) Part One of the Respondent's proposal should contain the minimum requirements of a Cover Sheet, Executive Summary, and Forms. The forms required in an RFP are provided in Section III, Forms, of this manual.
    - 2) Part Two identifies specific issues the resultant contractor will need to address and seeks information about how the Respondent will resolve or approach these

issues. It also allows space for the Respondent to tell the Department about itself and how it would “fit” as a partner with the Department.

The following paragraphs focus on the importance of Part Two, as this section of the RFP contains the requirements of the Resultant Contractor to perform or provide the deliverables of the RFP.

The Procurement Team: program staff and procurement staff will work together to write Part Two. This section which includes the scope of work for the RFP document is the focal point of the RFP and should clearly identify for potential Respondents what type of service the Department hopes to obtain, what the Respondent is expected to do, and where and when the service must take place, as well as the required qualifications. A well written scope of work will achieve selecting a Respondent that can perform the desired services. The scope of work must be clear, complete, and logical enough to be understood by the potential Respondent.

When drafting the scope of work, keep in mind that it must clearly communicate what the Department expects from the Respondent. Do not use phrases or terms with meanings that can be interpreted differently. If necessary, provide an explanation of the term to ensure that all parties are interpreting it the same way. Another recommendation in the RFP development is imposing a maximum page limitation per section. Page limitation will be a guide for the Respondent’s proposal as well as create an achievable evaluation process for the evaluators.

If the Respondent is proposing a subcontractor to provide any of the requirements of the RFP, information in regard to the subcontractor and those requirements must be provided in the appropriate sections. The RFP may also instruct specific areas of information required of the subcontractor.

Part Two-suggested breakdown is as follows:

- a) Organizational Capability and Structure - Responses to the requirements in this section must describe the Respondent’s background and experience relevant to the RFP. The responses must also address the details regarding the Respondent’s organization and resources of the organization. The proposal must clearly describe the Respondent’s ability and competence to perform the requirements as described in the RFP. References for the Respondent are required in this section.
- b) Scope of Services - Responses to this section should be detailed in explanation that indicates how and by what mechanism the Respondent will achieve the requirements set forth in the Scope of Services. The Respondent’s responses to the requirements of the Scope of Services will clearly indicate whether there is an understanding of what is expected of the Resultant Contractor if offered the right to negotiate a contract to provide the requirements of the RFP.
- c) Work Plan - Responses for this section must describe the Respondent’s capability and competence to perform the requirements specified in the RFP. Responses must also include a detailed plan and timeline to accomplish the requirements of the RFP.
- d) Staffing Requirements - Responses must include the positions necessary to perform the personnel functions identified in the RFP. “Key Positions” must be explained clearly to the Respondent and references and job descriptions are required of those “Key Positions.” A Program/Project Manager is usually required in the Staffing Requirements.

- e) Information Technology - Responses for this section may include a description of the Respondent's information system hardware and software and its information system capabilities, if required in the RFP.
  - f) Data/Reporting Requirements - Respondent must include responses to the requirements of providing data and/or reports specific to the needs of the RFP and the capability to do so, using required technical support systems, as described in Information Technology.
- 3) Part Three of the Respondent's proposal is the Business Cost Section that should contain all information related to the cost of the proposal. The Business Cost Section is typically the only section that contains cost information. At a minimum, audited financial statements and an itemized budget(s) with corresponding narratives are required.

e. **Proposal Evaluation** describes the process the Department will use to evaluate the proposals.

f. **Submission Outline** is a list of requirements the Respondent must follow when submitting a proposal.

Each RFP is different in its content and its requirements. The previously noted sections are recommended requirements of an RFP.

### 3. Evaluation Tool

The responsibility for developing the evaluation tool may involve one or more individuals and include program and procurement staff. Evaluation criteria should include such items as the Respondent's organization and community history, experience with the client population, performance, staffing patterns, etc., to ensure that the right to negotiate a contract is awarded to the most responsible (rather than simply the lowest-cost) proposal. The criteria must be related to the specifications and requirements contained in the RFP. Use of criteria that are not responsive to the requirements stated in the RFP is not allowed.

The evaluation criteria and the respective weights of the criteria must be finalized before the RFP is released. The criteria must be weighted to reflect the importance to the Department. The evaluation method and general information about the criteria may be provided in the RFP, but it is not necessary to provide exact criteria or weights. Criteria must not provide an advantage to a particular Respondent or an incumbent.

The evaluation tool generally consists of the following phases:

#### a. **Minimum Submission Requirements – Phase 1 of Evaluation**

Minimum Submission requirements are those items that must be included in the Respondent's submission in order to be eligible to move on to the next phase of scoring. The Department must first eliminate non-responsive submissions and only look at those that meet the minimum criteria. Examples of minimum submission requirements include: a signed original proposal; timely submission by the proposal due date; following the required format; completion of all forms, certifications, and financial statements; the required number of proposal copies and pages; and references. The Minimum Submission review may be completed by two procurement staff, and/or one procurement staff and one program staff. On occasion, procurement staff may need to reach out to a Respondent to forward a requirement of the RFP to the Department that was not provided in the submission. The time frame allowed for receipt of the requirement is a case-by-case determination. Procurement staff also have the option to waive a requirement of Minimum Submission. Again, these are case-by-case determinations.

## **b. Proposal Evaluation Criteria – Phases 2, 3, and 4 of Evaluation**

The establishment of evaluation criteria must include two important considerations. The criteria must be reflective of the requirements in the RFP and weighted according to importance, and the criteria must not give any advantage to a particular Respondent. Thus, the drafting of reasonable and definitive evaluation criteria is extremely important to the RFP selection process.

Some evaluation criteria to consider:

- 1) Organization structure and experience;
- 2) Organization qualifications needed to ensure adequate contract performance;
- 3) Qualifications of Respondent personnel to be assigned;
- 4) Prior experience in providing comparable services on other projects of similar size and scope;
- 5) Satisfaction of references (a minimum of three);
- 6) Overall quality of the proposal;
- 7) Cost; and
- 8) Financial Status.

The Evaluation Tool should contain an area for comment after each section to be scored. This section should provide the comments from the evaluator to justify the score given to the Respondent in that section.

## **C. Posting of RFP**

1. Approval/Timeframes - The RFP and the Evaluation Tool must be approved by program staff and contract procurement management before posting to the DAS State Contracting Portal and DSS RFP Web Page.

The following are suggested time frames and apply to the distinct procurements listed below.

- a. RFP - average of 2 to 3 months depending on the length and complexity from the date the procurement is issued to the date a response is received from a Respondent.
- b. RFA – average 6 weeks to 2 months depending on the application requirements and timelines provided by program staff.
- c. RFQ – average 6 weeks to 2 months depending on the desired qualifications and the timelines required by program staff.
- d. RFI - average of 1 to 2 months from the date the RFI is issued to the date a response is received from a Respondent.

Times are averages and will vary according to the complexity of the request and the time lines desired by program staff. A POS RFP must be posted for a minimum of seven (7) weeks, whereas a PSA RFP does not have a minimum posting time.

2. Procurement Advertisement Guidelines - All procurements must be advertised to the public via the DAS State Contracting Portal, the Department's RFP Web Page, and major newspapers (for those contracts anticipated to cost \$50,000 or more).

a. Posting to DAS State Contracting Portal - [Instructions](#)

RFPs must be posted on the DAS State Contracting Portal.

b. Posting to Department of Social Services RFP Web Page – [Instructions](#)

RFPs must be posted on the Department's RFP Web Page.

c. Publishing in Newspapers - [Legal Notice](#)

When the expected cost of a contract offered as a result of an RFP is expected to exceed \$50,000, the Department must place a Legal Notice in major newspapers.

d. Mailing of notices –

The Legal Notice may be mailed to prospective Respondents that the Department believes may be interested in responding to the RFP.

3. Letters of Intent

Letters of Intent are requested so that the Department can anticipate the number and type of proposals to expect and thus prepare the evaluation time more effectively. The Letter of Intent may be mandatory or optional but is non-binding as it does not obligate the sender to submit a proposal. The decision to require a mandatory or optional Letter of Intent must be clearly stated in the RFP. The requirement of a mandatory or optional Letter of Intent is determined on a case-by-case basis.

4. Questions

The Department provides an opportunity for interested parties to submit questions regarding the RFP. The Department should respond to all questions as clearly as possible and in such a way that does not jeopardize the integrity of the process. The Department must make certain that all parties have equal access to any new information (posted through the use of an addendum) provided by the Department, so that no prospective Respondent has an unfair advantage.

The Department requires that all questions be submitted in writing, via e-mail by a designated due date established in the RFP. The Department must allow interested parties a minimum of two weeks after the RFP has been released to ask questions. Interested parties must submit questions to the attention of the RFP Official Contact identified in the RFP. The Department may not respond to any questions verbally, in person or on the telephone.

Procurement staff are responsible for compiling all questions received in response to the RFP and forwarding them to program staff for response. All questions received by the deadline stated in the RFP must be answered. The Department has the discretion to respond (or not) to questions received after the deadline. The Department has the right to combine all "like questions" and give only one answer. The Department will not respond to questions submitted by an unknown source.

All questions and answers must be compiled into a written and numbered addendum to the RFP, even if there is only one question asked. If multiple addenda are issued, they must be numbered consecutively (e.g. Addendum 1, 2, 3 etc.). If the answer to any question contains a material change to the RFP, the question and answer must be placed at the beginning of the addendum and duly noted as such.

The Department must release its responses to questions on the date established in the RFP. The established date for the release of responses to questions must allow the Team preparing the responses enough time to do so. All addenda must be posted the DAS State Contracting Portal and the Department's Web site.

The release date for the responses to questions must be a minimum of two weeks before the deadline for the submission of proposals. This will give prospective Respondents sufficient time to modify their proposals in accordance with the new information. If responding to questions takes

longer than anticipated, the Department should consider the amount of time remaining before proposals are due and if insufficient, the Department may consider extending the proposal due date by issuing an amendment to the RFP.

#### 5. RFP Conference

In some cases the Department may choose to hold an RFP conference or what is often called a Bidders' Conference. In doing so, the Department must identify a deadline that provides interested parties the opportunity to submit questions prior to the RFP conference. The Department will respond to these questions, as well as questions asked in person during the RFP conference, through an addendum issued after the RFP conference on the date identified in the RFP. A court reporter must be present at the RFP conference to record the conference. Procurement staff shall schedule the court reporter through purchasing staff.

#### 6. Addenda

The Department posts supplemental additions to the original RFP through use of an addendum. One or several addenda may be used. Addenda are often used to respond to questions from interested parties, correct inaccuracies, and to clarify information and dates that may not have been properly presented in the original proposal. All information posted through the addendum shall supersede the original RFP. Procurement staff are responsible for posting all addenda. The following hyperlink is a sample addendum: [Research and Evaluation of Community Based Programs with Addendum 2](#) . The original RFP and any previous addenda must be attached to the latest Addendum and all Addenda must have a signature page authorized by the RFP Official Contact. All addenda must be approved by contract procurement management before posting to the DAS State Contracting Portal and DSS RFP Web Page. The Official Contact distributes all addenda to those who: were on any list used to distribute the legal notice or RFP; submitted a letter of intent (if any); submitted questions; and attended the RFP Conference (if held).

#### 7. Proposal Due

Procurement staff will assist Program Staff in identifying the submission deadline or due date for submitting proposals. All proposals must be stamped with the date and time upon receipt and a receipt must be given to the deliverer of the submission, along with a copy to procurement staff. Proposals shall be held in a secure location and will not be opened until the deadline for proposal submission has passed.

## D. Evaluation and Contract Offer

#### 1. Evaluation Criteria

The evaluation process must be conducted in a fair and objective manner. All proposal submissions must be reviewed in accordance with specific criteria directly related to the RFP.

The goal of the evaluation is to offer the right to negotiate a contract to the most cost-effective, qualified proposer in accordance with State law. In doing so, the Department considers only responsive proposals which meet the RFP requirements. Responsive proposals are then evaluated using the previously established and approved criteria. To be responsive a proposal must conform to the requirements described in the RFP.

#### 2. Evaluation Team

The Official Contact works with program staff to establish the Evaluation Team. The Team is responsible for evaluating all proposals submitted in response to the RFP and making recommendations for the right to negotiate a contract to the Commissioners. Teams should

consist of a minimum of 3 members. One or more technical advisor(s) may also be selected. The technical advisor does not evaluate the proposals, but instead is asked to be available to respond to any questions the Team may have on a particular topic during the evaluation process. All Team members must execute a Confidentiality and Conflict of Interest Statement indicating his/her agreement to maintain confidentiality throughout the evaluation process. The primary objectives when selecting an Evaluation Team are to ensure that members are objective in the selection of proposals and that members have sufficient knowledge of the subject matter to competently evaluate proposals.

### 3. Receipt of Submissions

The Official Contact prepares and delivers a memorandum to Security, with a copy to designated contract administration staff, two business days before the submission due date alerting them to expect hand-delivered submissions. The memorandum contains contact information for the Official Contact and other contract administration staff who are designated to pick up submissions at the Security Desk. The Official Contact or designated contract administration staff pick up each submission at the Security Desk and prepare a submission receipt in duplicate. One copy of the submission receipt is given to the deliverer and the other copy is retained in the official project file. The Official Contact stamps each submission with the date and time received and keeps them -- unopened -- in a secure location until the submission deadline. If a submission is received after the due date and time, the Official Contact immediately notifies the Respondent in writing that the submission has been disqualified. The Official Contact prepares a list documenting the date and time that any late submissions were received and places it in the official project file. The Official Contact retains late submissions -- unopened -- in a secure location for the duration of the evaluation process.

### 4. Minimum Submission Requirements

The Department must first determine the proposal's responsiveness to the minimum submission requirements necessary to enable the proposal to move on in the evaluation process. See Section II.B.3. Evaluation Tool for more information about the minimum submission requirements review. The Official Contact prepares a list of the Respondents for the official project file and enters required information about each Respondent in a spreadsheet created for the monthly State Elections Enforcement Commission (SEEC) report.

### 5. Distribution Meeting

Once the minimum submission requirements review has been conducted, the procurement facilitator schedules a meeting with the evaluation team to distribute the evaluation tool and the proposals that meet the minimum submission requirements. The facilitator will use this time to provide the evaluation team with complete rules and guidelines on the evaluation process, go over the evaluation review criteria and rating system, answer questions, and make sure team members understand their roles and responsibilities. The facilitator also stresses the importance of keeping the evaluation process confidential. The evaluation team along with the facilitator will determine the time needed to review all proposals and select a date to report their individual scores as a group.

All individuals involved with the development and review of the RFP must sign an [Ethics and Confidentiality Statement](#), which is embedded as a hyperlink, that indicates their agreement to maintain the confidentiality of all information and decisions regarding RFP development and review. See Section II.A.4.d. Ethics and Confidentiality Statement for more information.

### 6. Review Time

The members of the Evaluation Team must independently review and rate the proposals, using the evaluation tool developed specifically for the procurement being evaluated. All evaluation forms are retained in the official project.

If an evaluator has a question about any proposal, the question must be put in writing and given to the facilitator. The facilitator shall determine if answering the question requires the assistance of the Technical Advisor. All questions and all answers must be made known to all members of the Evaluation Team.

7. Financial Statements

If required in the RFP, the Official Contact forwards the Financial Statements and IRS Form 990 included with each proposal to the Quality Assurance Division for analysis and rating.

8. Respondent References

Two members of the Evaluation Team may be selected to check references or procurement staff members may check references and report the results to the team through the facilitator. A pre-established questionnaire is used so that every reference is asked the same questions and the questionnaires are emailed to each Respondent's references. Once reference checking is complete the results and rating are reported to the evaluation team.

9. Evaluation Scoring Meeting

The evaluation scoring meeting is conducted in a closed door location. Before the evaluation can begin, the facilitator must first ensure that each evaluator has read and completed the evaluation of each proposal. If any member of the team has not completed a review of every proposal, then the evaluation must not proceed until the individual has completed the review.

Proposals are selected one at a time and at random providing an opportunity for each team member to state his/her individual scores. Team members are allowed the opportunity to comment on what they perceive as the strengths and weaknesses of each proposal. Team members may change their scores in response to assessments made by the other team members. If the team does not concur on the meaning of a particular question or requires some background information to clarify the question's intent, the facilitator will call in the technical advisor to provide information in response to evaluator questions. If the team would like further clarification to a particular response provided by the Respondent, the facilitator will contact the Respondent on behalf of the team to obtain specific information to assist with the team's evaluation. The facilitator may also schedule, prepare for, and facilitate demonstrations, interviews, presentations, or on-site inspections with Respondents if requested by the team. Final scores must be decided before moving onto another question. Once finalized, scores cannot be changed.

10. Recommendations to Commissioners

Once all proposals have been reviewed and scored, the facilitator totals and averages the scores for each proposal and provides the evaluation team with the ranking of the proposals. The team then discusses the results and makes recommendations for the right to negotiate a contract. The facilitator then compiles the proposal scores and any comments made by team members and develops a procurement summary and recommendations report, which is then forwarded to the Commissioner and Deputy Commissioner to review and either approve or reject.

11. Results

The Official Contact receives approval of the procurement summary and recommendations from the Commissioner and Deputy Commissioner. If the Department receives fewer than three acceptable proposals, a Request for Non-Competitive Purchase of Service (POS) or Request for Non-Competitive Personal Service Agreement (PSA) is submitted via the OPM PSA and POS Request Web Site. If the selected Respondent is an individual, the Official Contact completes a PSA Vendor Authorization Form and submits it to the Department of Administrative Services (DAS). Respondents are notified in writing of the outcome. The name(s) of the successful respondent(s) is/are posted on the DAS State Contracting Portal.

If, after reviewing the procurement summary and recommendations, the Commissioner rejects the evaluation team's recommendations, the RFP process is voided. The result of the RFP process is posted on the DAS State Contracting Portal as a "no award."

#### 12. Respondent Debriefing and Appeals

The Department's debriefing and appeals process is embedded in the following hyperlink, [Debriefing and Appeal processes](#).

#### 13. Freedom of Information Act (FOIA) Requests

Contract Administration staff works with Public and Government Relations staff to respond to requests for information under the Freedom of Information Act (FOIA) as needed. More information about FOIA is embedded as a hyperlink.

#### 14. Contract Negotiation

The contract awarded as a result of the RFP shall contain in its provisions the RFP, the selected Respondent's proposal, as well as other required documentation including affidavits and certifications. Some contracts offered will require the negotiation of costs and certain services described by the Respondent in its proposal or portions of the resultant contract. Before a contract is finalized the Department must identify and discuss areas of the proposal that may require more detail or an adjustment to service provisions. This is usually done through the contract negotiation process between the selected Respondent and the Department.

Before the first negotiation session, it is important to identify all of the individuals that may be necessary or helpful with negotiating particular items of the contract.

All participants involved in negotiation of the contract should spend time preparing prior to the first meeting between the Department and the selected Respondent. A preparation meeting among Department staff is advisable so that key issues may be identified.

When meeting with the selected Respondent all key issues should be put on the table, as well as minor issues. This will help to determine whether more meetings are necessary and avoid surprises later on in the negotiation process.

It is important to anticipate and discuss the needs of the selected Respondent and propose ways to address those needs and concerns while simultaneously meeting the Department's needs. The result is to hopefully come to a mutual agreement as the resulting contract between the Department and the selected Respondent will create an ongoing relationship. Because the relationship will be ongoing, the Department and the selected Respondent must work together to achieve clear and realistic expectations.

Negotiations may take more than one meeting and include several telephone calls, letters, conversations, and review of contract language.

## E. Contract Development

### 1. Writing the Contract

A well-written contract should provide an accurate description of the services to be performed, as well as the Department's required terms and conditions. Very clear information needs to be put into the contract. The contract must identify what service the provider will perform and it must be detailed and clear to avoid any misinterpretations by the Department and the contractor.

#### **Key Contract Components**

##### Part 1 - Scope of Services -

- Service to be provided
- Schedule and outcomes
- Record Keeping and Reporting Requirements
- Cost

Part 2 - Terms and Conditions – These terms and conditions are promulgated by the Office of the Attorney General and the Office of Policy and Management and include the following;

- Rights of the Department
- Liability
- Dispute Resolution
- Legal Compliance
- Contracting Process
- HIPAA Regulations
- Termination procedures

### 2. Contract Execution

A contract is not considered valid and no work is to be performed under it until it has been fully executed by the contractor's authorized signatory, the Commissioner of the Department of Social Services (or designee) and the Office of the Attorney General (if applicable).

**Section III - Forms** - Part One of the Respondent's proposal should contain the minimum requirements of a Cover Sheet, Executive Summary, and Forms. The following forms must be included in the RFP.

1. Agreement Signatory Acceptance

The Respondent must provide a signed [Acceptance Statement](#), (embedded as a hyperlink) without qualification, of all Mandatory Terms and Conditions. The Terms and Conditions are available on OPM's web site at: [http://www.ct.gov/opm/fin/standard\\_contract](http://www.ct.gov/opm/fin/standard_contract).

2. Statutory and Regulatory Compliance

- a. Addendum Acknowledgement -Proposals must include the Addendum Acknowledgement(s), which will be placed at the end of any and all addenda to the RFP.
- b. [Certification Regarding Lobbying](#)-(embedded as a hyperlink) **THE RESPONDENT SHALL** provide a signed statement to the effect that no funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- c. [Notification to Respondents, Parts I – V \(CHRO\)](#) - (embedded as a hyperlink) 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 ensure that State agencies do not enter into contracts with organizations or businesses that discriminate against protected class persons. To submit a responsive proposal, THE RESPONDENT SHALL complete and submit this form with the Proposal.
- d. Consulting Agreements, C.G.S. § 4a-81. Submissions 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 require a consulting agreement affidavit attesting to whether any consulting agreement has been entered into in connection with the submission. 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 respondent may upload the Consulting Agreement Affidavit (OPM Ethics Form 5) through an automated system hosted by the Department of Administrative Services (DAS)/Procurement Division, and the Department of Social Services will review said document online. The [DAS guide to uploading affidavits and nondiscrimination forms online](#) is embedded in this RFP as a hyperlink.

IMPORTANT NOTE: A respondent must complete and submit OPM Ethics Form 5 by the due date and time for submissions in response to this RFP.

- e. 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 respondent is awarded an opportunity to negotiate a contract with an anticipated value of \$50,000 or more in a calendar or fiscal year, the respondent 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 successful respondent may upload the Gift and Campaign Contributions Certification (OPM Ethics Form 1) through an automated system hosted by the Department of Administrative Services (DAS)/Procurement Division, and the Department of Social Services will review said document online. The [DAS guide to uploading affidavits and nondiscrimination forms online](#) is embedded in this RFP as a hyperlink.

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

- f. Nondiscrimination Certification, C.G.S. §§ 4a-60(a)(1) and 4a-60a(a)(1). If a respondent is awarded an opportunity to negotiate a contract, the respondent must provide the Department with *written representation* or *documentation* that certifies the respondent 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 successful respondent may upload the Nondiscrimination Certification through an automated system hosted by the Department of Administrative Services (DAS)/Procurement Division, and the Department of Social Services will review said document online. The [DAS guide to uploading affidavits and nondiscrimination forms online](#) is embedded in this RFP as a hyperlink.

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