

DEPARTMENT OF EDUCATION
OFFICE OF CURRICULUM, INSTRUCTION AND STUDENT SUPPORT
INSTRUCTIONAL SERVICES BRANCH

January 29, 2007

ADDENDUM A

TO REQUEST FOR PROPOSALS
No. RFP F07-110
AFTER SCHOOL A+ SERVICES

PART I – ORIENTATION QUESTIONS

An orientation meeting for the above referenced RFP was conducted on January 10, 2007. The questions raised during the meeting are listed below. The following responses are hereby provided:

1. Can there be a way to take into account a Principal's preference for a private provider?

Response: The Evaluation Committee may include school principals. All RFPs are evaluated using the evaluation criteria. Preference is not part of the evaluation review protocol.

2. Would it be possible to add Keon'eula Elementary to this RFP process?

Response: Keon'eula currently has a contract in place.

3. Can the private providers collect payment in December instead of January?

Reference: Section 2 Service Specifications, III. Scope of Work, B. Management Requirements, 10. Method of compensation and payment, Invoices

Response: Invoices can only be paid to vendors AFTER services are delivered. The Department is not able to pre-pay for services rendered in January at the end of the preceding December.

4. For neighbor islands, can the requirement of all staff needing CPR/1st Aid be reduced to 80% to receive 4 points be considered, as we will now need to pick up the cost of fingerprinting?

Reference: Section 4 Proposal Evaluation, III. Evaluation Criteria, B. Phase 2-Evaluation of Proposal Application, 2. Project Organization and Staffing, A. Staffing

Response: The cost of fingerprinting will not be a private provider expense at this time. The 4-point scale will continue to be used in the evaluation process.

PART II – WRITTEN QUESTIONS

Requirements pertaining to written questions were stated in the original RFP, and were due on or before January 17, 2007. The written questions received by the Department are listed below. The following responses are hereby provided:

1. On page 2-4 letter E, if the initial term of contract is 12 months and you can get a possible 4 year-long extensions, then why is the maximum length of contract 4 years and six months instead of 5 years?

Reference: Section 2 Service Specifications, II. General Requirements, E. Single or multi-term contracts to be awarded

Response: The correct maximum length of contract should be five (5) years.

2. On page 2-6 letter B 1a, "Applicants shall utilize the A+ Employee Data Management System and DATA Transfer for fingerprinting with DHS and CBC." Will the private provider now be directly using the DATA system and play a part in the fingerprinting transfer or will the process continue to be as is?

Reference: Section 2 Service Specifications, III. Scope of Work, B. Management Requirements, 1. Personnel, a.

Response: The process will continue as is.

3. Page 4-7 first bullet, "Applicant shall attach a description (one sheet per school) on how it will meet the specific needs for each school..." Does this mean the applicant is limited to a one-page description or a one-entry description that could be more than one page?

Reference: Section 4 Proposal Evaluation, III. Evaluation Criteria, B. Phase 2 – Evaluation of Proposal Application, 3. Service Delivery

Response: One sheet per school may refer to separate sheets for each school and not the maximum number of sheets per school.

4. As far as the scoring of the proposals go, why is it that there are great variations in scores for the same proposal? Shouldn't there only be a variation of a possible 15 points in the description on how to meet the specific needs for each school(4-7 first bullet), since that is the only part that is different in the proposal?

Reference: Section 4 Proposal Evaluation, III. Evaluation Criteria, B. Phase 2 – Evaluation of Proposal Application, 3. Service Delivery

Response: Although the body of the proposal may be the same, separate entries for services to specific sites may possibly be the reason for disparate scores.

5. If the proposal meets all of the criteria to get a maximum score in a section, why does it sometimes get less points?

Response: There is a range of scores available in some sections. Meeting a criteria may be at a minimum level or at a high level.

6. Page 4-7 first bullet, what are the criteria for the 15 points for each school description on how to meet the needs for each school? Who determines what the specific needs for each school are and how can the applicant obtain that information?

Reference: Section 4 Proposal Evaluation, III. Evaluation Criteria, B. Phase 2 – Evaluation of Proposal Application, 3. Service Delivery

Response: Principals determine the school needs. Applicants may contact the school principals for information on specific needs.

7. Attachment D, How can the applicant find out who the current providers for the schools requesting services are?

Reference: ATTACHMENT D List of Schools Requesting Services School Year 2007-2008

Response: The private providers are identified on the Data Management Website.

8. How can the applicant obtain a copy of the instructions that are given to the evaluation team?

Reference: Section 4 Proposal Evaluation

Response: Applicants may access the following link, "Evaluating Proposals Received in Response to a RFP for Health and Human Services" on the State Procurement Office website:

http://www4.hawaii.gov/spoh/tng/2003/2003_0212ProposalEval/EvaluationProposals0203Handout_rev021303.pdf

In addition, applicants may also refer to Section 3-143-205 (Evaluation of proposals and notice of award), Hawaii Administrative Rules.

9. In Section 5 Attachments "C." there is no Federal Certifications.

Reference: Section 5 Attachments, C. Federal Certifications

Response: Attachment C, Federal Certifications, is hereby included in this Addendum.

10. We are requesting that for the Service Month of December/January payment date be changed to December. This change would not affect the number of payments that are made but rather the time frame for which we invoice the state and collect from the parents.

- It is easier to collect from parents at the beginning of December when parents are already expecting to pay for A+.
- Parents that send their children in December and drop for January are not collected for or invoiced for.
- We are less likely to have children add in January due to the fact that there are only a few days left in the month when they return from break.

Reference: Section 2 Service Specifications, III. Scope of Work, B. Management Requirements, 10. Method of compensation and payment, Invoices

Response: The Department is unable to remit payment for services NOT yet delivered. The A+ office asks for enrollment for December and January but only is able to accept billing for combination of December/January attendance. A+ only operates when school is in session. School days in December and January total to one month of student attendance. Parent pays for A+ services per month. The A+ office has supported the private provider request to bill our office based on the attendance on the 6th day of the month. It really should be billed based on the attendance of the last day of the month.

PART III – CHANGES TO THE RFP

The following changes are hereby made (deletions appear as ~~strikethrough text~~ and additions appear as **bold/underlined text**):

1. *Section 2 Service Specifications, II. General Requirements, E. Single or multi-term contracts to be awarded, Maximum length of contract:*

Maximum length of contract	Four (4) years and six (6) months <u>Five (5) years</u>
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ATTACHMENT C

PHS-5161-1-CERTIFICATIONS (7/00)

OMB Approval No. 0920-0428

CERTIFICATIONS

1. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

The undersigned (authorized official signing for the applicant organization) certifies to the best of his or her knowledge and belief, that the applicant, defined as the primary participant in accordance with 45 CFR Part 76, and its principals:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;
- (b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Should the applicant not be able to provide this certification, an explanation as to why should be placed after the assurances page in the application package.

The applicant agrees by submitting this proposal that it will include, without modification, the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions" in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

2. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

The undersigned (authorized official signing for the applicant organization) certifies that the applicant will, or will continue to, provide a drug-free workplace in accordance with 45 CFR Part 76 by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about-

- (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a) above;
- (d) Notifying the employee in the statement required by paragraph (a), above, that, as a condition of employment under the grant, the employee will--
- (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is so convicted--
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

For purposes of paragraph (e) regarding agency notification of criminal drug convictions, the DHHS has designated the following central point for receipt of such notices:

Office of Grants and Acquisition Management Office of Grants Management Office of the Assistant Secretary for Management and
Budget Department of Health and Human Services 200 Independence Avenue, S.W., Room 517-D Washington, D.C. 20201

3. CERTIFICATION REGARDING LOBBYING

Title 31, United States Code, Section 1352, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," generally prohibits recipients of Federal grants and cooperative agreements from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a SPECIFIC grant or cooperative agreement. Section 1352 also requires that each person who requests or receives a Federal grant or cooperative agreement must disclose lobbying undertaken with non-Federal (non-appropriated) funds. These requirements apply to grants and cooperative agreements EXCEEDING \$100,000 in total costs (45 CFR Part 93).

The undersigned (authorized official signing for the applicant organization) certifies, to the

best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (If needed, Standard Form-LLL, "Disclosure of Lobbying Activities," its instructions, and continuation sheet are included at the end of this application form.)
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

4. CERTIFICATION REGARDING PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA)

The undersigned (authorized official signing for the applicant organization) certifies that the statements herein are true, complete, and accurate to the best of his or her knowledge, and that he or she is aware that any false, fictitious, or fraudulent statements or claims may subject him or her to criminal, civil, or administrative penalties. The undersigned agrees that the applicant organization will comply with the Public Health Service terms and conditions of award if a grant is awarded as a result of this application.

5. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such

Federal funds. The law does not apply to children's services provided in private residence, portions of facilities used for inpatient drug or alcohol treatment, service providers whose sole source of applicable Federal funds is Medicare or Medicaid, or facilities where WIC coupons are redeemed.

Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

By signing the certification, the undersigned certifies that the applicant organization will comply with the requirements of the Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

The applicant organization agrees that it will require that the language of this certification be included in any subawards which contain provisions for children's services and that all subrecipients shall certify accordingly.

The Public Health Services strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of tobacco products. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

<u>Signature of Authorized Certifying Official</u>	<u>Title</u>
<u>Applicant Organization</u>	<u>Date Submitted</u>