LOS ANGELES COUNTY
DEPARTMENT OF MENTAL HEALTH

REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)

SKILLED NURSING FACILITY

January 5, 2011
Prepared By
County of Los Angeles
Department of Mental Health
Contracts Development and Administration Division

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1.0 GENERAL INFORMATION

1.1 Scope of Work

The County of Los Angeles, Department of Mental Health is seeking qualified agencies to enter into Master Agreements with the County to provide skilled nursing facility (non-IMD) beds with medical and psychiatric services for mentally ill individuals being discharged from County Hospitals, but who require nursing care. Attached is a sample of the statement of work (SOW) (Appendix I). Interested prospective contractors must submit a Statement of Qualifications (SOQ) to participate in this Request for Statement of Qualifications (RFSQ).

1.2 Overview of Solicitation Document

This RFSQ is composed of the following parts:

- **GENERAL INFORMATION:** Specifies the Contractor's minimum qualifications, provides information regarding some of the requirements of the Master Agreement and explains the solicitation process.
- **INSTRUCTIONS TO CONTRACTORS:** Contains instructions to Contractors in how to prepare and submit their Statement of Qualifications (SOQ).
- **STATEMENT OF QUALIFICATIONS (SOQ) REVIEW/SELECTION/ QUALIFICATION PROCESS:** Explains how the SOQ will be reviewed, selected and qualified.
- **APPENDICES:**
  - **A - REQUIRED FORMS:** Forms contained in this section must be completed and included in the SOQ.
  - **B - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to department requesting a Solicitation Requirements Review.

- **C - COUNTY OF LOS ANGELES POLICY OF DOING BUSINESS WITH SMALL BUSINESS:** County policy.
- **D - JURY SERVICE ORDINANCE:** County policy.
- **E - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with the County for a specific length of time.
- **F - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.
- **G - SAFELY SURRENDERED BABY LAW:** County program.
- **H - MASTER AGREEMENT:** This will be the Master Agreement used for this solicitation. The terms and conditions shown in the Master Agreement are not negotiable.
- **I - STATEMENT OF WORK (SOW):** SAMPLE
- **J - BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION:** An information sheet intended to assist Nonprofit agencies with compliance with SB 1262 – the Nonprofit Integrity Act of 2004 and identify available resources.
- **K - DEFAULTED PROPERTY TAX REDUCTION PROGRAM :** County Program
- **L - PROGRAM NARRATIVE**
- **M - GLOSSARY OF TERMS AND ACRONYMS**
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- **O - NOTICE OF INTENT TO REQUEST A PROPOSED CONTRACTOR SELECTION REVIEW**
- **P - TRANSMITTAL FORM TO REQUEST A RFSQ PROPOSED CONTRACTOR SELECTION REVIEW**
- **Q - TRANSMITTAL FORM TO REQUEST A RFSQ COUNTY PANEL REVIEW**

1.3 Target Population

Severely mentally impaired citizens of Los Angeles County who require nursing care.

1.4 Contractor's Minimum Qualifications

Interested and qualified Prospective Contractors who meet the Minimum Qualifications stated below are invited to submit a SOQ.

1.4.1 Prospective Contractors must have a minimum of five (5) years of recent experience in providing skilled nursing services in a medical facility. It is desirable that the experience be related to programs and issues affecting individuals with mental disabilities.

1.4.2 Prospective Contractors must be licensed and in good standing as a Skilled Nursing Facility (SNF) in the state of California, and in compliance with all federal, state and local legislation, regulations and requirements pertaining to the operation of a SNF.

1.4.3 Prospective Contractors must commit to utilize community self-help and peer advocacy resources to transition individuals to Full Service Partnerships and other community-based services upon discharge**.**

1.4.4 Prospective Contractor must be able to initiate services within 60 calendar days of being awarded a contract and to provide all staff, physicians, and program services needed, including assessments for admission, stabilization, individual treatment plans, psychiatric and medical treatment and discharge planning.

1.5 Master Agreement Process

The objective of this RFSQ process is to secure one or more qualified Contractors to provide non-IMD Skilled Nursing Facility beds with

psychiatric and medical services for mentally ill individuals who are ready for discharge from County Hospital acute medical and psychiatric units, Fee-for-Service hospitals, Institutions of Mental Disease, and State Hospitals but still require health and/or mental health services in a medical facility.

1.5.1 Master Agreements with a detailed scope of work will be executed with all Prospective Contractors determined to be qualified.

1.5.2 Upon the Department's execution of these Master Agreements, the qualified contractors will become County Contractors, and services provided by these contractors will be utilized on an as-needed basis with no guarantee of service referrals.

1.6 Master Agreement Term

1.6.1 The term of the Master Agreement will be 5 years with 2 one-year renewal options. Renewal options will be at Department's discretion.

1.6.2 County will be continuously accepting SOQs to qualify Contractors throughout the duration of the Master Agreement. The Master Agreement will become effective upon the date of its execution by the Director of the Department of Mental Health or his/her designee.

1.7 County Rights & Responsibilities

The County has the right to amend the RFSQ by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization that County records indicate has received this RFSQ. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the SOQ not being considered, as determined in the sole discretion of the County.

The County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

1.8 Contact with County Personnel

Any contact regarding this RFSQ or any matter relating thereto must be in writing and may be mailed, e-mailed or faxed as follows:

Mr. Richard Kushi
Department of Mental Health
Contracts Development and Administration Division
550 S. Vermont Ave. 5th floor
Los Angeles, CA 90020
rkushi@dmh.lacounty.gov
fax (213) 381-7092

If it is discovered that a Prospective Contractor contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their SOQ from further consideration.

1.9 Mandatory Requirement to Register on County's WebVen

Prior to executing a Master Agreement, all potential Contractors must register in the County's WebVen. The WebVen contains the Contractor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at http://camisvr.co.la.ca.us/webven/ .

1.10 County Option to Reject SOQs

The County may, at its sole discretion, reject any or all SOQs submitted in response to this solicitation. The County shall not be liable for any cost incurred by a Prospective Contractor in connection with preparation and submittal of any SOQ. The County reserves the right to waive inconsequential disparities in a submitted SOQ.

1.11 Protest Process

1.11.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Contractor may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Section 1.11.3 below. Additionally, any actual Contractor may request a review of a disqualification under such a solicitation, as described in the Sections below. Under any such review, it is the responsibility of the Contractor challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a solicitation or proposed contract award, as the case may be.

1.11.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of contract based on a Contractor protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

1.11.3 **Grounds for Review**

Unless state or federal statutes or regulations otherwise provide, the grounds for review of any departmental determination or action should be limited to the following:

- Review of Solicitation Requirements Review (Reference sub-paragraph 2.4 in the Instructions to Prospective Contractors Section).
- Review of a Disqualified SOQ (Reference sub-paragraph 3.2 in the Disqualification Review Section).

1.12 Notice to Prospective Contractors Regarding Public Records Act

1.12.1 Responses to this RFSQ shall become the exclusive property of the County. At such time as when the County executes a Master Agreement with the qualified Contractor(s), all such SOQs submitted in response to this RFSQ, become a matter of public record, with the exception of those parts of each SOQ which are defined and identified by the Contractor as business or trade secrets, and plainly marked as "Trade Secret," "Confidential," or "Proprietary."

1.12.2 The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law**. A blanket statement of confidentiality or the marking of each page of the SOQ as confidential shall not be deemed sufficient notice of exception and may subject the entire SOQ to disclosure. The Prospective Contractor must specifically label only those provisions of the SOQ which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

1.13 Indemnification and Insurance

Contractor shall be required to comply with the Indemnification provisions contained in *Appendix H - Master Agreement, paragraph 21*. Contractor shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in *Appendix H - Master Agreement, paragraph 21*.

1.14 SPARTA Program

A County program, known as 'SPARTA' (Service Providers, Artisan and Tradesman Activities) may be able to assist potential Contractors in

obtaining affordable liability insurance. The SPARTA Program is administered by the County's insurance broker, Municipality Insurance Services, Inc. For additional information, Proposers may call Municipality Insurance Services at (800) 420-0555, or can access their website directly at www.2sparta.com.

1.15 Injury & Illness Prevention Program (IIPP)

Contractor shall be required to comply with the State of California's Cal Occupational Safety and Health Administration's (OSHA's) regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.16 Background and Security Investigations

Background and security investigations of staff may be required at the discretion of the County as a condition of beginning and continuing work under any resulting agreement. The cost of background checks is the responsibility of the contractor.

1.17 Confidentiality and Independent Contractor Status

As appropriate, Contractor shall be required to comply with the Confidentiality provision contained in *paragraph 15, Appendix H, Master Agreement* and the Independent Contractor Status provision contained in *paragraph 25, Appendix H, Master Agreement.*

1.18 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFSQ, or any competing RFSQ, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a contractor or have any other direct or indirect financial interest in the selection of a Contractor. Prospective

Contractors shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in *Appendix A - Required Forms – Exhibit 2, Certification of No Conflict of Interest.*

1.19 Determination of Contractor's Responsibility

1.19.1 A responsible contractor is a contractor who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Contractors.

1.19.2 Prospective Contractors are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Contractor is responsible based on a review of the Contractor's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Contractor against public entities. Labor law violations which are the fault of the subcontractors and of which the Contractor had no knowledge shall not be the basis of a determination that the Prospective Contractor is not responsible.

1.19.3 The County may declare a Prospective Contractor to be non-responsible for purposes of this Master Agreement if the Board of Supervisors, in its discretion, finds that the Prospective Contractor has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Prospective Contractor's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on

same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

1.19.4 If there is evidence that the Prospective Contractor may not be responsible, the Department shall notify the Prospective Contractor in writing of the evidence relating to the Prospective Contractor's responsibility, and its intention to recommend to the Board of Supervisors that the Prospective Contractor be found not responsible. The Department shall provide the Prospective Contractor and/or the Prospective Contractor's representative with an opportunity to present evidence as to why the Prospective Contractor should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.

1.19.5 If the Contractor presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Contractor shall reside with the Board of Supervisors.

1.19.6 These terms shall also apply to proposed subcontractors of Contractors on County contracts.

1.20 Contractor Debarment

1.20.1 The Prospective Contractor is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Contractor from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if

warranted by the circumstances, and the County may terminate any or all of the Contractor's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Contractor has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Contractor's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

1.20.2 If there is evidence that the apparent highest ranked Contractor may be subject to debarment, the Department shall notify the Contractor in writing of the evidence which is the basis for the proposed debarment, and shall advise the Contractor of the scheduled date for a debarment hearing before the Contractor Hearing Board.

1.20.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Contractor and/or Contractor's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether they should be debarred, and, if so, the appropriate length of time of the debarment. The Contractor and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.

1.20.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.

1.20.5 If a Contractor has been debarred for a period longer than five (5) years, that Contractor may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Contractor has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.

1.20.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Contractor has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or

termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

1.20.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

1.20.8 These terms shall also apply to proposed subcontractors of Contractors on County contracts.

1.20.9 *Appendix E* provides a link to the County's website where there is a listing of Contractors that are currently on the *Debarment List for Los Angeles County*.

1.21 Contractor's Adherence to County Child Support Compliance Program

Contractors shall 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a Master Agreement or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

1.22 Gratuities

1.22.1 **Attempt to Secure Favorable Treatment**

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Contractor with the implication, suggestion or statement that the Contractor's provision of the consideration may secure more favorable treatment for the Contractor in the award of a Master Agreement or that the Contractor's failure to provide such consideration may negatively affect the County's consideration of the Contractor's submission. A Contractor shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a Master Agreement.

1.22.2 **Contractor Notification to County**

A Contractor shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the Contractor's submission being eliminated from consideration.

1.22.3 **Form of Improper Consideration**

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

1.23 Notice to Contractors Regarding the County Lobbyist Ordinance

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found

in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Contractor to review the ordinance independently as the text of said ordinance is not contained within this RFSQ. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Contractor is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting the *Familiarity with the County Lobbyist Ordinance Certification,* as set forth in *Appendix A - Required Forms - Exhibits # 5,* as part of their SOQ.

1.24 Federal Earned Income Credit

The Contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in the Internal Revenue Service Notice No. 1015 (A*ppendix F).*

1.25 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration of a Master Agreement, Contractors shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Contractors shall attest to a

willingness to provide employed GAIN/GROW participants access to the Contractor's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Contractors who are unable to meet this requirement shall not be considered for a Master Agreement.

Contractors shall complete and return the form, *Attestation of Willingness to Consider GAIN/GROW Participants,* as set forth in *Appendix A - Required Forms - Exhibit 9,* as part of their SOQ.

1.26 County's Quality Assurance Plan

After award of a Master Agreement the County or its agent will evaluate the Contractor's performance under the Master Agreement on an annual basis. Such evaluation will include assessing Contractor's compliance with all terms in the Master Agreement and performance standards identified in the Agreement. Contractor's deficiencies which the County determines are severe or continuing and that may jeopardize performance of this Master Agreement will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by the County and Contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the Master Agreement in whole or in part, or impose other penalties as specified in the Master Agreement.

1.27 Recycled Bond Paper

Contractor shall be required to comply with the County's policy on recycled bond paper as specified in *Appendix H - Master Agreement, Paragraph 52.*

1.28 Safely Surrendered Baby Law

The Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in

Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in *Appendix G* of this solicitation document and is also available on the Internet at www.babysafela.org for printing purposes.

1.29 County Policy on Doing Business with Small Business

1.29.1 The County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

1.29.2 The Local Small Business Enterprise Preference Program requires the Company to complete a certification process. This program and how to obtain certification are further explained in paragraph 1.31 of this RFSQ.

1.29.3 The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. It is important to note that each Program has a different definition for Small Business. You may qualify as a Small Business in one Program but not the other. Further explanation of the Jury Service Program is provided in paragraph 1.30 of this RFSQ.

1.29.4 The County also has a Policy on Doing Business with Small Business that is stated in *Appendix C*.

1.30 Jury Service Program

The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the *Jury Service Ordinance, Appendix D,* and the pertinent jury service provisions of the *Appendix H - Master Agreement, paragraph 56,* both of which are incorporated by reference into and made

a part of this RFSQ. The Jury Service Program applies to both Contractors and their Subcontractors. SOQs that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

1.30.1 The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

1.30.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation of other entity which has a contract with the County or a Subcontract with a County

Contractor and has received or will receive an aggregate sum of $50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this contract is less than $500,000; and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

1.30.3 If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in the *Contractor Employee Jury Service Program Certification Form and Application for Exception,* as set forth in *Appendix A - Required Forms - Exhibits #10,* and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

1.31 Local Small Business Enterprise Preference Program

1.31.1 In reviewing Work Order Bids, the County will give Local SBE preference to businesses that meet the definition of a Local

Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C.1 of the Los Angeles County Code. A Local SBE is defined as: 1) A business certified by the State of California as a small business and; 2) has had its principal office located in Los Angeles County for a period of at least one year. The business must be certified by the Office of Affirmative Action Compliance as meeting the requirements set forth in 1 and 2 above prior to requesting the Local SBE Preference in a solicitation.

1.31.2 To apply for certification as a Local SBE, companies may register at the Office of Affirmative Action Compliance's website at:http://oaac.co.la.ca.us/contract/sbemain.html

1.31.3 Certified Local SBEs must request the SBE Preference in each of their Work Order Bid responses and may not request the preference unless the certification process has been completed and certification affirmed. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Local SBE.

1.31.4 Information about the State's small business enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at http://www.pd.dgs.ca.gov/smbus/default.

1.32 Local Small Business Enterprise (SBE) Prompt Payment Program

It is the intent of the County that Certified Local SBEs receive prompt payment for services they provide to County departments. Prompt payment is defined as 15 calendar days after receipt of an undisputed invoice.

1.33 Notification to County of Pending Acquisitions/Mergers by Proposing Company

The Contractor shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the Contractor on *Appendix A, Required Forms - Exhibit 1 – Prospective Contractor's Organization Questionnaire/Affidavit.* Failure of the Contractor to provide this information may eliminate its SOQ from any further consideration.

1.34 Transitional Job Opportunities Preference Program

1.34.1 In reviewing Work Order Bids, the County will give preference to businesses that are certified by the County as Transitional Job Opportunity Contractors, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity Contractor is, and has been such for three (3) years, an entity: 1) that is a non-profit organization recognized as tax exempt pursuant to section 501 (c) (3) of the Internal Revenue Services Code; set forth, under penalty of perjury, such information as requested by the County on either electronic or hard copy forms, along with their application form and three most recent annual tax returns to the department with their proposal response to the contracting solicitation for which they are competing; 2) has been in operation for at least one year providing transitional job and the related supportive services to program participants; and 3) provide a profile of their program with a description of their program components designed to assist program participants, number of past program participants, and any other information requested by a contracting department.

1.34.2 Transitional Job Opportunities Contractors must request the preference in each of their Work Order Bid responses and may not receive the preference until their certification has been affirmed by the applicable department. County must verify the Transitional Job Opportunity Contractor certification prior to applying the preference. Sanctions and financial penalties may apply to a Bidder that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities Contractor.

1.35 Contractor's Obligations as a "Covered Entity" Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Prospective Contractor shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and as may be revised in the future, as contained in *Appendix H – Sample Master Agreement, paragraph 55 .*

1.36 Contractor's Charitable Contributions Compliance

1.36.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation.

Charities with over $2 million of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.

1.36.2 All prospective contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the *Charitable Contributions Certification, Appendix A-Required Forms - Exhibit 11*. A completed Required From - Exhibit 11 is a required part of any agreement with the County.

1.36.3 In Appendix A - Required Forms – Exhibit 11, prospective contractors certify either that:

- they have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement, **OR**
- they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.

1.36.4 Prospective County contractors that do not complete Appendix A, Required Forms - Exhibit 11 as part of the solicitation process may, in the County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both. (County Code Chapter 2.202)

1.37 Defaulted Property Tax Reduction Program

1.37.1 The Prospective Contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206).

Prospective Contractors should carefully read the Defaulted Tax Program Ordinance, Appendix K and the pertinent provisions of the sample Contract, Appendix H, Sub-paragraph 63, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.

1.37.2 Prospective Contractor shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with the County's Defaulted Property Tax Reduction Program, Appendix A-Required From - Exhibit 12. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant contractor (Los Angeles County Code, Chapter 2.202).

1.37.3 Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

1.38 Terms and Definitions

Throughout this RFSQ, references are made to certain persons, groups, or Departments/agencies. A description of specific definitions can be found in Appendix M, Glossary of Terms and Acronyms.

2.0 INSTRUCTIONS TO PROSPECTIVE CONTRACTORS

This Section contains key project dates and activities as well as instructions to Prospective Contractors in how to prepare and submit their Statement of Qualifications (SOQ).

2.1 County Responsibility

The County is not responsible for representations made by any of its officers or employees prior to the execution of the Master Agreement unless such understanding or representation is included in the Master Agreement.

2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with an SOQ shall be sufficient cause for rejection of the SOQ. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

2.3 RFSQ Timetable

The timetable for this RFSQ is as follows:

- Release of RFSQ.....….January 5, 2011
- Request for a Solicitation Requirements Review……..January 19, 2011
- Written Questions Due.....February 3, 2011
- Conference Date.....February 4, 2011
- Questions and Answers Released .....February 23, 2011
- SOQ due by .....March 4, 2011

2.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix B - Transmittal Form to Request a Solicitation Requirements Review to the Department conducting the solicitation as described in this Section. A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

- The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document;
- The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a bid;
- The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
- The request for a Solicitation Requirements Review asserts either that:
  - application of the minimum requirements, review criteria and/or business requirements unfairly disadvantage the Contractor; or,
  - due to unclear instructions, the process may result in the County not receiving the best possible responses from the Contractors.

The Solicitation Requirements Review shall be completed and the department's determination shall be provided to the Contractor, in writing, within a reasonable time prior to the SOQ due date. All Requests for Review should be submitted to:

Mr. Richard Kushi
Department of Mental Health
Contracts Development and Administration Division
550 S. Vermont Ave. 5th floor
Los Angeles, CA 90020

2.5 Prospective Contractor's Questions

Prospective Contractors may submit written questions regarding this RFSQ by mail or fax at (213)-381-7092 to the Chief of Contracts identified below. All questions must be received by February 3, 2011. All questions, without identifying the submitting firm, will be compiled with the appropriate answers and issued as an addendum to the RFSQ.

When submitting questions please specify the RFSQ section number, paragraph number, and page number and quote the passage that prompted

the question. This will ensure that the question can be quickly found in the RFSQ. County reserves the right to group similar questions when providing answers. Questions may address concerns that the application of minimum requirements, evaluation criteria and/or business requirements would unfairly disadvantage Contractors or, due to unclear instructions, may result in the County not receiving the best possible responses from Contractor.

Questions should be addressed to:

Mr. Richard Kushi
Department of Mental Health
Contracts Development and Administration Division
550 S. Vermont Ave. 5th floor
Los Angeles, CA 90020

2.6 Prospective Contractor's Conference

A Prospective Contractor's Conference will be held to discuss the RFSQ. County staff will respond to questions from potential Contractors. The conference is scheduled as follows:

Date	**Friday, February 4, 2011**
Time	**8:30 a.m. – 11:30 a.m.**
Address	**550 S. Vermont Avenue**
	2nd Floor Conference Room
	Los Angeles, CA 90020

2.7 Preparation and Format of the SOQ

All SOQs must be bound and submitted in the prescribed format. Any SOQ that deviates from this format may be rejected without review at the County's sole discretion.

The content and sequence of the SOQ must be as follows:

- Cover Page (On Proposer Agency's Letterhead Identifying Title of This Solicitation with Name and Address of Agency Included)
- Table of Contents
- Contractor's Qualifications (Section A)

- Required Forms (Section B)
- Proof of Insurability (Section C)
- Proof of licenses, Jury Service Certification Program (Section D)

2.7.1 **Table of Contents**

The Table of Contents must be a comprehensive listing of material included in the SOQ. This section must include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

2.7.2 **Contractor's Qualifications Written Statement of Qualification (Section A)**

Prospective Contractor shall provide a written narrative to explain how the Prospective Contractor's organization meets the requirements to perform the required services as indicated in the Program Narrative, Appendix L.

- **Background and Experience:** The Prospective Contractor shall complete, sign and date the Prospective Contractor's Organization Questionnaire/Affidavit – Required From - Exhibit 1 as set forth in Appendix A. The person signing the form must be authorized to sign on behalf of the Prospective Contractor and bind the applicant in a Master Agreement.
- **Required Support Documents:** Taking into account the structure of the Prospective Contractor's organization, Prospective Contractor shall determine which of the below referenced supporting documents the County requires. If the Prospective Contractor's organization does not fit into one of these categories, upon receipt of the SOQ or at some later time, the County may, in its discretion, request additional documentation regarding the Prospective Contractor's business organization and authority of individuals to sign Contracts.

If the below referenced documents are not available at the time of SOQ submission, Prospective Contractors must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

- **Corporations or Limited Liability Company (LLC):**

  The Prospective Contractor must submit the following documentation with the SOQ:

  1) A copy of a "Certificate of Good Standing" with the state of incorporation/organization.

  2) A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

- **Limited Partnership:**

  The Prospective Contractor must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

- **Contractor's References:**

  It is the Prospective Contractor's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate.

  County may disqualify a Contractor if:

  - references fail to substantiate Prospective Contractor's description of the services provided; or
  - references fail to support that Prospective Contractor has a continuing pattern of providing capable, productive and skilled personnel, or

- the Department is unable to reach the point of contact with reasonable effort. It is the Prospective Contractor's responsibility to inform the point of contact of normal working hours.

Prospective Contractor must provide 5 references where the same or similar scope of services was provided. Prospective Contractor must complete, *Prospective Contractor References, Appendix A-Required Forms- Exhibit- 6.*

Prospective Contractor must complete the *Prospective Contractor List of Contracts, Appendix A- Required Forms - Exhibit - 7.* The listing must include all Public Entities contracts for the last three (3) years. A photocopy of this form should be used if necessary.

The same information may be listed on both forms – Appendix A, Required Forms Exhibit - 6 and 7.

- **Prospective Contractor's Pending Litigation and Judgments**

Identify by name, case and court jurisdiction any pending litigation in which Prospective Contractor is involved, or judgments against Prospective Contractor in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Prospective Contractor or principals of the Prospective Contractor.

2.7.3 **Required Forms (Section B)**

Include the following forms as provided in Appendix A – Required Forms. Complete, sign and date all forms.

Required Exhibit 1	*Prospective Contractor's Organization Questionnaire/Affidavit*
Required Exhibit 2	*Certification of No Conflict of Interest*
Required Exhibit 3	*Prospective Contractor's Equal Employment Opportunity (EEO) Certification*
Required Exhibit 4	*Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information*
Required Exhibit 5	*Familiarity with the County Lobbyist Ordinance Certification*
Required Exhibit 6	*Prospective* Contractor References
Required Exhibit 7	*Prospective Contractor List of Contracts*
Required Exhibit 8	*Prospective Contractor List of Terminated Contracts*
Required Exhibit 9	*Attestation of Willingness to Consider GAIN/GROW Participants*
Required Exhibit 10	*Los Angeles County Contractor Employee Jury Service Program Certification Form and Application for Exception*
Required Exhibit 11	*Charitable Contributions Certification (if applicable)*
Required Exhibit 12	*Certification of Compliance with the County's Defaulted Property Tax Reduction Program*
Required Exhibit 13	*Attestation Regarding Federally Funded Programs*

2.7.4 **Proof of Insurability (Section C)**

Prospective Contractor must provide proof of insurability that meets all insurance requirements set forth in the *Appendix H - Master Agreement, paragraph 21.* If a Prospective Contractor does not

currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage should the Prospective Contractor be selected to receive a Master Agreement award may be submitted with the SOQ.

2.7.5 **Proof of Licenses (Section D)**

Prospective Contractor must furnish a copy of all applicable business licenses.

2.7.6 **Jury Service Program Certification Form**

The Jury Service Program applies to both Prospective Contractors and their Subcontractors. SOQs that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration. (Appendix D)

2.8 SOQ Submission

The complete original SOQ and eight (8) copies labeled as Copy of the complete SOQ shall be submitted. The original SOQ shall be typewritten or word-processed with a one (1) inch margin on all sides on 8 1/2" x 11" white bond paper. Each SOQ (including copies) shall be placed in separate three-ring binders for a total of nine (9), three-ring binders. Each binder shall have tabs for each section letter of the SOQ. SOQs and all documents submitted in connection with this RFSQ shall be securely bound in a three-ring binder that can be easily opened and closed by COUNTY for the removal of material, identified by Prospective Contractor as "Trade Secrets", "Confidential", or "Proprietary". No paper clipped, stapled, or rubber banded documents shall be accepted. All SOQ pages shall be clearly and consecutively numbered. The SOQ and any related information shall be delivered or mailed to:

County of Los Angeles
Department of Mental Health
Contracts Development & Administration Division
550 S. Vermont Ave. 5th floor
Los Angeles, California 90020

It is the sole responsibility of the submitting Prospective Contractor to ensure that its SOQ is received before the submission deadline, by 5:00 P.M. Pacific Time, March 4, 2011. Submitting Prospective Contractors shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. No facsimile (fax) or electronic mail (e-mail) copies will be accepted by the County. Because this process is open-ended SOQ not received by that submission deadline may be reviewed at a later date to determine if they meet the qualifications listed in the RFSQ.

2.9 Acceptance of Terms and Conditions of Master Agreement

Prospective Contractors understand and agree that submission of the SOQ constitutes acknowledgement and acceptance of, and a willingness to comply with, all terms and conditions of the *Appendix H - Master Agreement and Appendix I- SOW.*

2.10 SOQ Withdrawals

The Prospective Contractor may withdraw its SOQ at any time prior to the date and time which is set forth herein as the deadline for acceptance of SOQs, upon written request from the authorized signatory for the Prospective Contractor. The written request shall be submitted to:

Attn: Richard Kushi
County of Los Angeles Department of Mental Health
Contracts Development & Administration Division
550 S. Vermont Ave. 5th floor
Los Angeles, CA 90020

3.0 SOQ REVIEW/SELECTION/QUALIFICATION PROCESS

3.1 Review Process

SOQs will be subject to a detailed review by qualified County staff. The review process will include the following steps:

3.1.1 **Adherence to Minimum Qualifications**

County shall review the *Prospective Contractor's Organization Questionnaire/Affidavit –Required Exhibit - 1 of Appendix A,* and determine if the Prospective Contractor meets the minimum qualifications as outlined in Paragraph 1.4 of this RFSQ.

Failure of the Prospective Contractor to comply with the minimum qualifications may eliminate its SOQ from any further consideration. The Department may elect to waive any informality in an SOQ if the sum and substance of the SOQ is present.

3.1.2 **Prospective Contractor's Qualifications (Section A)**

County's review shall include the following:

- The Prospective Contractor's Program Narrative will be evaluated based on the criteria listed below. The Program Narrative will receive a composite score and be ranked as Pass or Fail. The Selection Review Committee may utilize the services of appropriate experts to assist in this evaluation. The Selection Review Committee may also, at its option, request additional clarifications from Prospective Contractors and/or invite Prospective Contractors to make a verbal presentation to the Selection Review Committee and/or conduct on-site visits to Prospective Contractors' existing operations.

  The Scoring of the Program Narrative will be done by a Selection Review Committee. The number of points after each heading below is the maximum number of points the Review Committee may assign to that section of the Program Narrative submitted by Prospective Contractors.

  The five weighted evaluation criteria and their respective percentage points are as follows:

  - <u>Program Narrative – Section A – Prospective Contractor's Qualifications (225 points-16.1%)</u>

- Program Narrative – Section B- Program Design (800 points-57.1%)
- Program Narrative – Section C – Staffing Plan (225 points-16.1%)
- Program Narrative – Section D – Quality Assurance and Data Collection (50 points-3.6%)
- Program Narrative – Section E – Financial Analysis (100 points- 7.1%)

- Prospective Contractor's Background and Experience as provided in *Prospective Contractor's Organization Questionnaire/Affidavit –in* **Section A** of the SOQ.
- Prospective Contractor's References as provided in **Section A**, Appendix A - Required Forms - Exhibit 6. The review will include verification of references submitted, a review of the County's Contract Database, if applicable, reflecting past performance history on County contracts, and a review of terminated contracts.
- A review to determine the magnitude of any pending litigation or judgments against the Prospective Contractor as provided in Section 2.7.2. of this RFSQ.

3.1.3 **Required Forms**

All forms listed in Section 2.73 of this RFSQ must be included in **Section B** of the SOQ.

3.1.4 **Proof of Insurability**

Review the proof of insurance provided in Paragraph 2.7.4, **Section C** of the SOQ.

3.1.5 **Proof of Licenses**

Review the proof of licenses and Jury Service Program Certification Form provided in Paragraph 2.7.5, **Section D** of the SOQ.

3.2 Disqualification Review

3.2.1 An SOQ may be disqualified from consideration at any time during the review process because the County determined it was a non-responsive SOQ. If the County determines that an SOQ is disqualified due to non-responsiveness, the County shall notify the Contractor in writing.

Upon receipt of the written determination of non-responsiveness, the Prospective Contractor may submit a written request for a Disqualification Review by the date specified. Requests for a Disqualification Review not timely submitted will be denied.

A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

A. The firm/person requesting a Disqualification Review is a Prospective Contractor;

B. The request for a Disqualification Review is submitted timely; and,

C. The request for a Disqualification Review asserts that the department's determination of disqualification due to SOQ non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the department’s determination shall be provided to the Prospective Contractor, in writing, prior to the conclusion of the review process.

3.3 Department's Proposed Contractor Selection Review

3.3.1 Departmental Debriefing Process

Upon completion of the evaluation, the Department shall notify the remaining Proposers in writing that the Department is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because contract negotiations are not yet complete, responses from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.

During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review (see Section 3.3.2 below), if the requesting Proposer is not satisfied with the results of the Debriefing.

3.3.2 Proposed Contractor Selection Review

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Section may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by the Department.

A request for a Proposed Contractor Selection Review may, in the

Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
2. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department);
3. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:

    a. The Department materially failed to follow procedures specified in its solicitation document. This includes:
        i. Failure to correctly apply the standards for reviewing the proposal format requirements.
        ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
        iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.

    b. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended contractor.
    c. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
    d. Another basis for review as provided by state or federal law; and

4. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the Proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department representative shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision shall additionally instruct the Proposer of the manner and timeframe for requesting a review by a County Review Panel (see Section 3.4 below).

3.4 County Review Panel Process

Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for review by a County Review Panel in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Contractor Selection Review.

A request for review by a County Review Panel may, in the County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting review by a County Review Panel is a Proposer;
2. The request for a review by a County Review Panel is submitted timely (i.e., by the date and time specified by the Department); and
3. The person or entity requesting review by a County Review Panel has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Section 3.3.2 above.

Upon completion of the County Review Panel's review, the Panel will forward its report to the Department, which will provide a copy to the Proposer.

3.5 Selection/Qualification Process

The Department will generally select Contractors that have experience in providing a broad range of psychiatric and medical services in a Skilled Nursing Facility. However, in order to insure the Department has at its disposal a varied pool of qualified Contractors, the Department may offer Master Agreements to Prospective Contractors that offer a narrow scope of services in more highly specialized areas.

3.6 Master Agreement Award

Prospective Contractors who are notified by the Department that they appear to have the necessary qualifications and experience (i.e., they are qualified) may still not be recommended for a Master Agreement (Appendix H) if other requirements necessary for award have not been met. Other requirements may include acceptance of the terms and conditions of the Master Agreement, and/or satisfactory documentation that required insurance will be obtained. Only when all such matters have been demonstrated to the Department's satisfaction can a Prospective Contractor, that is otherwise deemed qualified, be regarded as "selected" for recommendation of a Master Agreement.

The Department will execute Board of Supervisors-authorized Master Agreements with each selected Prospective Contractor. All Prospective Contractors will be informed of the final selections.