

State of Hawaii  
Department of Human Services  
Office of Youth Services

## **Request for Proposals**

**RFP Number: HMS-501-08-05**

## **Valid Court Order Exception Dispositional Review**

September 19, 2007

Note: If this RFP was downloaded from the State Procurement Office RFP Website each applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. For your convenience, an [RFP Interest form](#) may be downloaded to your computer, completed and e-mailed or mailed to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.

## PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

**ONE ORIGINAL AND FOUR (4) COPIES OF THE PROPOSAL ARE TO BE SUBMITTED.**

**ALL MAIL-INS MUST BE POSTMARKED BY UNITED STATES POSTAL SERVICE (USPS) BEFORE 12:00 MIDNIGHT, HAWAII STANDARD TIME (H.S.T.) ON OCTOBER 31, 2007**

**All Mail-ins and Hand Deliveries**

Department of Human Services  
Office of Youth Services  
820 Mililani Street, Suite 817  
Honolulu, Hawaii 96813

**RFP COORDINATOR**

Carol Imanaka  
For further info. or inquiries  
Phone: 808-587-5700  
Fax: 808-587-5734

**ALL HAND DELIVERIES WILL BE ACCEPTED AT THE FOLLOWING SITE UNTIL 4:30 P.M., HAWAII STANDARD TIME (HST) OCTOBER 31, 2007.**

DEPARTMENT OF HUMAN SERVICES  
OFFICE OF YOUTH SERVICES  
820 MILILANI STREET, SUITE 817  
HONOLULU, HAWAII 96813

**BE ADVISED:** All mail-ins postmarked by USPS after **12:00 midnight, H.S.T., October 31, 2007**, will be rejected.

Hand deliveries will **not** be accepted after **4:30 p.m., HST, October 31, 2007**.

Deliveries by private mail services such as FEDEX shall be considered hand deliveries and will not be accepted if received after **4:30 p.m., HST, October 31, 2007**.

September 19, 2007

**REQUEST FOR PROPOSALS**

**VALID COURT ORDER EXCEPTION  
DISPOSITIONAL REVIEW**

**RFP NUMBER: HMS-501-08-05**

The Department of Human Services (DHS), Office of Youth Services (OYS) is soliciting proposals from qualified applicants to conduct the dispositional review and written report to the Family Court, of status offenders who have violated a Valid Court Order. The report must 1) review the behavior of the juvenile and why he/she was brought before the Court and made subject to the Valid Court Order, 2) determine the reason for the juvenile's behavior, and 3) determine whether all dispositions other than secure confinement have been exhausted or are clearly inappropriate. A face to face interview must be conducted with the juvenile and juvenile records reviewed. The report to the Court must be completed within 48 hours after the probable cause hearing and prior to the violation hearing, excluding weekends and holidays, and presented at the violation hearing.

Eligible applicants include community based organizations and consortia of these agencies. The contract term will commence on or after February 1, 2008 through September 30, 2009 and may be extended for an additional 12 months, contingent upon program performance and the availability of funds.

Request for Proposals (RFP) may be picked up at the Office of Youth Services, 820 Mililani Street, Suite 817 or mailed upon request beginning September 19, 2007. This RFP will also be available on the web at <http://www.hawaii.gov/spo2/health/rfp103f/>.

The original and four copies of the proposal shall be mailed and postmarked by the United States Postal Service (USPS) on or before midnight, Hawaii Standard Time (H.S.T.) October 31, 2007, or hand delivered no later than 4:30 p.m. HST on October 31, 2007, at the drop off site designated on the Proposal Mail-in and Delivery Information Sheet. Proposals postmarked or hand delivered after the submittal deadline shall be considered late and rejected. Deliveries by private mail services such as Federal Express (FedEx) and United Postal Service (UPS) shall be considered hand deliveries. There are no exceptions to this requirement.

The Office of Youth Services will conduct an orientation on Wednesday, September 26, 2007 from 9:00 a.m. to 10:30 p.m. at Haseko Center, 820 Mililani Street, Room 615, Honolulu, Hawaii. All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions is 12:00 midnight HST, on October 3, 2007. All written submissions submitted by October 3, 2007 will receive a written response from the State on or about October 10, 2007.

Inquiries regarding this RFP should be directed to the RFP contact person, Carol Imanaka, Office of Youth Services, 820 Mililani Street, Suite 817, telephone 808-587-5700 or 808-587-5726, fax 808-587-5734, e-mail: [cimanaka@dhs.hawaii.gov](mailto:cimanaka@dhs.hawaii.gov).

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## **Section 1**

# **Administrative Overview**

# Section 1

## Administrative Overview

**Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.**

### I. Procurement Timetable

**Note that the procurement timetable represents the State's best estimated schedule. Contract start dates may be subject to the issuance of a notice to proceed.**

<b>Activity</b>	<b>Scheduled Date</b>
Public notice announcing RFP	1/19/07
Distribution of RFP	1/19/07
RFP orientation session	9/26/07
Closing date for submission of written questions for written responses	10/3/07
State purchasing agency's response to applicants' written questions	10/10/07
Discussions with applicant prior to proposal submittal deadline (optional)	11/07-12/07
Proposal submittal deadline	10/31/07
Discussions with applicant after proposal submittal deadline (optional)	11/07-12/07
Proposal evaluation period	11/07-12/07
Provider selection	11/07-12/07
Notice of statement of findings and decision	11/07-12/07
Contract start date	2/1/08

## II. Website Reference

The State Procurement Office (SPO) website is [www.spo.hawaii.gov](http://www.spo.hawaii.gov)

	<b>For</b>	<b>Click</b>
1	Procurement of Health and Human Services	“Health and Human Services, Chapter 103F, HRS...”
2	RFP website	“Health and Human Services, Ch. 103F...” and “RFPs”
3	Hawaii Administrative Rules (HAR) for Procurement of Health and Human Services	“Statutes and Rules” and “Procurement of Health and Human Services”
4	Forms	“Health and Human Services, Ch. 103F...” and “For Private Providers” and “Forms”
5	Cost Principles	“Health and Human Services, Ch. 103F...” and “For Private Providers” and “Cost Principles”
6	Standard Contract -General Conditions	“Health and Human Services, Ch. 103F...” “For Private Providers” and “Contract Template – General Conditions”
7	Protest Forms/Procedures	“Health and Human Services, Ch. 103F...” and “For Private Providers” and “Protests”

### Non-SPO websites

(Please note: website addresses may change from time to time. If a link is not active, try the State of Hawaii website at [www.hawaii.gov](http://www.hawaii.gov))

	<b>For</b>	<b>Go to</b>
8	Tax Clearance Forms (Department of Taxation Website)	<a href="http://www.hawaii.gov/tax/">http://www.hawaii.gov/tax/</a> click “Forms”
9	Wages and Labor Law Compliance, Section 103-055, HRS, (Hawaii State Legislature website)	<a href="http://www.capitol.hawaii.gov/">http://www.capitol.hawaii.gov/</a> , click “Bill Status and Documents” and “Browse the HRS Sections.”
10	Department of Commerce and Consumer Affairs, Business Registration	<a href="http://www.hawaii.gov/dcca">http://www.hawaii.gov/dcca</a> click “Business Registration”
11	Campaign Spending Commission	<a href="http://www.hawaii.gov/campaign">http://www.hawaii.gov/campaign</a>
12	Office of Juvenile Justice & Delinquency Prevention	<a href="http://www.ojjdp.ncjrs.org">http://www.ojjdp.ncjrs.org</a>
13	Office of Juvenile Justice & Delinquency Performance Measures for Formula & Title V	<a href="http://www.dsgonline.com/performance_measures.htm">www.dsgonline.com/performance_measures.htm</a>
14	Catalog of Federal Domestic Assistance	<a href="http://www.cfda.gov">www.cfda.gov</a>

## III. Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective

applicant shall constitute admission of such knowledge on the part of such prospective applicant.

### **III. RFP Organization**

This RFP is organized into five sections:

*Section 1, Administrative Overview*--Provides applicants with an overview of the procurement process.

*Section 2, Service Specifications*--Provides applicants with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

*Section 3, Proposal Application Instructions*--Describes the required format and content for the proposal application.

*Section 4, Proposal Evaluation*--Describes how proposals will be evaluated by the state purchasing agency.

*Section 5, Attachments* --Provides applicants with information and forms necessary to complete the application.

### **IV. Contracting Office**

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

**Department of Human Services  
Office of Youth Services  
820 Mililani Street, Suite 817  
Honolulu, Hawaii 96813  
Phone: 808-587-5700  
Fax: 808-587-5734**

### **V. Orientation**

An orientation for applicants in reference to the request for proposals will be held as follows:

**Date:** September 26, 2007      **Time:** 9:00 a.m. to 10:30 a.m.  
**Location:** Haseko Center  
820 Mililani Street, Room 615  
Honolulu, Hawaii

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Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the next paragraph (VII. Submission of Questions).

## **VI. Submission of Questions**

Applicants may submit questions to the RFP Contact Person identified in Section 2 of this RFP. All written questions will receive a written response from the OYS. Deadline for submission of written questions:

**Date:** October 3, 2007      **Time:** 12:00 Midnight HST

State agency responses to applicant written questions will be provided by:

**Date:** October 10, 2007

## **VII. Submission of Proposals**

**A. Forms/Formats** - Forms, with the exception of program specific requirements, may be found on the State Procurement Office website (See page 1-2, Websites Referred to in this RFP. Refer to the Proposal Application Checklist for the location of program specific forms.

- 1. Proposal Application Identification (Form SPO-H-200)** - Provides identification of the proposal.
- 2. Proposal Application Checklist** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.
- 3. Table of Contents** - A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.
- 4. Proposal Application (Form SPO-H-200A)** - Applicant shall submit comprehensive narratives that addresses all of the issues contained in the Proposal Application Instructions, including a

cost proposal/budget if required. (Refer to Section 3 of this RFP.)

- 5. Tax Clearance** – A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) will be required either at the time of proposal submittal or upon notice of award at the discretion of the purchasing agency.

Refer to Section 4, subparagraph III.A.1, Administrative Requirements, and the Proposal Application Checklist (located in Section 5) to determine whether the tax clearance is required at time of proposal submittal for this RFP. Tax clearance application may be obtained from the Department of Taxation website. (See paragraph II, Website Reference.)

- B. Program Specific Requirements** - Additional program specific requirements are included in Sections 2 and/or 3, Service Specifications and the Proposal Application Instructions, as applicable. If Federal and/or State certifications are required, they are listed on the Proposal Application Checklist located in Section 5.
- C. Multiple or Alternate Proposals** - Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.
- D. Wages and Labor Law Compliance** - Before a provider enters into a service contract in excess of \$25,000, the provider shall certify that it complies with section 103-55, HRS, Wages, hours, and working conditions of employees of contractors performing services. Section 103-55, HRS may be obtained from the Hawaii State Legislature website. (See paragraph II, Website Reference.)
- E. Compliance with all Applicable State Business and Employment Laws.** All providers shall comply with all laws governing entities doing business in the State. Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations unincorporated associations and foreign insurance companies must be registered and in good standing with the Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. (See paragraph II, Website Reference.)

- F. Campaign Contributions by State and County Contractors.** Contractors are hereby notified of the applicability of Section 11-205.5, HRS, which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, Act 203/2005 FAQs are available at the Campaign Spending Commission webpage. (See paragraph II, Website Reference.)
- G. Confidential Information** – If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

**Note that price is not considered confidential and will not be withheld.**

- H. Proposal Submittal** - Proposals must be postmarked by United States Postal System (USPS) and received within ten days of the date designated on the Proposal Mail-In and Delivery Information Sheet or hand delivered by the date and time designated on the Proposal Mail-In and Delivery Information Sheet attached to this RFP. Proposals shall be rejected when:
- Postmarked after the designated date; or
  - Postmarked by the designated date but not received within 10 days from the submittal deadline; or
  - If hand delivered, received after the designated date and time.
- The number of copies required is located on the Proposal Mail-In and Delivery Information Sheet. Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmarks. Faxed proposals and/or submission of proposals on diskette/CD or transmission by email, website or other electronic means are **not permitted**.

## **VIII. Discussions with Applicants**

- A. Prior to Submittal Deadline.** Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.

- B. After Proposal Submittal Deadline** - Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance section 3-143-403, HAR.

## **IX. Opening of Proposals**

Upon receipt of proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the OYS and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

## **X. Additional Materials and Documentation**

Upon request from the OYS, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

## **XI. RFP Amendments**

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

## **XII. Final Revised Proposals**

The applicant's final revised proposal, *as applicable* to this RFP, must be postmarked by the date and time specified by the OYS and received within ten days or hand delivered by the date and time specified by the state purchasing agency. Final revised proposals shall be rejected when:

- Postmarked after the designated date; or
- Postmarked by the designated date but not received within ten days or
- If hand carried, received after the designated date and time.

If a final revised proposal is not submitted, the previous submittal shall be construed as their best and final offer/proposal. *The applicant shall submit only the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

**XIII. Cancellation of Request for Proposal**

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the State.

**XIV. Costs for Proposal Preparation**

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

**XV. Provider Participation in Planning**

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202 and 3-142-203 of the Hawaii Administrative Rules for Chapter 103F, HRS.

**XVI. Rejection of Proposals**

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS, are parenthesized)

- (1) Rejection for failure to cooperate or deal in good faith. (Section 3-141-201, HAR)
- (2) Rejection for inadequate accounting system. (Section 3-141-202, HAR)
- (3) Late proposals (Section 3-143-603, HAR)
- (4) Inadequate response to request for proposals (Section 3-143-609, HAR)
- (5) Proposal not responsive (Section 3-143-610 (1), HAR)
- (6) Applicant not responsible (Section 3-143-610 (a)(2), HAR)

**XVII. Notice of Award**

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

**XVIII. Protests**

Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website. (See paragraph II, Website Reference.) Only the following matters may be protested:

- (1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- (2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- (3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposal issued by the state purchasing agency.

The Notice of Protest shall be postmarked by USPS or hand delivered to 1) the head of the state purchasing agency conducting the protested procurement and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

<b>Head of State Purchasing Agency</b>	<b>Procurement Officer</b>
Name: Martha T. Torney	Name: Dixie Thompson
Title: Executive Director	Title: Acting Program Development Officer
Mailing Address: 820 Mililani Street, Suite 817	Mailing Address: 820 Mililani Street, Suite 817

Honolulu, HI 96813	Honolulu, HI 96813
Business Address: Same as above.	Business Address: Same as above.

**XIX. Availability of Funds**

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii, pursuant to Chapter 37, HRS, and subject to the availability of State and/or Federal funds.

**XX. Monitoring and Evaluation**

The criteria by which the performance of the contract will be monitored and evaluated are:

- (1) Performance/Outcome Measures
- (2) Output Measures
- (3) Quality of Care/Quality of Services
- (4) Financial Management
- (5) Administrative Requirements

**XXI. General and Special Conditions of Contract**

The general conditions that will be imposed contractually are on the SPO website. (See paragraph II, Website Reference). Special conditions that will be imposed contractually by the state purchasing agency, as deemed necessary, are in Section 5-Attachments.

**XXII. Cost Principles**

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201 which is available on the SPO website (see paragraph II, Website Reference). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

## **Section 2**

# **Service Specifications**

## Section 2

# Service Specifications

### I. Introduction

#### A. Overview, purpose or need

The Office of Youth Services (OYS) is committed to provide services and programs for at-risk and juvenile justice system involved youth in order to prevent delinquency, reduce further penetration into the system, and reduce the incidences of recidivism.

Hawaii participates in the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Formula Grant Program, Public Law 93-415, et. seq. The OYS is the designated State agency in Hawaii that administers this program and monitors compliance with the federal requirements of the Juvenile Justice Delinquency and Prevention (JJDP) Act of 1974, as amended. The JJDP Act was passed by Congress to address critical issues facing the juvenile justice system. ([www.ojjdp.ncjrs.org](http://www.ojjdp.ncjrs.org))

Section 223(a)(11) of the Act, Deinstitutionalization of Status Offenders (DSO) is one of four core requirements of the JJDP Act that States must comply with in order to receive their full allotment of federal juvenile justice funds. The DSO provision requires states to ensure that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult (status offenses) or non-offenders such as dependent or neglected children should not be placed in secure detention or correctional facilities. Status offenses include acts such as running away, not abiding by curfew, chronic truancy from school or other conduct indicating the child is beyond the control of parents or other guardians.

In Hawaii, status offenses are the largest single category of juvenile arrests and comprise the majority of arrests for youth under 15 years of age. The rate of status offense arrests is higher in Hawaii as compared to the mainland U.S. The rise in juvenile arrests seen over the years is almost entirely due to increases in status offenses, in particular runaways. Runaways are nearly twice as prevalent in Hawaii then the national average. Although thousands of arrests are made for status offenses each year, most juveniles are not detained in a secure detention.

The Act allows four exceptions for the placement of status offenders in secure detention:

- 1) 24 hours prior to and after the initial court appearance (exclusive of weekends and holidays);
- 2) Youth found to have violated a Valid Court Order (VCO);

- 3) Out of state runaways (when Interstate Compact is used);
- 4) Handgun exception.

This RFP addresses the dispositional review requirement in order for states to use the VCO Exception when status offenders are taken into custody for violating a Valid Court Order. For the VCO Exception to apply when a status offender is taken into custody for violating a VCO, the Act requires:

- An appropriate public agency (OYS is the designated agency) must be notified that the juvenile has been taken into custody for violating a valid court order;
- An authorized representative of the agency (OYS contracted provider) must conduct a face to face interview with the juvenile, no later than 24 hours during which the juvenile is held;
- An assessment of the juvenile must be submitted to the Court that issued the order, no later than 48 hours, exclusive of holidays and weekends, during the time a juvenile is held.

The VCO is issued by the Court to regulate the future conduct of status offenders. It is part of a judicial process that ensures the rights and due process of the juvenile. The Court conducts a hearing to determine whether reasonable cause exists that the juvenile violated the order and the appropriate placement of the juvenile pending disposition of the alleged violation within 48 hours, exclusive of holidays and weekends, during the time a juvenile is held.

The OYS and the Family Court have worked collaboratively to implement the dispositional review requirement and to meet all the elements of the VCO.

**B. Planning activities conducted in preparation for this RFP**

A Request for Information (RFI) was issued on Tuesday, August 28, 2007 for written comments, suggestions, and other feedback for consideration for the scope of work and RFP requirements. No written comments were received.

**C. Description of the goals of the service**

- To comply with the DSO core requirement of the JJDP Act of 1974, as amended, through use of the Valid Court Order Exception.
- To prevent the inappropriate use of secure detention for status offenders who have violated a VCO.

**D. Description of the target population to be served**

Status offenders, ages 10 to 17, who are in custody for violating a VCO.

**E. Geographic coverage of service**

Statewide for status offenders who are in custody for violating a valid court order.

**F. Probable funding amounts, source, and period of availability**

	General	Federal	Total
Budget Period 1 (2/1/08-9/30/09)	-0-	\$83,333	\$83,333
Budget Period 2 (10/1/09-9/30/10)	-0-	\$50,000	\$50,000

Source of Federal Funds: C.F.D.A. Number: 16.540. [www.cfda.gov](http://www.cfda.gov)

1. The contract period and the funding amount for each of budget period will be dependent upon the program's performance and the availability of state and/or federal funds. The contract may be extended up to a maximum of three (3) additional years. The scope of services and compensation schedule may be amended by written agreement of the parties.
2. The award of a contract and any allowed renewal or extension thereof, is subject to allotments to be made by Director of Finance, State of Hawaii, pursuant to Chapter 37, Hawaii Revised Statutes, and subject to the availability of funds and the quality of program services.
3. The OYS reserves the right to make modifications to the scope of services and in the funding amounts that it is unable to anticipate now. There may be unique circumstances, not limited to federal grants, which require these modifications be made to continue or to improve services. Additionally, should funding be increased or decreased, the OYS reserves the right to add in additional funds or decrease funds at its discretion.

**II. General Requirements****A. Specific qualifications or requirements, including but not limited to licensure or accreditation**

If awarded the contract, the applicant shall:

1. Meet all State and County licensing requirements, if any, to operate business.
2. Arrange for a financial and compliance audit to be done and submitted to the Department as directed in accordance with "Government OMB Circular A-133" if the applicant expends \$500,000 or more in federal funds in a year.
3. Refund to the State any funds unexpended or expended inappropriately.

4. Possess interviewing and assessment skills and shall be knowledgeable of resources statewide, particularly social services available in the community that can assist status offenders and their families.
5. Possess knowledge of the Family Court process, preferably working knowledge of the Court process.

**B. Secondary purchaser participation**

After-the-fact secondary purchases may be allowed, upon approval of the OYS and pursuant to §3-143-608, HAR.

Planned secondary purchases: None

**C. Multiple or alternate proposals**

(Refer to §3-143-605, HAR)

Allowed  Unallowed

All proposals will be evaluated, ranked and awarded separately, and not in relationship with any other alternate proposals submitted.

**D. Single or Multiple Contracts to Be Awarded**

(Refer to §3-143-206, HAR)

Single  Multiple  Single & Multiple

Criteria for multiple awards:

Multiple contracts may be awarded as the OYS deems appropriate to best meet the needs of the State after all proposals are reviewed

**E. Single or Multi-Term Contracts To Be Awarded**

(Refer to §3-149-302, HAR)

Single term (<2years)  Multi-term (>2years)

Contract terms: The initial term of the contract shall commence on or after February 1, 2008 or Notice to Proceed, whichever is later, and continue through September 30, 2010. There may be a possibility for extension of the initial award period up to an additional 36 months should funds become available. The conditions for extension must be in writing and any extension must be executed prior to the expiration of the initial term of the contract and any subsequent extension. The award of a contract and any allowed renewal or extension thereof, is subject to allotments to be made by the Director of Finance, State of Hawaii, pursuant to Chapter 37, Hawaii Revised Statutes, and subject to the availability of funds and the quality of program services.

**F. RFP contact person**

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the successful applicant or applicants. Written questions should be submitted to the RFP contact person and received on or before the day and time specified in Section 1, paragraph I (Procurement Timetable) of this RFP.

RFP Contact Person: Carol Imanaka  
Office of Youth Services  
820 Mililani Street, Suite 817  
Honolulu, Hawaii 96813  
Phone: 808-587-5700  
Fax: 808-587-5734  
[cimanaka@dhs.hawaii.gov](mailto:cimanaka@dhs.hawaii.gov)

**V. Scope of Work**

The scope of work encompasses the following tasks and responsibilities:

**A. Service Activities**

(Minimum and/or mandatory tasks and responsibilities)

1. Applicant must work with the Family Courts of all Circuits, who choose to use the VCO, to implement the dispositional review in their jurisdiction. Applicant must address modifications to the process as specific needs of a Circuit are identified, without jeopardizing adherence to the federal requirements.
2. Applicant shall conduct a face to face interview with the status offender who is in custody, within 24 hours of notification by the Court.
3. Applicant shall conduct an assessment of the status offender and submit a written report to the Court that issued the order, no later than 48 hours, excluding holidays and weekends, prior to the violation of a VCO hearing.
4. The written report shall recommend an appropriate disposition of the youth. The Applicant shall also interview the family, probation officer and other collateral contacts such as school personnel, social workers and therapists from other agencies to gather information for the report, or conduct a review of the juvenile's court record.
5. The report shall include the following:
  - a. The behavior of the youth and the circumstances under which the youth was brought before the court and made subject to such order. (The report

must include information regarding the youth's functioning, educational performance and family dynamics.)

- b. The reasons for the youth's behavior. (The report must include any assessment tests/risks instruments previously administered; mental health services and recommendations.)
  - c. Whether all dispositions other than secure confinement have been exhausted or are clearly inappropriate. (The report must include previous interventions attempted and the response of the youth; other community alternative programs that are available and why they are not appropriate.)
6. Applicant must insure that it is able to meet the requirements of the dispositional review for the neighbor islands.
  7. Applicant shall attend the violation of VCO hearing and present the assessment findings and recommendations to the Judge.
  8. Applicant shall, as appropriate, work collaboratively with the Family Court to recommend referrals for case management and service that are alternatives to secured detention.
  9. Other Service Specifications
    - a. Applicant shall act as an independent reviewer and not be employed by or contracted with the court or law enforcement to prevent any potential conflict of interest.
    - b. Applicant shall act in the best interest of the youth.
    - c. Applicant shall develop and execute memoranda of agreement (MOA), appropriate forms and procedures with the Family Court, the OYS and community agencies and also participate in training with these agencies regarding the implementation of the VCO. Applicant shall conduct ongoing assessment of the effectiveness of the MOA, forms and procedures, and shall amend these as needed during the remainder of the contract period.
    - d. Applicant shall be present at the detention facility on Oahu during every weekday morning (exclusive of holidays) to review juvenile admissions related to potential violations of the VCO and be available to attend juveniles' hearings related to the VCO. On the neighbor islands applicant shall be available to the courts for the face to face interview either in person or by video conferencing.

- e. Applicant shall ensure that back-up coverage is available to perform the activities and services being requested.

**B. Management Requirements (Minimum and/or mandatory requirements)**

**1. Personnel**

- a. The applicant shall ensure that employees do not have a criminal history or background that poses a risk to youth. The applicant shall conduct employment and reference checks on all employment applicants. In addition, prior to providing direct services to youth, criminal history record checks (State and FBI Criminal History Check, Sex Offender Registry, and the Child Abuse and Neglect Registry Clearance) shall be conducted, as allowed by statutes or rules, for any person who is employed or volunteers in an position that necessitates close proximity to or contact with children or adolescents. Documentation of criminal history record checks shall be maintained in the employee or volunteer's personnel file and shall be available for review. Criminal history record checks, except for the FBI fingerprint check, shall be conducted annually.
- b. The applicant shall develop policies that describe the grounds and circumstances for denial of employment or termination of current employees who have been found to have convictions or pending charges upon completion of any criminal history check or other investigation.
- c. The applicant shall have written personnel policies covering selection of staff, salaries, fringe benefits, leaves, job descriptions, and minimum qualifications of each position. Staff salaries shall be sufficiently competitive to recruit and retain qualified staff.
- d. The program staff and volunteers shall have appropriate qualifications and necessary training to provide the required services, demonstrate knowledge, capacity, skills and experience in working with the target population, and are knowledgeable about the community served.
- e. Applicants shall engage trainers and professionals that have expertise in the subject matter and experience working with the staff and/or identified target population to ensure credibility with the target audiences. The trainers should be skilled in conveying information to participants.

**2. Administrative**

- a. The applicant is required to meet with the OYS to discuss any aspect of the services.
- b. The applicant is required to maintain detailed records of youth, program activities, and personnel in addition to maintaining an accounting system

and financial records to accurately account for funds awarded. Funds shall be budgeted and expended in accordance with applicable State and/or Federal cost principles.

- c. The applicant shall also be required to comply with applicable provisions and mandates of the Health Insurance Portability and Accountability Act (HIPAA) of 1996. The HIPAA regulates how individually identifiable health (medical and mental health) information is handled to ensure confidentiality.
- d. The OYS reserves the right to make modifications to the scope of the services and in funding amounts that it is currently unable to anticipate. There may be unique circumstances, not limited to directives and decrees from State and Federal agencies that require these modifications be made to continue or improve services. Additionally should funding be increased or decreased, the OYS reserves the right to add in additional funds or decrease at its discretion.
- e. The applicant shall not utilize youth for any agency solicitation or political campaign purposes.
- f. The applicant may not charge youth and/or their families more than a token amount for program services.
- g. Subcontracting arrangements may be allowed if the applicant is unable to provide components of the requested services directly. Copies of draft subcontract agreements must be submitted as an attachment to the proposal. All subcontracts must follow the pricing structure and all other requirements of this RFP.
- h. Memoranda of Agreements and working agreements with other agencies for services resulting from awards and contracts of this RFP shall be submitted to the OYS for review for appropriateness and relevancy.

### **3. Quality assurance and evaluation specifications**

- a. All contracts shall be monitored by the OYS in accordance with requirements set forth by Chapter 103F, Hawaii Revised Statutes. Contract monitoring shall include but may not be limited to:
  - 1) The review of amendments and approvals, deemed appropriate by the OYS, of the contract's program items, the assurance of collaboration, quarterly program reports, and other documents submitted to the OYS.
  - 2) Periodic site visits, scheduled and unscheduled, with written evaluation of the major program service areas, such as:

- a) Staff qualification, organization, and effectiveness.
  - b) Program compliance with OJJDP guidelines and the Performance Measures Framework.
  - c) Outcomes planning, implementation, and evaluation.
  - d) Collaboration (Informal and formal agreements and subcontracts).
  - e) File maintenance and record keeping.
  - f) Facility accessibility, suitability, and safety.
  - g) Transportation and other liability issues.
  - h) Consumer satisfaction.
- 3) Access to all materials, files, and documents relating to the provision of services. In addition, the OYS may, at its discretion, observe interviews conducted by the applicant.
- b. The applicant must maintain for the term of the contract the system of evaluation developed by the OYS, including the use of evaluation tools and reporting forms. In addition, the applicant must take corrective actions the OYS deems necessary in light of the evaluation data.

#### **4. Output performance/outcome measurement**

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) grantees and sub-grantees are required to utilize OJJDP's logic model and performance measurement framework.

- a. OJJDP has developed standard performance measures to be used by all grantees and sub-grantees receiving Formula Grant, Title V and Juvenile Accountability Block Grant funds. These performance measures are tied into the federal government's push towards performance measures and reporting; Government Performance and Results Act (GPRA), the President's Management Agenda and the Program Assessment Rating Tool (PART).
- b. Applicant will commit to reporting output and outcomes measures as part of the Applicant's contractual responsibility. OJJDP has defined specific output and outcome measures for the Formula Grant Program's 34 program areas that fall into three categories; prevention and intervention, core requirements and systems improvement.  
([www.dsgonline.com/performance\\_measures.htm](http://www.dsgonline.com/performance_measures.htm))
- c. Applicants will track and report progress towards these performance measures through use of a standard outcome reporting format and meet periodically with OYS to review results and make necessary modifications and corrections.

- d. Output measures. Applicants will be required to report all bold output measures and at a minimum, two non-bold output measures located at the above website.
- e. Outcomes measures. Applicants will be required to report on all short term and long term outcomes measures, and where applicable at least two non-mandatory measures located at the above website.
- f. OYS will work with the Applicant to identify the appropriate program areas and output and outcomes measure that correspond to the proposed services.
- g. Use appropriate computer hardware and Microsoft software Access and Excel to record, monitor, and report various data.
- h. Applicant will commit to on-line data entry into OJJDP's Data Collection Technical Assistance Tool (DCTAT), as required of Applicants.
- i. In order to facilitate the implementation of the Performance Measure Framework, the State will:
  - 1) Provide technical assistance and training on the use of OJJDP's logic model and performance measure framework.
  - 2) Provide technical assistance in using forms developed by the OYS and necessary hardware and software to evaluate the progress of the programs using such forms.
  - 3) Provide training and technical assistance on the use of DCTAT, OJJDP's web-based data entry system.

## **5. Experience**

Applicants shall have a minimum of three years experience designing, implementing, managing, and/or evaluating delinquency prevention or intervention programs or other activities related to those proposed in response to this RFP.

## **6. Coordination of Services**

Funded programs shall coordinate with related Federal, State, local and community efforts and resources to insure that the necessary services and linkages are maintained to improve individual functioning and support delinquency prevention and intervention and juvenile justice systems improvement

**7. Reporting requirements for program and fiscal data**

- a. Contracts are programmatically and fiscally monitored by the State. Monitoring includes the review of program reports and services; budgets and revisions (as approved by the State); invoices and expenditure reports; and any issues applicable to services provided. Monitoring will take place at a variety of locations including the applicant's administrative office and the site(s) of service delivery.
- b. OYS will provide applicants diskettes with the required reporting forms upon execution of contracts.
- c. Timely program and fiscal reports as specified by the OYS will be due quarterly and at the end of each budget period. The applicant shall submit to OYS its final invoice no later than 30 days after the end of each budget period. Lapsing of funds will occur if final invoices are not received by OYS in a timely manner.

**8. Pricing structure or pricing methodology to be used**

Pricing structure will be based on a cost reimbursement basis. The cost reimbursement pricing structure reflects a purchase arrangement in which the State pays the applicant for budgeted agreed-upon costs that are actually incurred and allocable in delivering the services specified in the contract, up to a stated maximum obligation.

**9. Units of service and unit rate**

Not applicable.

**10. Method of compensation and payment**

Payments shall be made in accordance with the State of Hawaii, State Procurement Office, Chapter 103F, HRS – Cost Principles, Purchases of Health and Human Services and when applicable, in accordance with the Office of Management and Budget (OMB) Federal Cost Principles (OMB Circular A-21, A-87 or A-122) and subject to the following:

- a. Payments shall be made in monthly installments upon the monthly submission by the applicant of an invoice for the services provided in accordance with the terms and information set forth in the contract.
- b. After the first payment made in advance, the monthly invoices shall be based on expenditures actually incurred for the performance of the services required under the contract.

- c. The OYS shall withhold a final payment of one twelfth (1/12) of the total compensation for each budget period until final settlement of each budget period of a contract. Provided that all expenditures are in compliance with the terms stated in the contract, payment of the lesser of actual costs reported on the final expenditure report or the contract amount for the budget period will be made.

## **VI. Facilities**

Applicants shall assure the adequacy of the facilities that will be used to conduct the proposed service to ensure the safety and well-being of the target population.

## **Section 3**

# **Proposal Application Instructions**

## Section 3

# Proposal Application Instructions

### General instructions for completing applications:

- *Proposal Applications shall be submitted to the OYS using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however may be omitted.*
- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section. See sample table of contents in Section 5.*
- *Applicants must not exceed specified page limits. Attachments are not included within the page limits.*
- *Use 1" margins.*
- *Use 12 point font.*
- *Use single space pages.*
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5, Attachment B of this RFP.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are **strongly** encouraged to review evaluation criteria in Section 4, Proposal Evaluation when completing the proposal.*
- *This form (SPO-H-200A) is available on the SPO website (see Section 1, paragraph II, Website Reference). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

### The Proposal Application comprises the following sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Project Organization and Staffing*
- *Service Delivery*
- *Financial*
- *Other*

**I. Program Overview (Not to exceed 2 pages; 0 points)**

Applicant shall provide a clear, concise overview to orient evaluators as to the program/services being offered and highlight the contents of the proposal. Applicant shall include:

- The geographic areas being served and where the proposed services will be delivered;
- A brief profile of the target population and data sources used to create the profile;
- The goals and objectives related to the service activity;
- Brief explanation how the proposed services is designed to meet the needs identified and comply with the Office of Juvenile Justice and Delinquency Prevention Formula Grant Program compliance requirements;
- A statement of the applicant's mission and vision and their alignment with the proposed services.

**II. Experience and Capability (Not to exceed 5 pages; 20 points)****A. Necessary Skills**

The applicant shall demonstrate that it has the necessary skills, abilities, and knowledge relating to the delivery of the proposed services.

**B. Experience**

The applicant shall provide a description of projects/contracts for the most recent three (3) years pertinent to the proposed services and target population. Applicant shall include points of contact, addresses, e-mail and phone numbers. The OYS reserves the right to contact references to verify experience.

**C. Quality Assurance and Evaluation**

The applicant shall describe its own plans for quality assurance and evaluation for the proposed services, including methodology. The applicant shall describe the arrangements for evaluation and methods to determine the program effectiveness and overall impact on target population.

**D. Coordination of Services**

The applicant shall describe its experience in collaborating and coordinating with other agencies, including the Family Court and resources in the community or geographic area of planned service delivery. The applicant shall describe past experiences in collaborating and coordinating related services and provide documentation to support this description. Letters of agreement or support should be specific and relevant to the planned services for this RFP.

**E. Facilities**

The applicant shall provide a description of its facilities and demonstrate the adequacy of facilities in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. The applicant shall also describe how the facilities meet ADA requirements, as applicable and special equipment that may be required for the services.

**III. Project Organization and Staffing (Not to exceed 5 pages; 15 points)****A. Staffing****1. Proposed Staffing**

The applicant shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the services. List all staff that will be responsible for providing proposed services, including contract oversight functions and direct services to youth and their families. (Refer to the personnel requirements in the Service Specifications, as applicable.)

**2. Staff Qualifications**

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. Resumes of key staff and job descriptions of all staff that will be providing services shall be included. (Refer to the qualifications in the Service Specifications, as applicable)

**B Project Organization****1. Supervision and Training**

The applicant shall describe its ability to supervise, train and provide administrative direction relative to the delivery of the proposed services.

**2. Organization Chart**

The applicant shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full time equivalency) Both the "Organization-wide" and "Program" organization charts shall be attached to the Proposal Application. Organization-wide charts should be used to indicate lines of collaboration, cooperation, or authority between relevant partners in the delivery of the proposed services. Program charts should be used to reflect positions involved in implementing the specific services to be carried out by a single service provider or agency. The applicant shall reflect the position(s) of each individual who has direct responsibility for the proposed services, including position title, name, full time equivalency, and supervision received.

If the applicant does not have an organization chart, the applicant shall state so and name the person(s) directly responsible for the specific prevention services to be delivered.

#### **IV. Service Delivery (Not to exceed 20 pages; 55 points)**

Applicant shall include a detailed discussion of the applicant's approach to applicable service activities and management requirements from Section 2, Item III. - Scope of Work, including a work plan of all service activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules. The discussion of the proposed services delivery shall include:

- A brief summary of the applicant's philosophy and service framework and describe how the framework reflects/ relates to the OYS philosophy regarding the delivery of services for youth.
- A work plan of all activities and tasks to be completed, related work assignments, responsibilities, and service plan that clearly articulates the overall service.
- A timeline/schedule of steps to be taken in planning and implementing the required services and related activities.
- Details of how the proposed work plan and service activities are consistent with the outcomes and objectives, service framework, principles of program delivery and characteristics of effective programs.
- Preliminary outcomes that are expected as a result of the program's activities, including proposed number of youth served and the expected change in the youth (e.g., increased skills demonstrated in areas such as social, academic, physical, etc.).
- Identify the evidence-based practices that will be implemented, the rationale for using these specific programs/activities, implementation issues and considerations, and strategies for engaging and maintaining involvement of the target population.
- Identify the necessary linkages and agreements with the Family Court in order to provide the dispositional review.
- Provides evidence of a plan to service the neighbor island Circuits.
- Provides a description of the services to be provided that is integrated with the Courts VCO process.

## V. Financial (10 points)

### A. Pricing Structure

Applicant shall submit a cost proposal utilizing the pricing structure designated by the state purchasing agency. The cost proposal shall be attached to the Proposal Application.

All budget forms, instructions and samples are located on the SPO website (see Section 1, paragraph II Websites referred to in this RFP). The following budget form(s) shall be submitted with the Proposal Application:

1. Form SPO-H-205 Budget
2. Form SPO-H-206A Budget Justification-Personnel: Salaries & Wages
3. Form SPO-H-206B Budget Justification-Personnel: Payroll Taxes, Assessments & Fringe Benefits
4. Form SPO-H-206C Budget Justification-Travel – Inter-Island
5. Form SPO-H-206D Budget Justification-Travel – Out of State
6. Form SPO-H-206E Budget Justification-Contractual Services-Administrative
7. Form SPO-H-206F Budget Justification- Contractual Services-Subcontracts
8. Form SPO-H-206G Budget Justification-Indirect Costs
9. Form SPO-H-206H Budget Justification-Program Activities
10. Form SPO-H-206I Equipment Purchases

### B. Other Financial Related Materials

#### 1. Accounting System.

In order to determine the adequacy of the applicant's accounting system as described under the administrative rules, the following documents are requested as part of the Proposal Application (may be attached):

- a. Latest Single Audit Report of Financial Audit
- b. Cost Allocation Plan, which demonstrates expenditures are allocated based on a plan that is reasonable, appropriate, and lawful.

#### 2. Accounting Personnel.

- a. Applicant must state which staff positions are responsible for maintaining accounting records and fiscal reporting and approximately how many hours a week is devoted to this function.
- b. Applicant shall also describe what accounting qualifications are required for each of these positions if not detailed in the submitted Section III. Personnel: Project Organization and Staffing.

- c. Applicant shall state which staff position will be responsible for filing timely quarterly expenditure reports and invoices required by this RFP.

## **VI. Other**

### **Litigation**

The applicant shall disclose any pending litigation to which it is a party, including the disclosure of any outstanding judgment. If applicable, please explain.

**NOTE:** It is highly recommended that the applicant also read *Section 4, Proposal Evaluation* of this RFP which contains criteria for evaluating proposals submitted in response to this RFP.

**Section 4**

**Proposal Evaluation**

## Section 4

# Proposal Evaluation

### I. Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

### II. Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the state purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of Proposal Application
- Phase 3 - Recommendation for Award

#### Evaluation Categories and Thresholds

<u>Evaluation Categories</u>	<u>Possible Points</u>
<i>Administrative Requirements</i>	
 <i>Proposal Application</i>	
Program Overview	0 points
Experience and Capability	20 points
Project Organization and Staffing	15 points
Service Delivery	55 points
Financial	10 Points
 <b>TOTAL POSSIBLE POINTS</b>	 <b>100 Points</b>

### III. Evaluation Criteria

#### A. Phase 1 - Evaluation of Proposal Requirements

##### 1. Administrative Requirements

- Application Checklist
- Tax Clearance Certificate (Form A-6)

##### 2. Proposal Application Requirements

- Proposal Application Identification Form (Form SPO-H-200)
- Table of Contents
- Program Overview
- Experience and Capability
- Project Organization and Staffing
- Service Delivery
- Financial (All required forms and documents)
- Program Specific Requirements (as applicable)

#### B. Phase 2 - Evaluation of Proposal Application (100 Points)

***Program Overview:*** No points are assigned to Program Overview. The intent is to give the applicant an opportunity orient evaluators to the service(s) being offered.

##### 1. *Experience and Capability (20 Points)*

The State will evaluate the applicant's experience and capability relevant to the proposal contract, which shall include:

##### A. Necessary Skills

- Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services.
- Demonstrated skill in delinquency prevention programs or intervention programs.
- Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services.
- Demonstrated skills working in and knowledge of the geographic area or community designated for proposed services.

##### B. Experience

- Demonstrated minimum of three (3) years experience with related service activity.
- Demonstrated experience providing services for the target population.

**C. Quality Assurance and Evaluation**

- Sufficiency of quality assurance for the proposed services, including methodology.
- Sufficiency of evaluation plans to determine program effectiveness and impact on target population for the proposed services, including methodology.

**D. Coordination of Services**

- Demonstrated capability to coordinate services with other agencies and resources in the community identified for service.
- Described procedures for working together with other service providers or agencies in the community to implement juvenile delinquency prevention or intervention program activities.
- Documentation of support and involvement of agencies that will be involved with or benefit from proposed services.

**E. Facilities**

- Adequacy of facilities relative to the proposed services.
- Facilities meet ADA requirements, as applicable.

**2. Project Organization and Staffing (15 Points)**

The State will evaluate the applicant's overall staffing approach to the service that shall include:

**A. Staffing**

- Proposed Staffing: The proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services.
- Staff Qualifications: Minimum qualifications (including experience) for staff assigned to the program provided in proposal.
- Proposal includes resumes of key staff that list experience with related or similar projects.

**B. Project Organization**

- Supervision and Training: Demonstrated ability to supervise, train and provide administrative direction to staff relative to the delivery of the proposed services.
- Organization Chart: Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks.

**3. Service Delivery (55 Points)**

*Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application.*

- Comprehensive needs assessment includes information from reliable data sources that substantiate the target group and/or community needs that the service will address within an identified geographic area.
- Services described supports the goals of achieving compliance with the DSO requirement of the Act through the use of the VCO Exception; and the prevention of the inappropriate use of secured detention for status offenders who have violate a VCO.
- Service activity or program model is an “evidenced-based” practice.
- Proposal includes all requested information and materials to support and document tasks or components including a description of services anticipated to be subcontracted to other individuals or agencies.
- Proposal adequately and clearly outlines the plan/process for implementing the VCO dispositional review and the importance of collaboration with the courts in providing the services.
- Proposal clearly articulates an understanding of the VCO dispositional review process.
- Proposal adequately and clearly provides a description of the work plan for the major service activities and tasks to be completed, including clarity in work assignments and responsibilities, and the realism of the timelines and schedules, as applicable.

**5. Financial (10 Points)**

- Personnel costs are reasonable and comparable to positions in the community.
- Non-personnel costs are reasonable and adequately justified.
- The budget fully supports the scope of service and requirements of the Request for Proposal.
- Adequacy of accounting system.

**C. Phase 3 - Recommendation for Award**

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

## **Section 5**

### **Attachments**

- A. Proposal Application Checklist
- B. Sample Table of Contents
- C. Special Conditions (Federal)

## Proposal Application Checklist

Applicant: \_\_\_\_\_ RFP No.: \_\_\_\_\_

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the purchasing agency as part of the Proposal Application. SPOH forms are on the SPO website. See Section 1, paragraph II Website Reference.\*

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
<b>General:</b>				
Proposal Application Identification Form (SPO-H-200)	Section 1, RFP	SPO Website*	<b>X</b>	
Proposal Application Checklist	Section 1, RFP	Attachment A	<b>X</b>	
Table of Contents	Section 5, RFP	Section 5, RFP	<b>X</b>	
Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	<b>X</b>	
Tax Clearance Certificate (Form A-6)	Section 1, RFP	Dept. of Taxation Website (Link on SPO website)*	<b>X</b>	
Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-205A	Section 3, RFP	SPO Website* Special Instructions are in Section 5		
SPO-H-205B	Section 3, RFP,	SPO Website* Special Instructions are in Section 5		
SPO-H-206A	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-206B	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-206C	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-206D	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-206E	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-206F	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-206G	Section 3, RFP	SPO Website*		
SPO-H-206H	Section 3, RFP	SPO Website*	<b>X</b>	
SPO-H-206I	Section 3, RFP	SPO Website*		
SPO-H-206J	Section 3, RFP	SPO Website*		
<b>Certifications:</b>				
<b>Federal Certifications</b>		Section 5, RFP	OYS will require certification at time of contract execution.	
Debarment & Suspension		Section 5, RFP		
Drug Free Workplace		Section 5, RFP		
Lobbying		Section 5, RFP		
Assurances-Non Construction Prog.		Section 5, RFP		
Civil Rights		Section 5, RFP		

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

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## SPECIAL CONDITIONS

1. **Deletion of Portions of Agreement.** For purposes of the Agreement to which this Exhibit E is attached, paragraph 5 of the Agreement, "Standards of Conduct Declaration," together with Exhibit C, are deleted and the parties agree that paragraph 5 of the Agreement and Exhibit C are not operative.
2. **Deletion of General Conditions.** For purposes of the Agreement to which this Exhibit E is attached, the following General Conditions of Exhibit D are deleted and have no operative effect as between the parties:
  - a. Paragraph 1.4
  - b. Paragraph 3.4.6
  - c. Paragraph 4.1.3
3. **Reports.** The PROVIDER shall submit to the STATE reports as the STATE may from time to time require, such as quarterly expenditure and match reports, progress reports on the performance of services, and information required by the STATE for its budget program reports and its reports under the Federal Grant. The PROVIDER shall submit reports in the appropriate formats and within the deadlines specified by the STATE. Generally, cumulative expenditure and match reports, and progress reports on the performance of services shall be submitted within thirty (30) calendar days after the end of each quarter. Within thirty (30) calendar days after the expiration of the time of performance for the contract period or a sooner termination date, the PROVIDER shall submit to the STATE a final expenditure and match report, together with any unexpended balance of funds advanced by the STATE, and a final report of the services performed under this Agreement.
4. **Records Maintenance, Retention, and Access.** The PROVIDER shall, in accordance with generally acceptable accounting practices, maintain fiscal records, supporting documents and related files, papers, and reports that adequately reflect all direct and indirect expenditures and management and fiscal practices related to the PROVIDER's performance of services under this Agreement. The STATE, the Comptroller of the State of Hawaii, the Federal granting agency, the Comptroller General of the United States, and any of their authorized representatives, the committees (and their staffs) of the Legislature of the State of Hawaii, and the Legislative Auditor of the State of Hawaii shall have the right of access to any book, document, paper, file, or other record of the PROVIDER (and any of its subcontractors) that is related to the performance of services under this Agreement in order to conduct an audit or other examination or to make excerpts and transcripts for the purposes of monitoring and evaluating the PROVIDER's performance of services and the PROVIDER's program, management, and fiscal practices to assure the proper and effective expenditure of funds under this Agreement. The right of access shall not be limited to the required retention period but shall last as long as the records are retained. The PROVIDER shall retain all records related to the PROVIDER's performance of services under this Agreement for at least six (6) years

after the date of submission of the PROVIDER's final expenditure report, except that if any litigation, claim, negotiation, investigation, audit, or other action involving the records has been started before the expiration of the six-year period, the PROVIDER shall retain the records until completion of the action and resolution of all issues that rise from it, or until the end of the regular six-year retention period, whichever occurs later.

5. **HIPAA.** In this Agreement "HIPAA" means the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191. PROVIDER is a "health care provider" under HIPAA. A "covered entity" is a health care provider that transmits information in a standard electronic transaction under 45 CFR Parts 160 and 162. If PROVIDER is or becomes a "covered entity", then PROVIDER must comply with all of the rules adopted to implement HIPAA, including rules of privacy of individually identifiable information, security of electronic protected health information, transactions and code sets, and national employer and provider identifiers. See, 45 CFR Parts 160, 162, and 164.
6. **Federal Audit Requirement.** The PROVIDER, when required, shall have an independent certified public accountant conduct a financial and compliance audit in accordance with the guidelines of the Office of Management and Budget Circular No. A-133, "Revised, Audit Requirements for State, Local Governments, and Non-Profit Organizations."
7. **Publications.** The PROVIDER shall submit all reports and written publications resulting from this Agreement for review, comment and approval prior to publication. Reports or written products that the PROVIDER will publish using grant funds shall be submitted to STATE for approval from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The PROVIDER must receive approval to use the OJJDP logo on any report or written product published with grant funds. The logo shall appear in a separate space, apart from any other symbol or credit. The words "Funded/Funded in part by OJP" shall be printed as a legend, either below or beside the logo, each time it is displayed.

Any publications resulting from the Agreement (written, visual, or sound), whether published at the PROVIDER's or STATE's expense shall contain the following statements (Note: This excludes press releases, newsletters, and issue analyses):

This project was supported by Award No. \_\_\_\_\_ awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs to the Office of Youth Services, Department of Human Services, State of Hawaii.

The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice and the Office of Youth Services.

8. **Immigration and Naturalization Service Employment Eligibility Verification Form (I-9).** All PROVIDERS shall keep on file a completed I-9 Form to verify that personnel are eligible to work in the U.S.

9. **Equal Employment Opportunity Plan (EEOP).** PROVIDERS who receive federal funds and have 50 or more employees shall comply with the Equal Employment Opportunity Plan requirement. PROVIDERS who receive \$25,000 or more must maintain an EEOP on file. PROVIDERS who receive \$500,000 or more, or \$1,000,000 in an 18-month period, shall submit the comprehensive EEOP or the Short Form to the following address, within 45 days of this Agreement:

U. S. Department of Justice  
Office of Justice Programs  
Office of Civil Rights  
810 Seventh Street, N.W. Room 5107  
Washington, D.C. 20531

10. **Financial and Administrative Requirements.** The PROVIDER shall comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs Financial Guide.
11. **National Environmental Policy Act.** The PROVIDER agrees to comply with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds either directly by the PROVIDER or a subcontractor. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds and, if so, to advise OJJDP and request further NEPA implementation guidance. The PROVIDER understands that this special condition applies to the following activities whether or not they are being specifically funded with these funds. That is, as long as the activity being conducted by the PROVIDER, a subcontractor or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:
- a. new construction;
  - b. minor renovation or remodeling of a property either listed on or eligible for listing on the National Register of Historic Places or located within a 100-year flood plain;
  - c. a renovation, lease, or any other proposed use of a building or facility that will either result in a change in its basic prior use or significantly change its size; and
  - d. implementation of a new program involving the use of chemicals other than chemicals that are purchased as an incidental component of a funded activity and traditionally used, for example, in office, household, recreational, or education environments.
12. **Protection of Human Research Subjects.** PROVIDER agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

13. **Confidentiality Information.** PROVIDER shall comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. PROVIDER further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.