

State of Hawaii
Department of Human Services
Office of Youth Services

Request for Proposals

RFP Number: HMS-501-08-08

Intergenerational Programs for Juvenile Offenders

April 10, 2008

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, you may download the [RFP Interest form](#), complete and e-mail or mail 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.

April 10, 2008

REQUEST FOR PROPOSALS

Intergenerational Programs for Juvenile Offenders

RFP NUMBER: HMS-501-08-08

The Department of Human Services (DHS), Office of Youth Services (OYS) is requesting proposals from qualified applicants to provide culturally based intergenerational programs for juvenile offenders incarcerated at the Hawaii Youth Correctional Facility (HYCF). Intergenerational programs that can provide a connection between youth and elders may include, but are not limited to culturally based celebrations, storytelling, arts and crafts, music, dance, and other related activities.

Eligible applicants include community based organizations and consortia of these agencies. The contract term will be from July 1, 2008 through June 30, 2009 and may be extended up to a maximum of three (3) additional years, contingent upon program performance and the availability of funds.

Request for Proposals (RFP) may be picked up at the Offices of Youth Services, 820 Mililani Street, Suite 817 or mailed upon request beginning April 10, 2008. This RFP will also be available on the web at <http://www4.hawaii.gov/spoh/rfps.htm>.

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.) May 9, 2008, or hand delivered no later than 4:30 p.m. HST on May 9, 2008, 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 Tuesday, April 15, 2008 from 9:30 a.m. to 11:00 a.m. at Haseko Center, 820 Mililani Street, Suite 817, Honolulu, Hawaii. All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions is 12:00 midnight HST, on April 15, 2008. All written questions will receive a written response from OYS by April 22, 2008.

Inquiries regarding this RFP should be directed to the RFP contact person, Ed Chargualaf, Office of Youth Services, 820 Mililani Street, Suite 817, telephone 808-587-5700 or 808-587-5732, fax 808-587-5734, email: echargualaf@dhs.hawaii.gov.

PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

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

ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN **12:00 MIDNIGHT, HAWAII STANDARD TIME (H.S.T.) ON May 9, 2008.**

All Mail-ins and Hand Deliveries

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

RFP COORDINATOR

Ed Chargualaf
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), May 9, 2008.**

**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., May 9, 2008,** will be rejected.

Hand deliveries will not be accepted after **4:30 p.m., HST, May 9, 2008.**

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, May 9, 2008.**

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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.

Activity	Scheduled Date
Public notice announcing RFP	4/10/08
Distribution of RFP	4/10/08
RFP orientation session	4/15/08
Closing date for submission of written questions for written responses	4/15/08
State purchasing agency's response to applicants' written questions	4/22/08
Discussions with applicant prior to proposal submittal deadline (optional)	4/08
Proposal submittal deadline	5/9/08
Discussions with applicant after proposal submittal deadline (optional)	5/08
Final revised proposals (optional)	5/08
Proposal evaluation period	5/08
Provider selection	5/08
Notice of statement of findings and decision	5/08
Contract start date	7/1/08

II. Website Reference

The State Procurement Office (SPO) website is www.spo.hawaii.gov		
	For	Click
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)		
	For	Go to
8	Tax Clearance Forms (Department of Taxation Website)	http://www.hawaii.gov/tax/ click “Forms”
9	Wages and Labor Law Compliance, Section 103-055, HRS, (Hawaii State Legislature website)	http://www.capitol.hawaii.gov/ click “Bill Status and Documents” and “Browse the HRS Sections.”
10	Department of Commerce and Consumer Affairs, Business Registration	http://www.hawaii.gov/dcca click “Business Registration”
11	Campaign Spending Commission	www.hawaii.gov/campaign
12	Office of Juvenile Justice & Delinquency Prevention, U.S. Department of Justice	http://www.ojjdp.ncjrs.org

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.

IV. 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.

V. 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**

VI. Orientation

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

Date:	<u>April 15, 2008</u>	Time:	<u>9:30 a.m. to 11:00 a.m.</u>
Location:	<u>Haseko Center 820 Mililani Street, Suite 817 Honolulu, Hawaii 96813</u>		

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).

VII. 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: April 15, 2008 **Time:** 12:00 Midnight HST

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

Date: April 22, 2008

VIII. 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 be register 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 – All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the State purchasing agency no later than the submittal deadline indicated on the attached Proposal Mail-in and Delivery Information Sheet. All hand deliveries shall be received by the State purchasing agency by the date and time designated on the Proposal Mail-In and Delivery Information Sheet. 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 e-mail, website or other electronic means is **not permitted**.

IX. 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.

X. 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.

XI. 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.

XII. RFP Amendments

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

XIII. 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 proposal 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.

XIV. 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.

XV. Costs for Proposal Preparation

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

XVI. 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.

XVII. 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(a)(1), HAR)
- (6) Applicant not responsible (Section 3-143-610(a)(2), HAR)

XVIII. 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.

XIX. 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 proposals 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.

Head of State Purchasing Agency	Procurement Officer
Name: Martha T. Torney	Name: Dixie Thompson
Title: Executive Director	Title: Acting Program Development Officer
Mailing Address: 820 Mililani Street, Suite 817 Honolulu, Hawaii 96813	Mailing Address: 820 Mililani Street, Suite 817 Honolulu, Hawaii 96813
Business Address: Same as above	Business Address: Same as above

XX. 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.

XXI. 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

XXII. 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 may also be imposed contractually by the state purchasing agency, as deemed necessary, are in Section 5 – Attachments.

XXIII. 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 (OJJDP), 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 and Delinquency 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)

Section 223(a)(22) of the Act, requires states agree to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system.” Contact with the juvenile justice system includes juvenile arrest, juvenile court referrals, diversion, secure detention, petitions filed, found to be delinquent, probation, confinement, and waived to adult court. Disproportionate Minority Contact (DMC) as referred to is one of the four core requirements of the JJDP Act that states must comply with in order to receive their full allotment of federal juvenile justice funds.

Research conducted by Dr. Gene Kassebaum et al in 1995 determined that, relative to their proportion of the general youth population, Hawaiian, Samoan, and African-American (Black) youths were over represented in arrests, court appearances, detention and incarceration. Filipino and Caucasian youths were over represented in arrests and court appearances, but not in detention or incarceration.

The Juvenile Justice State Advisory Council (JJSAC) Ethnic and Cultural Diversity (EACD) Committee is tasked with the responsibility of developing strategies that address and reduce DMC within each contact point in the juvenile justice system. One of the strategies identified in the Fiscal Year

2004 DMC plan to OJJDP was a kupuna program for youth incarcerated at the HYCF.

Through OYS, a request for Technical Assistance (TA) from OJJDP was made to assess the feasibility of introducing a kupuna (elders) program to meet the needs of youth held at the Hawaii Youth Correctional Facility (HYCF). The final report submitted to the EACD Committee on the technical assistance provided, indicated that the concept envisions kupunas engaging youth in thinking about ways to manage and direct their lives and future. The report further indicates that the HYCF serves youth from all islands and maintaining family relationships and local support for confined offenders is a major challenge. In Hawaii, visiting juveniles incarcerated at HYCF can be expensive and a financial hardship for families. This limits the involvement of parents in their child's treatment and is often a barrier to rehabilitation. (The diversity of cultures in Hawaii requires diverse approaches rather than a standard response.)

Existing public safety and confinement practices have resulted in the over representation of Hawaiian and part-Hawaiian youth in secure custody. In 1999, the largest ethnic population at the facility was Hawaiian/part Hawaiian youth (52%) followed by Mixed (19%) and Caucasian (11%). In 2000, Hawaiian youth accounted for 46% of all incarcerated youth, while they represented 30.8% of the total juvenile population, according to the 2000 U.S. Census by ethnicity.

The TA report concludes that youth at HYCF are entitled to culturally appropriate programming and services. The mission is to link youth with adult wisdom and guidance through experiences with an elder (kupuna, etc.) leading to a connectedness with self, their culture, family, community, and their future, that results in eliminating delinquent behavior.

The development and implementation of an intergenerational program provided by elders (Kupuna, etc.) at the HYCF would achieve this goal.

B. Planning activities conducted in preparation for this RFP

A Request for Information (RFI) meeting was held on February 20, 2008. Five (5) individuals representing different organizations attended the meeting. Written comments submitted by email were also received prior to the meeting. Comments/recommendations include level of security at HYCF is important; gender specific programming for female wards should be part of the activities; the program is not for therapeutic purposes; the number of pages and amount. Effort required for the proposal should correlate with the funding amount of the award. HYCF information was also provided on the wards average length of stay, type of offenses, gang involvement, female offenses, layout of facility, and recreational areas.

C. Description of the goals of the service

- To provide an opportunity for youth to interact with elders to instill positive values and respect for self, family, and community.
- To provide a connectedness between youth and elders that fosters pride and understanding through culturally-based activities;
- To prevent or reduce the number of youth from re-entry into the HYCF.
- To comply with the core requirement of the JJDP Act of 1974, as amended, which requires states to address juvenile delinquency prevention efforts and system improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system;

D. Description of the target population to be served

Youth who are confined at the Hawaii Youth Correctional Facility.

E. Geographic coverage of service

Services will be delivered at the Hawaii Youth Correctional Facility (HYCF), 42-477 Kalaniana'ole Highway, Kailua, Hawaii.

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

	General	Federal	Total
Budget Period 1 (7/1/08 – 6/30/09)	-0-	\$40,000	\$40,000
Budget Period 2 (7/1/09 – 6/30/09)	-0-	\$40,000	\$40,000

Source of Federal Funds: C.F.D.A. Number: 16.540 www.cfda.gov

1. The contract period and the funding amount for each 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

1. Sub grant Award Assurances

a. Sub award Selection. Pursuant to Section 223(a)(21)(A) and (B) of the JJDP Act, states shall, to the extent practicable, give priority in funding to evidence-based programs and activities. Further, under Section 223(a)(21)(C) of the JJDP Act, states shall not continue to fund a program if the sub grant recipient who carried out the program during the preceding 2-year period fails to demonstrate that the program achieved substantial success in meeting the goals specified in the original sub grant application.

b. Geographic Information. To help OJP develop a geographic information system (GIS) strategic planning capacity, OJJDP requires recipient states to provide geographic information for each sub grant. Such information should contain the following two items of information on the geographic area that the sub grant recipient will serve (“service area”) in the format specified below. If the mailing address is in a rural area with no street address, include the nearest street intersection. If the program has multiple service areas, include the required information for each area. If proposed multiple service areas have not been determined, simply provide the requested information for the sub grantee.

- Physical Address: If the mailing address is a P.O. Box, specify the physical address of the location where the sub grantee will provide services.

(example with street address)

ABC Associates
123 First Street
Shrewsbury, PA 17361

(example with no street address)

ABC Associates
First Street and Holiday Drive
Shrewsbury, PA 17361

- Map and Street Description: Provide a road map (with local detail) with the services area(s) clearly depicted. Also, include a written description of streets bounding the services area.

2. If awarded the contract, the applicant shall:
- a. Meet all State and County licensing requirements, if any, to operate business.
 - b. 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.
 - c. Refund to the State any funds unexpended or expended inappropriately.

B. Secondary purchaser participation

(Refer to §3-143-608, HAR)

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

Planned secondary purchases: None

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

Allowed X Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

X Single Multiple Single & Multiple

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

Single term (\leq 2 yrs) X Multi-term ($>$ 2 yrs.)

Contract terms: The initial term of the contract shall commence on July 1, 2008 and continue through June 30, 2009. 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 provider or providers. 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.

Ed Chargualaf
Office of Youth Services
820 Mililani Street, Suite 817
Honolulu, Hawaii 96813
Phone: 808-587-5700
Fax: 808-587-5734
echargualaf@dhs.hawaii.gov

III. 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 coordinate and establish an intergenerational program with appropriate staff and management at the HYCF; program activities shall be described in detail and in accordance to HYCF policies including the health, safety, and welfare of both program staff and wards.
2. Applicant must provide qualified elders (kupuna, etc.) in the provision of services.
3. Applicant must engage elders (kupuna, etc.) and youth in culturally-based activities that may include but are not limited to celebrations, storytelling, arts and crafts, music, and dance.
4. Applicant should primarily plan activities for weekends. Time slots during the weekdays are limited as mandatory activities such as mental health services, one-to-one meetings with social workers, and substance abuse programs takes precedence over other programs.
5. Applicants should include key elements that are culturally effective youth programming of which are not limited to the following.
 - Family Engagement: showcasing accomplishments or progress of wards to family members; strengthening family bonds; engage

positive interactions among family members through culturally based activities, etc.

- Mentoring: provide consistent positive adult role models that act as mentors for the wards; provide culturally based activities that teach youth life skills and provides connectedness between youth and elders.
- Service-Learning: activities to help wards develop empathy for others, build esteem from the “outside-in” so not to label individual ward as the “problem” that needs “fixing”.
- Role Modeling: provide role models who wards can identify with in terms of ethnicity, gender, and community; have role models interact with wards in activities; bring in guest speakers who are leaders from the youths’ community and who represent students’ ethnic/gender backgrounds, etc.
- Gender-Specific Programming for female wards.

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

1. Personnel

- a. The applicant shall ensure that employees and volunteers 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 a volunteer in a 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 State 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 the 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 or decrease funds 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. Participation in services shall not be denied if the youth and families are not able to pay.
- 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.
 - 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.
- 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 and performance/outcome measurements

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)
- 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 mandatory output measures located at the above website.
- e. Outcomes measures. Applicants will be required to report mandatory (short term and long term) outcome measures located at the above website.
- f. OYS will work with the awardee to identify the appropriate program areas and output and outcome measures, and that correspond to the proposed services.
- g. Applicant shall 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).
- 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

Contracts are programmatically and fiscally monitored by the OYS. Monitoring includes the review of program reports and services; budgets and revisions (as approved by the OYS); 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.

OYS will provide applicants diskettes with the required reporting forms upon execution of contracts.

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.

IV. Facilities

Not applicable.

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 give a brief overview to orient evaluators as to the program/services being offered and highlight the contents of the proposal.

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 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 demonstrate the capability to coordinate services with other agencies in the juvenile justice system, including the Hawaii Youth Correctional Facility and resources in the community.

E. Facilities

Not applicable.

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 and ward/staff ratio necessary 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 the wards and other appropriate

individuals. (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.

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 (if indicated) 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 services 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 social, academic, physical, etc.).

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:

Form SPO-H-205	Budget
Form SPO-H-206A	Personnel – Salaries and Wages
Form SPO-H-206B	Personnel – Taxes, Assessments & Fringe Benefits
Form SPO-H-206C	Travel Inter-Island
Form SPO-H-206E	Contractual Services - Administrative
Form SPO-H-206F	Contractual Services - Subcontracts
Form SPO-H-206G	Indirect Costs
Form SPO-H-206H	Program Activities
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 applicant's 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 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 positions will be responsible for filing timely expenditure reports and invoices required by this RFP.

VI. Other

A. 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.

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
TOTAL POSSIBLE POINTS	100 Points

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 to orient evaluators as 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

Not 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 and ward/staff ratio is reasonable to insure viability of the services.
- Staff Qualifications: Minimum qualifications (including experience) for staff assigned to the program provided in the 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.

- Services described support the goals of achieving compliance with the DMC requirement of the JJDP Act and DMC planned activities.
- 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 intergenerational programs for incarcerated youth.
- 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.

4. 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 (Draft)

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
General:				
Proposal Application Identification Form (SPO-H-200)	Section 1, RFP	SPO Website*	X	
Proposal Application Checklist	Section 1, RFP	Attachment A	X	
Table of Contents	Section 5, RFP	Section 5, RFP	X	
Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	X	
Tax Clearance Certificate (Form A-6)	Section 1, RFP	Dept. of Taxation Website (Link on SPO website)*	X	
Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*	X	
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*	X	
SPO-H-206B	Section 3, RFP	SPO Website*	X	
SPO-H-206C	Section 3, RFP	SPO Website*	X	
SPO-H-206D	Section 3, RFP	SPO Website*	X	
SPO-H-206E	Section 3, RFP	SPO Website*	X	
SPO-H-206F	Section 3, RFP	SPO Website*	X	
SPO-H-206G	Section 3, RFP	SPO Website*		
SPO-H-206H	Section 3, RFP	SPO Website*	X	
SPO-H-206I	Section 3, RFP	SPO Website*		
SPO-H-206J	Section 3, RFP	SPO Website*		
Certifications:				
Federal Certifications		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

Sample

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DRAFT SPECIAL CONDITIONS

1. **Insurance.** Paragraph 1.4, Insurance, General Conditions, is modified and the PROVIDER agrees to the following:

In order to protect the PROVIDER as well as the State of Hawaii, the STATE, and their officers and employees covered under the indemnification provision in this Contract, the PROVIDER shall obtain and keep in force throughout the period of this Contract the following insurance:

Automobile liability insurance for automobiles owned or leased by the PROVIDER and used to carry out services specified in this Contract shall be obtained from a company authorized to do business in the State, or meet Section 431:8-301, Hawaii Revised Statutes if utilizing an insurance company not licensed by the State of Hawaii, and complying with the Hawaii No Fault Insurance Law. The combined amount shall be at least ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) with respect to bodily injury and to property damage. The PROVIDER's policy shall name the STATE, the State of Hawaii and their officers and employees as additional insured. Prior to or upon execution of this Contract, the PROVIDER shall furnish the STATE with a Certificate of Insurance, verifying the existence of such insurance. Such certificate shall also expressly provide that such insurance shall not be canceled unless the insurance company has first given to the STATE thirty (30) calendar days' written notice of the intended cancellation.

If the PROVIDER is authorized by the STATE to subcontract, subcontractor(s) is not excused from the Indemnification and/or Insurance provisions of this Contract. The PROVIDER agrees to require its subcontractor(s) to obtain insurance in order to indemnify the STATE.

Failure of the PROVIDER to provide and keep in force such insurance shall be regarded as material default under this Contract, entitling the STATE to exercise any or all of the remedies provided in this Contract for default of the PROVIDER.

The procuring of such required policy or policies of insurance shall not be construed to limit the PROVIDER's liability hereunder nor to fulfill the indemnification provisions and requirements of this Contract. Notwithstanding said policy or policies of insurance, the PROVIDER shall be obliged for the full and total amount of any damage, injury, or loss caused by the negligent act or omission of the PROVIDER or its authorized representatives.

2. **Confidential Information.** In addition to Paragraph 2.1, Confidentiality of Material, General Conditions, the PROVIDER further agrees to the following:

All information and records about or for the clients served, secured from clients, the STATE, or any other individuals or agencies by the PROVIDER, or prepared by the PROVIDER for the STATE, in satisfaction of this Agreement, shall be confidential and

shall not be made available to any individual or organization by the PROVIDER without prior written approval of the STATE, subject to provisions of applicable State of Hawaii and Federal statutes, and State of Hawaii Administrative Rules. To ensure the confidentiality of all such information and records, the PROVIDER shall immediately notify the STATE when inquiries for information, including subpoenas are made to the PROVIDER. The PROVIDER shall submit copies of all written requests for information, as well as subpoenas, to the STATE.

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.

3. **Equipment.** All equipment purchased with contract funds under this Agreement including items of personal property, as distinguished from real property, that has an acquisition cost of \$1,000.00 or more per item and with an expected life of more than one year, shall remain the property of the STATE. All equipment purchased with contract funds must have prior approval from the STATE before purchase to be allowable. Following the Agreement period, all equipment shall be reported in the final fiscal report to the STATE. Disposition of said equipment shall be prescribed by the STATE.
4. **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.
5. **Records Maintenance, Retention, and Access.** In addition to Paragraph 2.3, Records Retention, General Conditions. The PROVIDER further agrees as follows:

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.

6. **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.
7. **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."
8. **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 Grant 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.

9. **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.

10. **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

11. **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.

12. **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.

13. **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.