

**State of Hawaii
Department of Human Services
Office of Youth Services**

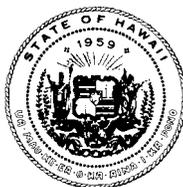
Request for Proposals

**COMMUNITY-BASED RESIDENTIAL
SERVICES FOR YOUTH**

HMS 501-08-02

October 30, 2006

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.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

OFFICE OF YOUTH SERVICES
820 Mililani Street, Suite 817
Honolulu, Hawaii 96813

October 30, 2006

REQUEST FOR PROPOSALS

COMMUNITY-BASED RESIDENTIAL SERVICES FOR YOUTH

RFP No. HMS-501-08-02

The Department of Human Services, Office of Youth Services (OYS), is requesting proposals for community-based Level I, Level II, Independent Living, and Emergency Shelter residential services to meet the needs of Hawaii's at-risk and troubled youths, including youths being released from the Hawaii Youth Correctional Facility (HYCF).

Proposals shall be mailed and postmarked by the United States Postal Service (USPS) on or before midnight, Hawaii Standard Time (HST) January 26, 2007, and received no later than 10 days from the submittal deadline. Hand delivered proposals shall be received no later than 4:30 p.m., Hawaii Standard Time (HST), on January 26, 2007, at the drop-off site designated on the Proposal Mail-in and Delivery Information Sheet. Deliveries by private mail services such as Federal Express (FedEx) and the United Parcel Service (UPS) shall be considered hand deliveries. Proposals postmarked or hand delivered after the submittal deadline shall be considered late and rejected. There are no exceptions to this requirement. Incomplete and late proposals will be returned without action.

The OYS will conduct an orientation session on Thursday, November 16, 2006. The time and place for the RFP orientation session is stated in Section 1 Administrative Overview of the RFP. All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions is 12:00 midnight HST, on Friday, November 24, 2006. All written questions submitted by November 24, 2006 will receive a written response from the State on or about December 4, 2006.

Inquiries regarding this RFP should be directed to the RFP contact person, Miss. Edralyn Caberto at 820 Mililani Street, Suite 817, Honolulu, Hawaii 96813, telephone: (808) 587-5700, fax: (808) 587-5734, e-mail: emcelroy@dhs.hawaii.gov.

PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

**NUMBER OF COPIES TO BE SUBMITTED:
ONE (1) ORIGINAL AND FOUR (4) COPIES OF THE PROPOSAL ARE REQUIRED**

ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN January 26, 2007 and received by the state purchasing agency no later than 10 days from the submittal deadline.

ALL MAIL-INS

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

OYS RFP COORDINATOR

Edralyn Caberto
For further information or inquiries:
Phone: (808) 587-5700
Fax: (808) 587-5734
e-mail: emcelroy@dhs.hawaii.gov

**ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITE
UNTIL 4:30 P.M., Hawaii Standard Time (HST), January 26, 2007.**

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

BE ADVISED:

Deliveries by private mail services such as FEDEX shall be considered hand deliveries.
Hand deliveries shall not be accepted if received after 4:30 p.m., January 26, 2007

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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.

<u>Activity</u>	Scheduled Date
Public notice announcing RFP	10/18/2006
Distribution of RFP	10/30/2006
RFP orientation session	11/16/2006
Closing date for submission of written questions for written responses	11/24/2006
State purchasing agency's response to applicants' written questions	12/04/2006
Discussions with applicant prior to proposal submittal deadline (optional)	11/2006-1/2007
Proposal submittal deadline	1/26/2007
Discussions with applicant after proposal submittal deadline (optional)	2/2007-3/2007
Final revised proposals (optional)	1/2007-2/2007
Proposal evaluation period	2/2007-4/2007
Provider selection	3/2007-4/2007
Notice of statement of findings and decision	3/2007- 5/2007
Contract start date	7/01/2007

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

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: November 16, 2006 Time: 9:00 am til 12:00 pm

Location: McCoy Pavilion, 1201 Ala Moana Boulevard, Honolulu, Hawaii

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 state purchasing agency.

Deadline for submission of written questions:

Date: November 24, 2006 **Time:** 12:00 midnight HST

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

Date: December 4, 2006

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 email, 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 state purchasing agency 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 state purchasing agency, 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

If requested, final revised proposals shall be submitted in the manner, and by the date and time specified by the state purchasing agency. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's 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: Sharon Agnew	Name: Martha Torney
Title: Executive Director	Title: Program Development Officer
Mailing Address: 820 Mililani Street, Suite 817 Honolulu, Hawaii 96813	Mailing Address: 820 Mililani St., Suite 817 Honolulu, Hawaii 96813
Business Address: 820 Mililani St., Suite 817 Honolulu, Hawaii 96813	Business Address: 820 Mililani St., Suite 817 Honolulu, Hawaii 96813

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.

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

Institutional care for the majority of our troubled, abused, and neglected youth is not appropriate. Other less restrictive programs are often more cost effective and better suited for fostering positive change in at-risk and troubled youth. Community-based residential programs provide a safe and nurturing environment which allow youth who are in transition to experience the many challenges they will face when living in a community.

Viable alternatives that focus on a variety of specialization areas as well as varying service modalities are imperative in providing an effective continuum of residential programs within our community for at-risk and troubled youth. The smaller staff/youth ratio in residential programs also allows the program staff to foster relationships and provide more individualized services that will support and guide each youth in addressing relevant life issues in a positive and productive manner.

B. Planning Activities Conducted In Preparation For This RFP

The Office of Youth Services (OYS) is moving towards decentralization by focusing on geographic districts to strengthen community options for youth in more comprehensive ways using regional input. Since September 2005, the Program Development Office has been working with the University of Hawaii's Department of Urban and Regional Development (DURP) on developing a new strategic plan for OYS and learning skills to foster community mobilization and build community capacity. Community profiles were reviewed, using data from multiple data sources. Committed to providing services on a continuum care from primary intervention to re-entry from incarceration, OYS aims to ensure each district has the scope of youth programs appropriate to its need.

To this end, OYS conducted two Requests for Information (RFI) meetings to garner information from the various island districts. The first, held at McCoy Pavilion in March 2006, introduced the decentralization concept to those who attended and included smalls groups broken out by district. Each district was asked to review OYS's continuum of care, identify what was available locally and determine what additional programs and services were needed. A second series of RFI meetings were held by district between September 15 and October 15 to review draft service specifications and discuss how the proposed services would assist in filling service and program gaps. Information from all meetings was considered when finalizing the Requests for Proposals.

C. Description Of The Goals Of The Service

The goal of residential services is to provide a safe and temporary living environment in which youth are able to increase their resiliencies and reduce their risk factors to such an extent that they are able to safely return to a more permanent living situation. Services will assist youth by increasing their decision-making, social, and independent living skills, and by increasing their commitment to learning and education as important factors in their lives.

D. Description Of The Target Population To Be Served

Youth currently under the jurisdiction of or referred by the Department of Human Services (DHS), Family Court (FC), and the Hawaii Youth Correctional Facility (HYCF) are eligible for Level I, Level II, Independent Living Programs, and Emergency Shelter Programs. In addition, OYS residential service providers may refer troubled youths for residential services, but only if 1) the provider has done a preliminary screening and assessment of the youth and the program is appropriately matched with the needs of the youth and family; and 2) the OYS approves the placement.

1. Troubled, abused, or neglected youth, or youth in the juvenile justice system, ages 10 through their 18th birthdays, who have been identified as moderate risk in one or more areas of need through a validated, objective risk and needs assessment tool, and who can benefit from minimum, Level I Residential services. Although the length of stay may vary according to the individual youth, the average length of stay in this program is 180 days. Services are provided on a space available basis in the following priority order of referrals: 1st HYCF, 2nd FC, 3rd DHS, and 4th Other OYS Residential Services Provider (with approval from the OYS for youth under voluntary family placement). Level I Program provides a setting that ensures the safety of the youth and staff. The provider may utilize a group home and/or foster home model. The provider may not reject referred youth from participating in the program or eject youth once enrolled in the program, without permission from the OYS.
2. Troubled, abused, or neglected youth, or youth in the juvenile justice system, ages 10 through their 19th birthdays, who:
 - Have been identified as high risk in one or more areas of need through a validated, objective risk and needs assessment tool,
 - Are generally unable to function in a pro-social manner without constant supervision and support,
 - Are assessed as high flight risk,
 - Can benefit from highly structured, Level II Residential services.
 Although the length of stay may vary according to the individual youth, the average length of stay in this program is 270 days. Services are provided on a space available basis in the following priority order of referrals: 1st HYCF, 2nd

FC, and 3rd DHS. Level II Program shall provide a setting that ensures the safety of youth and staff and reduces the chance of runaways. The provider may utilize a group home and/or foster home model. The provider may not reject referred youth from participating in the program or eject youth once enrolled in the program, without permission from the OYS.

3. Troubled, abused, or neglected youth, or youth in the juvenile justice system, ages 17 through their 22nd birthdays, who presently lack the attitudes, skills, and resources for independent living. Although the length of stay may vary according to the individual youth, the average length of stay in the Independent Living Program is 270 days. Services are provided on a space available basis in the following priority order of referrals: 1st HYCF, 2nd FC, and 3rd DHS. Other OYS residential service providers may refer youth with approval from OYS. Independent Living Programs shall ensure the safety and security of youth and staff. The provider may utilize a group home and/or foster home model.
The provider may not reject referred youth from participating in the program or eject youth once enrolled in the program, without permission from the OYS.
4. Recently arrested status offenders, non-violent law violators, or intoxicated youth, or troubled, abused, or neglected youth, ages 10 through their 18th birthdays, requiring short-term shelter and related services that will address a present crisis. Although the length of stay may vary according to the individual youth, the maximum length of stay in the Emergency Shelter Program is 30 days. The provider may utilize a group home and/or foster home model.

E. Geographic Coverage Of Service

The Level I, Level II, Independent Living Programs, and Emergency Shelter programs proposal request is Statewide, as services are needed in all the following geographic regions: Oahu (Leeward, Honolulu, Windward, and Central), Maui, Molokai/Lanai, East Hawaii, West Hawaii, and Kauai. However, services may not necessarily be provided Statewide by one agency. The OYS reserves the right to make awards based on 1) the uniqueness and appropriateness of the proposals in addressing prevention issues of the specific communities focused on in the applicant's proposal; and 2) the configuration of prevention services that the OYS deems as best for the State. In addition, should an insufficient number of acceptable proposals be submitted for a particular geographic region, the OYS reserves the right to allocate additional funds to those applicants who have submitted acceptable proposals for other regions in order to expand these acceptable proposals to cover these neglected regions.

F. Probable funding amounts, source, and period of availability**For Level I, Level II, Independent Living Programs, and Emergency Shelter Programs:**

	Approximate <u>Federal Amount</u>	Approximate <u>State Amount</u>	Approximate <u>Total</u>
FY 08	\$1,656,267.00	\$98,000.00	\$1,754,267.00
FY 09	\$1,656,267.00	\$98,000.00	\$1,754,267.00
FY10	\$1,656,267.00	\$98,000.00	\$1,754,267.00
FY 11	\$1,656,267.00	\$98,000.00	\$1,754,267.00

1. The initial contract period shall be for 2 years. Contracts may be multi-term and may be extended, at the discretion of the OYS, up to 2 additional 12-month periods up to a maximum of 4 years. The option for renewal or extension shall be based on the program's satisfactory performance and the availability of funds.
2. 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, 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 funds at its discretion.

II. General Requirements**A. Specific Qualifications Or Requirements, Including But Not Limited To Licensure Or Accreditation**

1. The applicant shall comply with Chapter 103F, HRS, Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (effective 10/1/98), which can be found on the SPO website (See Section 5, POS Proposal Checklist, for the website address).
2. The applicant shall also comply with the applicable federal cost principles if awarded federal funding. The following are federal cost principles and applicable regulations which can be accessed on the federal website:

Office of Management and Budget Circular (OMB) A-122, "Cost Principles for Non-Profit Organization"

Website <http://www.whitehouse.gov/omb/circulars/a122/a122.html>

OMB Circular A-87, "Cost Principles of State, Local, and Indian Tribal Government"

Website <http://www.whitehouse.gov/omb/circulars/a087/a087-all.html>

Code of Federal Regulations

Website <http://www.access.gpo.gov/nara/cfr>

FEDERAL INFORMATION IN THE AREAS OF COST PRINCIPLES AND REGULATIONS ARE NOT LIMITED TO THE WEBSITES LISTED ABOVE.

3. The applicant shall also comply with the requirements of the federal grant if awarded federal funding. Federal grant funding includes:

C.F.D.A. #93.667, Social Services Block Grant

Website <http://www.cfda.gov>

4. The applicant shall meet all State and County licensing requirements to operate a community-based residential program within their community.
5. The applicant shall arrange for a financial and compliance audit to be done and submitted to the OYS as directed in accordance with “Government OMB Circular A-133” if Applicant expends \$500,000 or more in federal funds in a year.
6. 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 will be allowed.

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 programs and communities statewide after all proposals are reviewed.

E. Single Or Multi-Term Contracts To Be Awarded
(Refer to §3-149-302, HAR)

Single term (≤ 2 yrs) Multi-term (> 2 yrs.)

Contract terms:

The initial contract period shall be for two (2) years. Contracts may be multi-term and may be extended, at the discretion of the OYS, up to two (2) additional 12-month periods up to a maximum of four (4) years. The option for renewal or extension shall be based on the program's satisfactory performance and the availability of funds.

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.

RFP contact: Ms. Edralyn Caberto
Office of Youth Services
820 Mililani Street Suite 817
Honolulu, HI 96813
Telephone: 587-5700
Fax: 587-5734
e-mail: emcelroy@dhs.hawaii.gov

III. Scope of Work

The Scope of Work encompasses the following tasks and responsibilities:

A. Service Activities

1. Needs Assessment/Community Readiness

Designating in the proposal the regions targeted for service, the applicant is required to justify the need for residential services within proposed service geographic areas each region targeted for services. This justification shall include information, reports, studies, and strategic plans from government data sources that describe the youth target group(s) and the youth needs that the proposed services are expected to address. The applicant must also provide additional information and documentation describing each region's "readiness" to actively address these identified needs, including the support that each region will provide to implement the proposed services.

2. The applicant shall describe the residential service model that will be utilized to serve youths in each region. Although other service models may be proposed, services are usually provided via one of the following:

- a. Group Home Model: The primary care providers in this program are social service professionals and para-professionals who are employed by the applicant organization. The services are usually provided for a maximum of eight youths in a centrally located structure.
- b. Foster-Care Residential Model: The primary care providers in this program are trained and licensed foster parents from the community, supported by social service professionals and para-professional workers.

3. Applicants shall describe the gender (males, females, or both) of the youth targeted for service by each residential service model proposed for specific regions.

The 2006 Hawaii State Legislature passed Act 258 to assure that the needs of female adjudicated youth are met. OYS is adopting this policy for all female youth in residential services. The applicant shall, if proposing services for female youth, indicate in the proposal specifically how their needs will be met through gender-responsive programming.

In 2006 the U. S. District Court issued an order prohibiting discrimination and harassment of lesbian, gay, bisexual, or transgender (LGBT) youth at the HYCF. As above, OYS is adopting this court-ordered policy for all youth in

residential services. The applicant shall address the safety and civil rights of LGBT youth who may be placed in applicant's proposed program.

4. For each residential service model, the applicant shall identify the type of youth targeted for service in each region, using address the of the following categories:
 - a. Troubled, abused, or neglected youth, or youth in the juvenile justice system, ages 10 through their 18th birthday, who have been identified as moderate risk in one or more areas of need through a validated, objective risk and needs assessment tool, and who can benefit from Level I Residential services.
 - b. Troubled, abused, or neglected youth, or youth in the juvenile justice system, ages 10 through 19th birthday, who have been identified as high risk in one or more areas of need through a validated, objective risk and needs assessment tool; are generally unable to function in a pro-social manner without constant supervision and support; are assessed as high flight risk; and can benefit from highly structured, Level II Program services.
 - c. Troubled, abused, or neglected youth, or youth in the juvenile justice system, ages 17 through their 22nd birthdays, who presently lack the attitudes, skills, and resources for independent living and whose needs can be addressed via an Independent Living Program.
 - d. Recently arrested status offenders, non-violent law violators, or intoxicated youth, or troubled, abused, or neglected youth, ages 10 through their 18 birthdays, requiring short-term emergency shelter and related services that will reduce a present crisis and return the youth to a stable, safe home environment.
5. **Core service activities** are common to Level I, Level II, Independent Living, and Emergency Shelter residential service programs. In the proposal, the applicant shall describe in detail how each of these core service activities will be addressed in each region:
 - a. A Healthful & Safe Environment. The applicant shall describe the physical setting for the program, and the physical safeguards, policies, procedures, and licensing requirements that ensure an environment healthful and safe for both staff and youth, especially female youths and lesbian, gay, transgender, bisexual youths.
 - b. Screening for Program Appropriateness. The applicant shall describe the instruments and procedure for reviewing application for admission

and other documents, as well as for interviewing youth, to determine the program's suitability and appropriateness for the youth.

- c. Risks/Needs Assessment & Reduction, Assets Assessment & Development. The applicant shall describe the procedures, including the validated instruments utilized, for assessing the youth's risks/needs and assets, and the program steps that will be taken to reduce risks/needs and to enhance the youth's assets and other potentials for resolving his problems. The assessment process shall include, but is not limited to, an evaluation the youth's current and past behavior; family/parenting circumstances; educational/vocational level; peer relationships; substance abuse; use of leisure time; anger management; anti-social or criminal attitudes; and social skills level. The applicant shall also describe the frequency with which the youth will be re-assessed to determine progress in the program.
- d. Case Management. The applicant shall describe the program's case management system including, but not limited to, procedures and instruments for conducting individual risks/needs, assets, and functioning levels; developing individualized service plans; identifying and linking to necessary services; coordinating these necessary services; monitoring and assessing services provided; and reviewing and revising the service plans. The applicant shall also describe the case data management system, including the software and equipment, and the data entry and report generation procedures. A sample of the individualized service plan should be included with the application.
- e. Relapse Prevention. The applicant shall provide a general description of its relapse prevention strategy and a sample relapse prevention plan that includes a Statement of the purpose and objectives of the plan, activities to achieve the objectives of the plan, and the evaluation framework that will determine if the objectives have been achieved.
- f. Referral to Appropriate Resources. The applicant shall describe the processes for referring youth to appropriate community-based programs and agencies for services, and the follow-up actions that will be taken to ensure that the youth is being properly served. A list of the community-based program and agencies that will be utilized by the applicant should be attached to the proposal.
- g. Participation in Meetings. The applicant shall briefly describe the processes for initiating contacts and meetings with representatives of the HYCF, FC, DHS, Department of Education (DOE), Department of Health (DOH), and other pertinent agencies who are similarly focused on providing services for the youth.

- h. Follow-Up Services. The applicant shall describe the processes for providing follow-up services for youth—for examples, via telephone, personal, and/or collateral contacts with the youth and the youth’s support system (guardian, school, mentor, etc.)--for up to six months post-placement. Examples of the instruments to record contact information and assess the progress and stability of youth should also be attached.
6. Applicants desiring to provide Level I Residential Program services shall describe in detail how each of these additional core service activities will be addressed in each region:
- a. Social Skills Building. Applicants shall provide social skill-building activities to youth. The applicant shall submit an outline or table of contents and a sample of the proposed social skill-building curriculum. The sample social skill submitted shall include the purpose and objective of the skill, activities to achieve the skill, and how attainment of the skill will be measured.
 - b. Positive Peer Relationship Development. The applicant shall describe how positive peer relationships will be encouraged and developed by the youth, with the focus on the community that the youth will eventually return to.
 - c. Leisure Time Management. The applicant shall describe how the constructive use of leisure time will be encouraged and established by the youth. Services in this area should be provided based on the type of resources available in the home community of the youth.
 - d. Vocational Exploration. The applicant shall submit an outline or table of contents of the proposed vocational exploration curriculum.
 - e. College Exploration & Application Skills Development. The applicant shall submit an outline or table of contents of the proposed college exploration and application skills curriculum. The sample curriculum submitted shall include the purpose and objective of each skill, activities to achieve the skill, and a description of how attainment of the skill will be measured.
 - f. Family Strengthening (Enhancing Communication, Relationship). The applicant shall describe how the youth’s communication and relationship with parents or guardians will be encouraged and enhanced.
 - g. Transition Plan. The applicant shall describe how the transition plan will be developed for each youth in preparation for release from the

program. This plan may include placement in an Independent Living Program as appropriate.

7. Applicants desiring to provide Level II Residential Program services shall describe in detail how each of these additional core service activities will be addressed in proposed service areas:
 - a. Social Skills Building. Applicants shall provide social skill-building activities to youth. The applicant shall submit an outline or table of contents and a sample of the proposed social skill-building curriculum. The sample social skill submitted shall include the purpose and objective of the skill, activities to achieve the skill, and how attainment of the skill will be measured.
 - b. Cognitive Behavioral Training or Similar Method. The applicant shall provide a description of the cognitive behavior-modification plan, including the strategies used to address anti-social or criminal attitudes, beliefs, and thinking patterns; anger problems; and poor decision-making. The proposal shall also describe how improvement in youth beliefs and behaviors will be measured. Alternatives to the cognitive behavioral model may be described, but only if these alternatives are research-based, and confirmed as “best practice” by the scientific journals.
 - c. Positive Peer Relationship Development. The applicant shall describe how positive peer relationships will be encouraged and developed by the youth, with the focus on the community that the youth will eventually return to.
 - d. Leisure Time Management. The applicant shall describe how the constructive use of leisure time will be encouraged and established by the youth. Services in this area should be provided based on the type of resources available in the home community of the youth.
 - e. Vocational Exploration. The applicant shall submit an outline or table of contents of the proposed vocational exploration curriculum.
 - f. College Exploration and Application Skills Development. The applicant shall submit an outline or table of contents of the proposed college exploration and application skills curriculum. The sample curriculum submitted shall include the purpose and objective of each skill, activities to achieve the skill, and a description of how attainment of the skill will be measured.

- g. Family Strengthening (Enhancing Communication and Relationship). The applicant shall describe how the youth's communication and relationship with parents or guardians will be encouraged and enhanced.
 - h. Transition Plan. The applicant shall describe how the transition plan will be developed for each youth in preparation for release from the program. This plan may include placement in an Independent Living Program as appropriate.
8. Applicants desiring to provide Independent Living Program services shall describe in detail how each of these additional core service activities will be addressed in each region:
- a. Social, Independent Living Skills Development. The applicant shall submit an outline or table of contents and a sample of the proposed social, independent living skills curriculum. The sample curriculum submitted shall include the purpose and objective of the skill, activities to achieve the skill, and a description of how attainment of the skill will be measured.
 - b. Positive Peer Relationship Development. The applicant shall describe how positive peer relationships will be encouraged and developed by the youth, with the focus on the community that the youth will eventually return to.
 - c. Leisure Time Management. The applicant shall describe how the constructive use of leisure time will be encouraged and established by the youth. Services in this area should be provided based on the type of resources available in the home community of the youth.
 - d. Vocational Training (Job Skills). The applicant shall describe the plan for helping the youth begin vocational training in a specific field of interest, as determined by vocational interest inventories and aptitude tests.
 - e. Job Search, Application, & Retention Skills Development. The applicant shall submit an outline or table of contents of the proposed job search, application, and retention skills development curriculum. The sample curriculum submitted shall include the purpose and objective of each skill, activities to achieve the skill, and a description of how attainment of the skill will be measured.
 - f. College Exploration & Application Skills Development. The applicant shall submit an outline or table of contents of the proposed college exploration and application skills curriculum. The sample curriculum submitted shall include the purpose and objective of each skill, activities

to achieve the skill, and a description of how attainment of the skill will be measured.

- g. Family Strengthening (Enhancing Communication and Relationship). The applicant shall describe how the youth's communication and relationship with parents or guardians will be encouraged and enhanced.
 - h. Transition Plan. The applicant shall describe how the transition plan will be developed for each youth in preparation for release from the program.
9. Applicants desiring to provide Emergency Residential Program services shall describe in detail how each of these additional core service activities will be addressed in the designated region for services:
- a. Crisis Reduction. The applicant shall describe the strategy for helping the youth understand the roots of any present crisis and the positive strategies that may be taken to reduce not only the immediate crisis, but any future crises.
 - b. Family Strengthening (Enhancing Communication and Relationship). The applicant shall describe how the youth's communication and relationship with parents or guardians will be encouraged and enhanced.

B. Management Activities

1. Personnel

- a. The applicant shall ensure that employees do not have a criminal history or background which poses a risk to youth. [Note: The organization should conduct criminal history record checks (State and FBI Criminal History Check, Sex Offender Registry, and the Child Abuse and Neglect Registry Clearance), to the degree that these checks are required by statutes or rules, for any person who is employed or volunteers in a position which necessitates close proximity to children or adolescents. Documentation of criminal history record checks shall be maintained in the employee's or volunteer's personnel file and shall be available for review. Criminal history records checks, except for the FBI fingerprint check, shall be conducted annually or as required for licensing purposes.]
- b. The applicant shall establish 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 implement a training plan that will ensure that direct-service staff understand the programmatic and security concerns of the targeted youth population. A copy of the training plan shall be submitted to the OYS with the proposal. The training plan shall include, but shall not be limited to, the following topics: The organization's philosophy and goals; confidentiality policies and procedures; client rights; grievance procedures; ensuring non-discrimination and civil rights for lesbian, gay, transgender, bi-sexual youth; gender responsive programming; behavior management and treatment; de-escalation techniques and practices; reporting child maltreatment; emergency procedures; cardio-pulmonary resuscitation and first aid; the dispensing of medication; and the recognition of the side effects of drugs and medications on youth.
- d. 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.
- e. For out-of-State applicants, there shall be established prior to the provision of direct services to youth, a Hawaii-based staff or designee who shall assume the day-to-day responsibilities of establishing and implementing all necessary collaborations, programs, services, and requirements of the agreement.

2. **Administrative**

- a. A no reject, no eject policy shall apply to the Level I, Level II, and Independent Living programs. In other words, referred youth **may not be rejected** from participating in the program or **ejected** once enrolled in the program. However, youth may be dismissed from the program, with the concurrence of the OYS executive director for reasons such as youth posing a danger to self, staff, other youth, or to property.
- b. The applicant is required to meet with the OYS to discuss any aspect of the services.
- c. The applicant is required to maintain detailed records of youth, program activities, and personnel records, in addition to maintaining an accounting system and financial records to accurately account for funds awarded. Copies of pertinent information, such as progress reports and assessments, shall be submitted to the referring agency upon request.
- d. 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.

- e. The applicant shall develop a written curriculum or manual that describes the program and service activities, objectives, and strategies. A description, outline, or table of contents of the curriculum or manual shall be submitted to the OYS with the proposal.
- f. The proposal shall describe the general process youth will follow through the program, from referral to discharge and aftercare, and the type of services to be provided at each phase of the program, including any unstructured time allowed for youth.
- g. The applicant shall describe any State and/or national accreditation, affiliation, or standards that will be used to guide the program.
- h. The applicant shall not utilize youth for any agency solicitation or political campaign purposes.
- i. The applicant may not charge youth and/or their families more than a token amount for program services.
- j. 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.

3. Quality Assurance And Evaluation Specifications

- a. All contracts shall be monitored by the OYS in accordance with requirements set forth by Chapter 103F, Hawai'i Revised Statutes. Contract monitoring shall include:
 - 1) Reviewing and approving of changes to contract's fiscal and program items, especially the budget, budget revision request, invoices, performance measures plan, the performance measures report, the administrative assurance, the assurance of collaboration, and other documents submitted to the OYS.
 - 2) Periodic site visits, scheduled and unscheduled, with comprehensive written evaluation of the major program service areas, such as:
 - a) Staff qualification, organization, and effectiveness.
 - b) Performance measures planning, implementation, and evaluation.

- c) Collaboration.
 - d) File maintenance and record keeping.
 - e) Facility accessibility, suitability, and safety.
 - f) Transportation and other liability issues.
 - g) Consumer satisfaction.
- 3) The applicant shall allow the OYS 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 that the OYS deems necessary in light of the evaluation data.

4. **Performance/Outcome Measurements**

- a. The OYS uses a Performance Measures System (PMS) for monitoring and results reporting. The PMS focuses on specific program outputs and specific youth outcomes--changes in youth and family conditions, behaviors, or satisfaction to be achieved. In responding to the RFP, qualified applicants must commit the organization to specific standardized performance measures directly related to those target areas described in this RFP.
- b. As part of the contractual responsibility, the selected applicant will commit to these performance measures as well as any additional performance measures to be finalized with the OYS. The applicant will track and report progress toward these targets through a standard performance measures reporting format and meet periodically with the OYS to review results and make necessary modifications and corrections.
- c. Within this PMS framework, applicants must:
 - 1) Base their programs on a thorough assessment of objective data about the risk and protective factors in communities being served.
 - 2) Design and implement programs for youth based on research or evaluation that provides evidence that the programs used prevent or reduce risk factors and establish or strengthen protective factors.

- 3) Evaluate their programs to assess their progress toward achieving the performance measures. Furthermore, such evaluation shall be used to improve and strengthen the programs, to revise timelines, and to refine the performance measures.
 - 4) Use appropriate computer hardware and Microsoft Access and Excel software to record, monitor, and report various data.
- d. In order to facilitate the implementation of the PMS, the OYS will:
- 1) Provide training in data collection and reporting performance measures.
 - 2) Provide training in using hardware and software to evaluate the progress of the programs.
 - 3) Sponsor training opportunities such as workshops, seminars, conferences, and technical assistance directed towards enhancing service delivery.
- e. Performance Measures
- 1) The OYS is looking for qualified applicants that can achieve the following performance targets:

To be determined.
 - 2) If awarded a contract, applicants may develop other performance measures as mutually agreed upon with the OYS.

5. Reporting Requirements For Program And Fiscal Data

In addition to initial performance measure plans and contract budgets, providers will be required to submit weekly bed available reports, quarterly client list reports, quarterly invoices and expenditure reports, and quarterly program reports, including performance measures reports, as well as other reports requested by the OYS. Contracts will be programmatically and fiscally monitored by the OYS. Monitoring includes reviewing the required program and fiscal plans and reports and services, and addressing any issues applicable to services provided. Monitoring may take place at a variety of locations including the OYS, applicant's administrative office, and the sites of service delivery.

6. Pricing or Pricing Methodology to be Used

- a. Pricing structure will be based on a cost reimbursement basis utilizing the lower of actual cost or a fixed unit rate. The cost reimbursement pricing structure reflects a purchase arrangement in which the OYS pays the applicant for budgeted costs that are actually incurred and allocable in delivering the services specified in the contract, up to a stated maximum obligation. Contract amounts will be based on the fixed unit rate multiplied by the number of units the OYS is willing to purchase. Payment for the Level I, Level II, Independent Living Programs, and Emergency Shelter programs shall be made on either a fee for services basis only (payment made for usage only) or on a combination of a fixed contractual and fee for services basis.
- b. Applicants shall be required to apply the Cost Principles on Purchase of Health and Human Services and other applicable federal cost principles and guidelines as appropriate and as required by the source of funding.

7. Units of Service and Unit Rate

- a. A unit of service shall be defined as one day of residential program services. Unit rates do not include room and board costs. Youth in the Level I, Level II, and Independent Living residential programs may be eligible for room and board costs as allowed by the rules and regulations of the Department of Human Services.
- b. The unit rate for Level I Residential Programs shall be \$150.00 per service unit. The unit rate does not include room and board costs.
- c. The unit rate for Level II Residential Programs shall be \$170.00 per service unit. The unit rate does not include room and board costs. For youth ages 18 through 19 who are not eligible for room and board payments from the DHS, the OYS may pay upon request and approval an additional \$18 per unit for room and board.
- d. The unit rate for Independent Living residential programs shall be \$170.00 per service unit. The unit rate does not include room and board costs. For youth ages 18 through 21 who are not eligible for room and board payments from the DHS, the OYS may pay upon request and approval an additional \$18 per unit for room and board.
- e. The unit rate for the Emergency Shelter Program shall be \$130.00 per service unit. The unit rate includes room and board costs.
- f. Total units of service and total funding amounts allocated to each contract may be increased or decreased at any time, at the discretion of the OYS. Reasons for such increases or decreases include, but are not limited to, the

program's performance, availability of funds, cost of living adjustments, utilization rates, and a shifting of community needs and priorities.

8. Method of Compensation And Payment

Fixed Unit Rate or Cost Reimbursement

IV. Facilities

Applicants shall ensure via the securing of all required licenses and certifications the adequacy and safety of the facilities that will be used to conduct the proposed services for youth.

Section 3

Proposal Application Instructions

Section 3

Proposal Application Instructions

General instructions for completing applications:

- *Proposal Applications shall be submitted to the state purchasing agency 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.*
- *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 that are being proposed. Applicant shall identify the geographic region(s) for the proposed services, state the goals and objectives related to the service activity, and relate how the service activity is designed to impact the residential service needs of the identified target population.

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, email, and phone numbers. The OYS reserves the right to contact references to verify successful experience.

C. Quality Assurance and Evaluation

The applicant shall describe its own plans for quality assurance and evaluation for the proposed services, including methodology.

D. Coordination of Services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the geographic region of the proposed service delivery. The applicant shall provide support documentation and describe past experiences in collaborating and coordinating related services.

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. 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 3 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. Applicant shall 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. Job descriptions and resumes of staff 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.

IV. Service Delivery (not to exceed 20 pages; 55 points)

The applicant must submit a **separate service delivery section** for **each type of service** (Level I, Level II, Independent Living Programs, and Emergency Shelter Programs) being proposed. If the applicant is proposing to offer the same type of service in multiple geographic regions (Leeward Oahu, Windward Oahu, Central Oahu, Maui, Molokai/Lanai, East Hawaii, West Hawaii, or Kauai), the proposal must include specific regional information concerning referral to appropriate resources for additional services. This will allow the OYS to compare proposals by the types of services proposed in each geographic region. Each service delivery section shall include a detailed discussion of the following service activities extrapolated from Section 2, Item III, Scope of Work, which should be referred to for more details:

- A. Needs Assessment/Community Readiness
- B. The residential service model that will be utilized to serve youths in this region.
- C. The gender (males, females, or both) of the youth targeted for service the residential service model in this region. The applicant shall submit a detailed plan for ensuring the privacy and safety of all youth in the program. The applicant shall also address how the safety and civil rights of lesbian, gay, bi-sexual, and transgender youths will be ensured.
- D. The planning, implementation, and management of these **Core Service** activities.
 - Providing and Maintaining A Healthful & Safe Environment.

- Screening for Program Appropriateness.
 - Risks/Needs Assessment & Reduction, Assets Assessment & Development.
 - Case Management.
 - Relapse Prevention.
 - Referral to Appropriate Resources.
 - Participation in Meetings.
 - Follow-Up Services.
- E.** The planning, implementation, and management of the **additional core service activities** that are specific to either Level I, Level II, Independent Living, or Emergency Shelter—whichever type of service this service delivery section applies to.

The applicant must also submit:

- A timeline of steps to be taken in planning and implementing the core services and additional core services for each type of service.
- A work/service plan that clearly articulates the overall service flow from program entry to program completion and reflects the identified needs and proposed service outcomes

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: 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 Program Activities

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 the number of hours a week that are 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 they are 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>	N/A
<i>Proposal Application</i>	100 Points
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 in response to the request for proposals. The applicant shall highlight the agency's mission and vision and the goals and objectives of the proposed service activity relative to the assessed needs and available resources of the target population and geographic region identified for the service delivery.

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 skills, abilities and capacity to deliver proposed services in the identified geographic region for the target population.

B. *Experience*

- Demonstrated minimum three (3) years experience delivering services related to requested services.
- Demonstrated experience successfully delivering services for the target population. Evidence of awards, certifications, and outcomes included.

C. *Quality Assurance and Evaluation*

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

D. *Coordination of Services*

- Demonstrated capability to coordinate services with other agencies and resources in the community. Past Memoranda of Understanding/Agreement, letters document this ability.
- Sufficiency of collaboration and coordination plans related to implementation of proposed services.
- Documented support and involvement of agencies and community for the proposed services. Current letters of support and MOU/MOA provided.

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

- The proposed **staffing pattern**, **client/staff ratio**, and proposed **caseload capacity** are described and reasonable to insure viability of the services.
- **Job descriptions** and **minimum qualifications** (including experience required) for staff assigned to the program are described and the **number of positions** is sufficient to ensure effective program/service delivery.
- Proposal includes resumes of key staff that list experience with related or similar services and target populations.

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/s:** Approach and rationale for the structure, functions, and staffing of the organization for the overall service activity and tasks is diagrammed and describes an approach sufficient for providing the proposed program and services.

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 and **Section 2. III-Scope of Work** for each service area (a-d) of the RFP. The evaluation criteria for the service delivery section for each service area proposal is attached below:*

a. Level I Residential Services

- Comprehensive needs assessment includes information from reliable data sources and substantiates readiness of target population and community to address identified needs with proposed services.
- The specific target population is identified, described and appropriate for the planned service activity.
- Residential service model to be utilized is described, including the adequacy of facilities.

- A valid, objective risk and needs assessment instrument is identified and method of training staff in its use described
- For female youth, method of incorporating gender-responsive programming is described.
- For lesbian, gay, bisexual, and transgender youth, method to ensure youth safety and protection of civil rights is described.
- Comprehensive description of core services to be provided, including healthful and safe environment, screening for program appropriateness, risk assessment and development, case management, relapse prevention, referral, participation in meetings, and follow-up services.
- Comprehensive description of additional core services, including social skills building, positive peer relationship, leisure time management, vocational exploration, college exploration, family strengthening, and transition plan.
- Service activity is age-, gender-, developmentally-, and culturally-appropriate for the target population and responsive to the target population.
- Service activity includes youth involvement, family involvement, linkages with agencies in the community and cultural awareness and sensitivity.
- Sample curriculum and materials provide evidence the planned activity and service delivery are based on effective practices.
- The work plan for the major service activities and tasks to be completed clearly articulates the overall service flow from program entry to program completion.
- Specific regional information concerning collaboration and coordination with community-based resources are described.

b. *Level II Residential Services*

- Comprehensive needs assessment includes information from reliable data sources and substantiates readiness of target population and community to address identified needs with proposed services.
- The specific target population is identified, described and appropriate for the planned service activity.

- Residential service model is to be utilized is described, including the adequacy of facilities.
- Facility design and staffing patterns to reduce the opportunity for runaways is described.
- For female youth, method of incorporating gender-responsive programming is described.
- For lesbian, gay, bisexual, and transgender youth, method to ensure youth safety and protection of civil rights is described.
- A valid, objective risk and needs assessment instrument is identified and method of training staff in its use described
- Comprehensive description of core services to be provided, including healthful and safe environment, screening for program appropriateness, risk assessment and development, case management, relapse prevention, referral, participation in meetings, and follow-up services.
- Comprehensive description of additional core services, including social skills building, cognitive behavioral training, positive peer relationship, leisure time management, vocational exploration, college exploration, family strengthening, and transition plan.
- Service activity is age, gender, developmentally, and culturally-appropriate for the target population and responsive to the target population.
- Service activity includes youth involvement, family involvement, linkages with agencies in the community and cultural awareness and sensitivity.
- Sample curriculum and materials provide evidence the planned activity and service delivery are based on effective practices.
- The work plan for the major service activities and tasks to be completed clearly articulates the overall service flow from program entry to program completion.
- Specific regional information concerning collaboration and coordination with community-based resources are described.

c. *Independent Living Program*

- Comprehensive needs assessment includes information from reliable data sources and substantiates readiness of target population and community to address identified needs with proposed services.
- The specific target population is identified, described and appropriate for the planned service activity.
- Residential service model is to be utilized is described, including the adequacy of facilities.
- For female youth, method of incorporating gender-responsive programming is described.
- For lesbian, gay, bisexual, and transgender youth, method to ensure youth safety and protection of civil rights is described.
- A valid, objective risk and needs assessment instrument is identified and method of training staff in its use described
- Comprehensive description of services to be provided, including healthful and safe environment, screening for program appropriateness, risk assessment and development, case management, relapse prevention, referral, participation in meetings, and follow-up services.
- Comprehensive description of additional core services, including social, independent living skills, positive peer relationship, leisure time management, vocational exploration, job search, college exploration, family strengthening, and transition plan.
- Service activity is age, gender, developmentally, and culturally appropriate for the target population and responsive to the target population.
- Service activity includes youth involvement, family involvement, linkages with agencies in the community and cultural awareness and sensitivity.
- Sample curriculum and materials provide evidence the planned activity and service delivery are based on effective practices.
- The work plan for the major service activities and tasks to be completed clearly articulates the overall service flow from program entry to program completion.
- Specific regional information concerning collaboration and coordination with community-based resources are described.

d. *Emergency Residential Program*

- Comprehensive needs assessment includes information from reliable data sources and substantiates readiness of target population and community to address identified needs with proposed services.
- The specific target population is identified, described and appropriate for the planned service activity.
- Residential service model is to be utilized is described, including the adequacy of facilities.
- For female youth, method of incorporating gender-responsive programming is described.
- For lesbian, gay, bisexual, and transgender youth, method to ensure youth safety and protection of civil rights is described.
- Comprehensive description of core services to be provided, including healthful and safe environment, screening for program appropriateness, risk assessment and development, case management, relapse prevention, referral, participation in meetings, and follow-up services.
- Comprehensive description of additional core services, including crisis reduction, and family strengthening.
- Service activity is age, gender, developmentally, and culturally appropriate for the target population and responsive to the target population.
- Service activity includes youth involvement, family involvement, linkages with agencies in the community and cultural awareness and sensitivity.
- The work plan for the major service activities and tasks to be completed clearly articulates the overall service flow from program entry to program completion.
- Specific regional information concerning collaboration and coordination with community-based resources are described.

4. *Financial (10 Points)*

- Cost proposal and required support documentation and justification included.
- Proposed budget supported by cost analyses for similar services provided by the applicant during the past three years.
- Personnel costs are+ reasonable and comparable to similar positions in the community.

- Non-personnel costs are reasonable and adequately justified.
- Proposed budget fully supports the scope of service and requirements of the Request for Proposal.
- Adequacy of accounting system (evidence of valid tax clearance, recent audit, and cost allocation plan).
- Positions and personnel responsible for fiscal operations and reporting identified and qualified.
- Staff responsible for maintaining accounting records and filing required expenditure reports identified.

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. DRAFT Special Conditions of Contracts

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)			X	
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:				
<i>Federal Certifications</i>		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		
Program Fraud Civil Remedies Act		Section 5, RFP		
Environmental Tobacco Smoke		Section 5, RFP		
Program Specific Requirements:				

Authorized Signature

Date

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	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206E Budget Justification - Contractual Services – Administrative	
	B. Other Financial Related Materials	
	Financial Audit for fiscal year ended June 30, 1996	
	C. Organization Chart	
	Program	
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	D. Performance and Output Measurement Tables	
	Table A	
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SPECIAL CONDITIONS

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

The PROVIDER shall obtain, maintain, and keep in force throughout the period of this Agreement liability insurance (the “Liability Insurance”) issued by an insurance company in a combined amount of at least TWO MILLION AND NO/100 DOLLARS (\$2,000,000.00), or such lesser amount requested in writing by the PROVIDER and, for good cause shown, approved by the head of the purchasing agency, which approval, if any, is incorporated herein by reference, for bodily injury and property damage liability arising out of each occurrence. The Liability Insurance shall provide that it is the primary insurance for the State of Hawaii and the purchasing agency for any liability arising out of or resulting from occurrences connected with the PROVIDER’s performance under this Agreement. Prior to or upon execution of this Agreement, the PROVIDER shall obtain a certificate of insurance verifying the existence of the necessary liability insurance coverage, including the coverage of the State of Hawaii. If the scheduled expiration date of the liability insurance policy is earlier than the expiration date of the time for performance under this Agreement, the PROVIDER, upon renewal of the policy, shall promptly cause to be provided to the STATE an updated certificate of insurance. The certificates of insurance shall expressly provide that the insurance policy shall not be cancelled, limited in scope of coverage, or non-renewed until after 30 days’ written notice has been given to the STATE.

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

Automobile liability insurance for automobiles owned or leased by the PROVIDER and used to carry out services specified in this Agreement 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 of Hawaii as additional insured. Prior to or upon execution of this Agreement, 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 Agreement. 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 Agreement, entitling the STATE to exercise any or all of the remedies provided in this Agreement 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 Agreement. 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, Exhibit "D", 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.

3. **Maintain Records.** In addition to Paragraph 2.3, Records Retention, Exhibit "D", General Conditions. The PROVIDER further agrees as follows:

The PROVIDER shall maintain statistical, clinical, and administrative records pertaining to services of this Agreement. The records shall be subject at all reasonable times to inspection or review by the STATE or Federal representatives directly connected with the program area under this Agreement. All records shall be retained and made accessible for a minimum of six years after the date of submission of the PROVIDER's final report to the STATE; provided that, in the event any litigation, claim, negotiation, investigation, audit, or other action involving the records has been started before the expiration of the 6-year period, the PROVIDER shall retain the records until completion of the action and resolution of all issues that arise from it or until the end of the regular 6-year retention period, whichever occurs later.

4. **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.

5. **Publications.** The PROVIDER shall submit all reports and written publications resulting from this Agreement for review, comment and approval prior to publication. Any publications (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 an Agreement from the Office of Youth Services, Department of Human Services, State of Hawaii (and if applicable, the name and federal award number of a federal grant funding the contract).

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 Office of Youth Services (and if applicable, the federal grant agency).

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 for 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.