



Dr. Courtney N. Phillips, HHS Executive Commissioner

Department of State Health Services

**Request for Applications (RFA)
For**

**Texas Medical Child Abuse Resources and Education System
RFA No. HHS0000436**

Date of Release: October 29, 2018

Responses Due: November 29, 2018 by 2 p.m. Central Time

Class/Item:

- 948/33 - Disease Prevention and Control Services, Non-Contagious (See 948-92 for Vaccination Services)
- 948/46 - Hospital Services, Inpatient and Outpatient
- 948/47 - Health Care Center Services
- 948/48 - Health Care Services (Not Otherwise Classified)
- 948/74 - Professional Medical Services: Physicians, Pharmacists, and All Specialties
- 948/76 - Psychologists, Psychological and Psychiatric Services, Including Behavioral Management Services
- 952/17 - Child Abuse: Identification, Treatment, and Prevention, Including Sexual Abuse
- 952/71 - Rape and Sexual Assault Prevention Services
- 952/74 - Referral Services
- 952/83 - Youth Program Services
- 952/95 - Youth Care Services

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ARTICLE 1. EXECUTIVE SUMMARY, DEFINITIONS, AND AUTHORITY

1.1 EXECUTIVE SUMMARY

The State of Texas, by and through the Health and Human Services Commission (“HHSC”) on behalf of the Department of State Health Services (“DSHS” or “System Agency”), announces the availability of grant funds under the Medical Child Abuse Resources and Education System (“MEDCARES”) grant program to develop and support regional programs to improve the assessment, diagnosis and treatment of child abuse and neglect. Potential grant recipients include hospitals or academic health centers with expertise in pediatric health care and a demonstrated commitment to developing basic and advanced programs and centers of excellence in the field of child abuse and neglect.

This request for applications (“RFA” or “Solicitation”) contains standardized requirements that all Applicants must meet to be considered for contracts under this RFA. Failure to comply with these requirements may result in disqualification of the applicant without further consideration. Each applicant is solely responsible for the preparation and submission of an application in accordance with instructions contained in this RFA.

To be considered for award, Applicants must execute **Exhibit A, Affirmations and Solicitation Acceptance, v. 1.3**, of this Solicitation and provide all other required information and documentation as set forth in this Solicitation.

1.2 DEFINITIONS

Refer to **Exhibit B, HHSC Uniform Terms and Conditions - Grant, v. 2.14** for additional definitions. Additionally, as used in this Solicitation, unless the context clearly indicates otherwise, the following terms and conditions have the meanings assigned below:

"Addendum" means a written clarification or revision to this Solicitation issued by the System Agency.

"Apparent Awardee" means an organization that has been selected to receive a grant award through response to this RFA but has not yet executed a grant agreement or contract. May also be referred to as "Apparent Grant Recipient" or "Apparent Grantee."

"Client" means a member of the target population to be served by the Respondent's organization. For the purposes of this grant, a client is a child receiving care due to abuse or neglect.

"Health and Human Services Commission" or **"HHSC"** means the administrative agency established under Chapter 531, Texas Government Code or its designee.

"HUB" means Historically Underutilized Business, as defined by Chapter 2161 of the Texas Government Code.

“Key Personnel” means a Respondent organization's Project Contact, Fiscal Contact, and Executive Director and/or any other key stakeholders in the Proposed Project.

"Respondent" means the entity responding to this Solicitation. May also be referred to as "Applicant."

"Solicitation" means this Request for Applications including any Exhibits and Addenda, if any.

1.3 AUTHORITY

The System Agency is requesting applications under Chapter 1001, Subchapter F of the Texas Health and Safety Code.

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ARTICLE 2. SCOPE OF GRANT AWARD

2.1 PROGRAM BACKGROUND

In 2006, the Advisory Committee on Pediatric Centers of Excellence (PCOE) identified several key findings with regard to child abuse and neglect and reported these to the 80th Legislature (2007). The report underscored the importance of a comprehensive approach to preventing, assessing, diagnosing, and treating child abuse and neglect, focusing specifically on the significance of the health care system and its ability to serve children and families.

In response to the issues and recommendations identified in the PCOE report, the Legislature created the MEDCARES grant program to increase access to medical child abuse experts and improve timely and accurate child abuse diagnoses. Senate Bill (S.B.) 2080, 81st Texas Legislature, Regular Session, 2009, added Chapter 1001, Subchapter F to the Texas Health and Safety Code, establishing the MEDCARES grant program. The grant augments existing statewide services and strengthens cross-sector relationships to enhance referrals.

2.2 GRANT AWARD AND TERM

2.2.1 Available Funding

The total amount of federal funding available for the MEDCARES grant is **TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000.00)** and it is HHSC's intention to make multiple awards. The specific dollar amount awarded to each successful applicant depends upon the merit and scope of the application, the number of qualified applicants, other best value considerations and is at the sole discretion of DSHS.

Grants awarded as a result of this RFA will be funded on a cost reimbursement basis. Under the cost reimbursement method of funding, grant recipients are required to finance operations with their own working capital with grant payments made by DSHS to reimburse the grant recipients for actual cash disbursements to be supported by adequate documentation. Support documentation will be provided to selected Apparent Grantees within thirty (30) days of contract execution. Support documentation must be completed and submitted with the monthly reimbursement request.

2.2.2 Grant Term

It is anticipated that the grant funding period for this program will be **March 1, 2019 through August 31, 2020**. The contract may be renewed for up to two (2) additional two-year periods, with renewal initiated at the sole discretion of DSHS. Continued funding of the contract in future years is contingent upon the availability of funds and the satisfactory performance of the contractor during the prior contract period. Funding may vary and is subject to change each renewal period. Reimbursement will only be made for those allowable expenses that occur within the term of the grant. No pre-award spending will be allowed.

2.3 ELIGIBLE APPLICANTS

In order to be awarded a contract as a result of this RFA a Respondent must meet all of the below criteria:

1. Respondent must be a hospital or academic health center with advanced expertise in medical child abuse and neglect services that meet the criteria of an advanced or center of excellence program described in detail in the *Pediatric Centers of Excellence Advisory Committee Report*.
2. Respondent must be established as an appropriate legal entity as described in Item 1 above, under state statutes, and must have the authority and be in good standing to do business in Texas and to conduct the activities described in this RFA.
3. Respondent must have a Texas address. A post office box may be used when the proposal is submitted, but the respondent must conduct business at a physical location in the Texas region where services are to be provided prior to the date that the contract is awarded.
4. Respondent is not eligible to apply for funds under this RFA if currently debarred, suspended, or otherwise excluded or ineligible for participation in Federal or State assistance programs.
5. Respondent may not be eligible for contract award if audit reports or financial statements submitted with the proposal, if any, identify concerns regarding the future viability of the Apparent Awardee, material non-compliance, or material weaknesses that are not satisfactorily addressed, as determined by DSHS.
6. Respondent's staff members, including the executive director, must not serve as voting members on their employer's governing board.
7. In compliance with Comptroller of Public Accounts and Texas Procurement and Support Services rules, a name search will be conducted using the websites listed in this section prior to the development of a contract. A respondent is not considered eligible to contract with DSHS, regardless of the funding source, if a name match is found on any of the following lists:
 - a) The General Services Administration's (GSA) System for Award Management (SAM) for parties excluded from receiving federal contracts, certain subcontracts and from certain types of federal financial and non-financial assistance and benefits. <https://www.sam.gov/portal/SAM/##11>
 - b) The Office of Inspector General (OIG) List of Excluded Individuals/Entities Search <https://oig.hhs.state.tx.us/oigportal/Exclusions.aspx>; and
 - c) Texas Comptroller of Public Accounts (CPA) Debarment List located at <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/debarred-vendors.php>

Respondent must continue to meet the eligibility conditions throughout the selection and funding process. DSHS expressly reserves the right to review and analyze the documentation submitted and to request additional documentation, and determine the respondent's eligibility to compete for the contract award.

2.4 PROGRAM REQUIREMENTS

To meet the mission and objectives of MEDCARES, Respondents must:

1. Be a hospital or academic health center with expertise in medical child abuse and neglect services.
2. Have a minimum of one full time equivalent Pediatrician board certified as a Child Abuse Pediatrician (“CAP”) or a Pediatrician with 5 or more years of experience in forensic child abuse assessment, diagnosis and treatment.
3. Have a minimum of one full time equivalent social worker with experience in trauma informed care.
4. Have a minimum of one program coordinator.
5. Currently be providing comprehensive medical evaluations for child abuse and neglect patients, including consults on inpatient and outpatient cases.
6. Have in-house access to related subspecialty services such as pediatric radiology, geneticists, and endocrinologists, who specialize in identifying unique health conditions, including:
 - a. rickets;
 - b. Ehlers-Danlos Syndrome;
 - c. osteogenesis imperfecta;
 - d. vitamin D deficiency; and
 - e. other similar metabolic bone diseases or connective tissue disorders.
7. Currently participate in community child abuse prevention efforts by serving on community boards, the local Child Fatality Review Team and provide expertise to other agencies concerned with prevention of child abuse and neglect or by developing/disseminating prevention materials.
8. Currently collaborate with Child Protective Services (CPS)-assigned caseworkers and community organizations such as the local Child Advocacy Center (CAC), the child fatality review team, Forensic Assessment Center Network (FACN) and law enforcement.
9. Currently provide related child abuse and neglect training for medical students and residents (if present at the hospital), community physicians, CPS, law enforcement and others.
10. Currently maintain active membership in recognized state and national child abuse organizations in order to provide up-to-date research information to the team.
11. Currently maintain and update child maltreatment protocols related to conducting medical evaluations and case reporting.
12. Be Culturally and Linguistically Competent: Culturally competent systems recognize that culture counts. There is an understanding that world views, beliefs, and customs are different and can impact the extent to which individual’s access or engage in services. As a result, they can have a significant influence on recovery outcomes. Successful respondents will demonstrate that they understand and will address the varying cultural needs of the populations that they serve through their service design, staffing, and organizational policies.

2.5 SCOPE

In developing proposals in response to this RFA, Respondents will be required to complete attached **Forms A** through **J** to address the following:

Respondents must propose and implement activities related to the assessment, diagnosis, and treatment of child abuse and neglect, to be completed within the contract term. Examples of these activities include, but are not limited to: expanding existing services, adding staff resources, education and training activities for medical, child welfare and law enforcement professionals, research and protocol development, and data quality improvement activities.

In accordance with Health and Safety Code §1001.151, grant funds awarded under this RFA may only be used to support the following:

1. Comprehensive medical evaluations, psychosocial assessments, treatment services, and written and photographic documentation of abuse;
2. Education and training for health professionals, including physicians, medical students, resident physicians, child abuse fellows, and nurses, relating to the assessment, diagnosis, and treatment of child abuse and neglect;
3. Education and training for community agencies involved with child abuse and neglect, including but not limited to, law enforcement officials, child protective services staff, child fatality review teams, and children's advocacy centers.
4. Medical case reviews, consultations, and testimony regarding those reviews and consultations;
5. Research, data collection, and quality assurance activities, including the development of evidence-based guidelines and protocols for the prevention, evaluation, and treatment of child abuse and neglect;
6. The use of telemedicine and other means to extend services from regional programs into underserved areas; and
7. Other necessary activities, services, supplies, facilities, and equipment as determined appropriate by DSHS.

2.5.1 Expenditure Proposal

In attached **Form J**, Respondents must:

1. Demonstrate that project costs outlined in the Expenditure Proposal are reasonable, allowable, allocable, and developed in accordance with applicable state and federal grant requirements.
2. Identify costs to be requested from DSHS.
3. Utilize the HHSC template provided as **Form J** and per the instructions outlined in **Article 7 – Expenditure Proposal Form J-1**.

2.6 PERFORMANCE MEASURES

DSHS will monitor the performance of contracts awarded under this RFA. All services and deliverables under the contract shall be provided at an acceptable quality level and in a manner consistent with acceptable industry standard, custom, and practice.

Grantees shall submit a monthly report using the template provided by DSHS, and any additional information as determined by DSHS no later than the 15th day of the month following the reporting

period.

Grantees shall complete the online reporting survey, via Survey Monkey no later than the 15th day of each month following the reporting period. The following performance measures will be assessed:

1. Number and type of inpatient consultations.
2. Number and type of outpatient consultations.
3. Number and type of near fatalities due to abuse or neglect.
4. Additional support provided (case reviews and number and type of court appearances).
5. Number of trainings/presentations, training/presentation topics, number of hours of trainings/presentations, and the type of professional or community group to whom the trainings/presentations were given.

Grantees shall submit any additional information to DSHS upon request relating to legislative inquiries, the report to the Governor and Legislature submitted every even-numbered year, and program evaluation.

2.7 DATA USE AGREEMENT

By entering into a Contract, or purchase order with the System Agency as a result of this Solicitation, Respondent agrees to be bound by the terms of the Texas HHS System **Data Use Agreement (DUA), Version 8.4** attached as **Exhibit C**.

Respondents must submit the Texas HHS System Data Use Agreement, v. 8.4 - Attachment 2 Security and Privacy Inquiry (SPI) form, v. 2.1 with their proposal, as part of **EXHIBIT C**

2.8 PROHIBITIONS

Grant funds may not be used to support the following services, activities, and costs:

1. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. Lobbying;
3. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. Vehicles or equipment for government agencies that are for general agency use and/or do not have a clear nexus to terrorism prevention, interdiction, and disruption (i.e. mobile data terminals, body cameras, in-car video systems, or radar units, etc. for officers assigned to routine patrol);
5. Weapons, ammunition, tracked armored vehicles, weaponized vehicles or explosives (exceptions may be granted when explosives are used for bomb squad training);
6. Admission fees or tickets to any amusement park, recreational activity or sporting event;
7. Promotional gifts;
8. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel or where pre-approved for working events;
9. Membership dues for individuals;

10. Any expense or service that is readily available at no cost to the grant project;
11. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
12. Fundraising;
13. Statewide projects;
14. Any other prohibition imposed by federal, state, or local law; and
15. The acquisition or construction of facilities.

2.9 STANDARDS

Grantees must comply with the requirements applicable to this funding source cited in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 Code of Federal Regulations (CFR) 200); the Uniform Grant Management Standards (UGMS), and all statutes, requirements, and guidelines applicable to this funding.

Grantees are required to conduct Project activities in accordance with federal and state laws prohibiting discrimination. Guidance for adhering to non-discrimination requirements can be found on the Health and Human Services Commission (HHSC) Civil Rights Office website at: <http://www.hhs.state.tx.us/aboutHHS/CivilRights.shtml>.

Upon request, a Grantee must provide the HHSC Civil Rights Office with copies of all the Grantee's civil rights policies and procedures. Grantees must notify HHSC's Civil Rights Office of any civil rights complaints received relating to performance under the contract no more than 10 calendar days after receipt of the complaint. Notice must be directed to:

HHSC Civil Rights Office
701 W. 51st Street, Mail Code W206
Austin, TX 78751
Phone Toll Free (888) 388-6332
Phone: (512) 438-4313
TTY Toll Free (877) 432-7232
Fax: (512) 438-5885

A Grantee must ensure that its policies do not have the effect of excluding or limiting the participation of persons in the Grantee's programs, benefits or activities on the basis of national origin, and must take reasonable steps to provide services and information, both orally and in writing, in appropriate languages other than English, in order to ensure that persons with limited English proficiency are effectively informed and can have meaningful access to programs, benefits, and activities.

Grantees must comply with Executive Order 13279, and its implementing regulations at 45 CFR Part 87 or 7 CFR Part 16, which provide that any organization that participates in programs funded by direct financial assistance from the U.S. Dept. of Agriculture or U.S. Dept. of Health and Human Services must not, in providing services, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief.

2.10 No Guarantee of Volume, Usage or Compensation

The System Agency makes no guarantee of volume, usage, or total compensation to be paid to any Respondent under any awarded Grant, if any, resulting from this Solicitation, any awarded Grant is subject to appropriations and the continuing availability of funds.

The System Agency reserves the right to cancel, make partial award, or decline to award a Grant under this Solicitation at any time at its sole discretion.

There should be no expectation of additional or continued funding on the part of the Grant Recipient. Any additional funding or future funding may require submission of an application through a subsequent RFA.

2.11 TERMS AND CONDITIONS

The terms and conditions outlined throughout this RFA govern the RFA and any resulting contract. Any Contract awarded under this RFA include the following Attachments found at the end of this document:

1. **EXHIBIT B - HHSC UNIFORM CONTRACT TERMS AND CONDITIONS - GRANT VERSION 2.14**
2. **EXHIBIT C - HHSC DATA USE AGREEMENT, VERSION 8.4**
3. **EXHIBIT D - DSHS SPECIAL AND SUPPLEMENTAL CONDITIONS, VERSION 3.2017**

DSHS reserves the right, at its sole discretion, to change, modify, add or remove terms and conditions governing the resulting contract. Any terms and conditions attached to a Response will not be considered unless specifically referred to in the Response.

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ARTICLE 3. ADMINISTRATIVE INFORMATION

3.1 SCHEDULE OF EVENTS

EVENT	DATE/TIME
Solicitation Release Date	October 29, 2018
Deadline for Submitting Questions	November 12, 2018
Deadline for submission of Solicitation Responses [NOTE: Responses must be RECEIVED by HHSC by the deadline.]	November 29, 2018 @ 2:00 p.m.
Anticipated Contract Start Date	3/1/2019

Note: These dates are a tentative schedule of events. The System Agency reserves the right to modify these dates at any time upon notice posted to the HHS Grants Opportunities website. Any dates listed after the Solicitation Response deadline will occur at the discretion of the System Agency and may occur earlier or later than scheduled without notification on the HHS Grants Opportunities website.

3.2 CHANGES, AMENDMENT OR MODIFICATION TO SOLICITATION

The System Agency reserves the right to change, amend or modify any provision of this Solicitation, or to withdraw this Solicitation, at any time prior to award, if it is in the best interest of the System Agency and will post such on the HHS Grants Opportunities. It is the responsibility of Respondent to periodically check the HHS Grants Opportunities to ensure full compliance with the requirements of this Solicitation.

3.3 IRREGULARITIES

Any irregularities or lack of clarity in this Solicitation should be brought to the attention of the Point of Contact listed in **Section 3.4.1** as soon as possible so corrective addenda may be furnished to prospective Respondents.

3.4 INQUIRIES

3.4.1 Point of Contact

All requests, questions or other communication about this Solicitation shall be made in writing to the System Agency's Point of Contact addressed to the person listed below. All communications between Respondents and other System Agency staff members concerning the Solicitation are strictly prohibited, unless noted elsewhere in this RFA. **Failure to comply with these requirements may result in disqualification of Respondent's Solicitation Response.**

Name: Carolyn R. DeBoer, CTPM, CTCM
Title: Purchaser
Address: 1100 West 49th Street, Austin, TX 78756

Phone: 512-406-2447
Email: Carolyn.deboer@hhsc.state.tx.us

3.4.2 Prohibited Communications

All communications between Respondents and other System Agency staff members concerning the Solicitation may not be relied upon and respondent should send all questions or other communications to the point-of contact. This restriction does not preclude discussions between affected parties for the purposes of conducting business unrelated to this Solicitation. **Failure to comply with these requirements may result in disqualification of Respondent's Solicitation Response.**

3.4.3 Questions

The System Agency will allow written questions and requests for clarification of this Solicitation. Questions must be submitted in writing and sent by U.S. First class mail or email to the Point of Contact listed in **Section 3.4.1** above. Respondents' names will be removed from questions in any responses released. Questions shall be submitted in the following format. Submissions that deviate from this format may not be accepted:

1. Identifying Solicitation number
2. Section Number
3. Paragraph Number
4. Page Number
5. Text of passage being questioned
6. Question

3.4.4 Clarification request made by Respondent

Respondents must notify the Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specifications, omission or other error in the Solicitation in the manner and by the deadline for submitting questions.

3.4.5 Responses

Responses to questions or other written requests for clarification will be posted on the HHS Grants Opportunities website. The System Agency reserves the right to amend answers prior to the deadline of Solicitation Responses. Amended answers will be posted on the HHS Grants Opportunities website. It is Respondent's responsibility to check the HHS Grants Opportunities website for updated responses.

3.5 SOLICITATION RESPONSE COMPOSITION

3.5.1 Generally

All Applications must be:

1. Clearly legible;

2. Sequentially page-numbered and include the respondents name at the top of each page;
3. Organized in the sequence outlined in **Article 9** - Submission Checklist;
4. In Arial font, size 12 or larger for normal text, no less than size 10 for tables, graphs, and appendices;
5. Blank forms provided in the Attachments must be used (electronic reproduction of the forms is acceptable; however, all forms must be identical to the original form(s) provided); do not change the font used on forms provided;
6. Correctly identified with the RFA number and submittal deadline;
7. Responsive to all RFA requirements; and
8. Signed by an authorized official in each place a signature is needed (copies must be signed but need not bear an original signature).

3.5.2 Submission in Separate Parts

All Applications must be submitted in separate parts as follows:

1. Administrative Information, including all forms;
2. Narrative Proposal, including all forms;
3. Expenditure Proposal; and
4. Applicable Exhibits and Required Forms.

Paper documents (i.e. the original and all hard copies) must be separated by parts. Electronic submissions must be separated by electronic medium used for submission (i.e. flash drive).

The entire Solicitation Response – all separated paper documents and electronic copies – must then be submitted in one package to HHSC at the address listed in **Section 3.4.1**. The number of copies and directions for submitting an "Original" and "Copies" are outlined in **Article 9**.

3.6 SOLICITATION RESPONSE SUBMISSION AND DELIVERY

3.6.1 Deadline

Solicitation Responses must be received at the address in **Section 3.4.1** time-stamped by the System Agency no later than the date and time specified in **Section 3.1**.

3.6.2 Labeling

Solicitation Responses shall be placed in a sealed box and clearly labeled as follows:

SOLICITATION NO: HHS0000436
SOLICITATION NAME: Texas Medical Child Abuse Resources and Education System (MEDCARES)
RESPONSE DEADLINE: November 26, 2018 at 2:00 p.m.
PURCHASER'S NAME: Carolyn R. DeBoer
RESPONDENT'S NAME:

The System Agency will not be held responsible for any Solicitation Response that is mishandled prior to receipt by the System Agency. It is Respondent's responsibility to mark appropriately and deliver the Solicitation Response to the System Agency by the specified date and time.

3.6.3 Delivery

Respondent must deliver Solicitation Responses by one of the methods below to the address noted. Solicitation Responses submitted by any other method (e.g. facsimile, telephone, email) will **NOT** be considered.

To be delivered by U.S. Postal Service, overnight or express mail, or hand delivery to:

U.S. Postal Service	Overnight/Express Mail	Hand Delivery
Health and Human Services Commission Procurement and Contracting Services Building ATTN: Response Coordinator 1100 W 49th. MC 2020 Austin, Texas 78756	Health and Human Services Commission Procurement and Contracting Services Building ATTN: Response Coordinator 1100 W 49th. MC 2020 Austin, Texas 78756	Health and Human Services Commission Procurement and Contracting Services Building ATTN: Response Coordinator 1100 W 49th. MC 2020 Austin, Texas 78756

Note: All Solicitation Responses become the property of HHSC after submission and will not be returned to Respondent.

3.6.4 Alterations, Modifications, and Withdrawals

Prior to the Solicitation submission deadline, a Respondent may: (1) withdraw its Solicitation Response by submitting a written request to the Point of Contact identified in **Section 3.4.1**; or (2) modify its Solicitation Response by submitting a written amendment to the Point of Contact identified in **Section 3.4.1**. The System Agency may request Solicitation Response Modifications at any time.

ARTICLE 4. SOLICITATION RESPONSE EVALUATION AND AWARD PROCESS

4.1 GENERALLY

Those Respondents making it through the initial review process will be invited to submit additional information and to participate in a negotiation process which will determine final selection. The specific dollar amount awarded to each successful Respondent will depend upon the merit and scope of the application and negotiations. Funded amounts may differ from those requested. Not all Respondents who are deemed eligible to receive funds are assured of receiving an award.

The final funding amount and the provisions of the contract will be determined at the sole discretion of DSHS.

4.2 ELIGIBILITY SCREENING

Applications will be reviewed for minimum qualifications and completeness. All complete applications meeting the minimum qualifications will move to the Evaluation stage.

4.3 EVALUATION

DSHS will select Respondents to receive awards based on eligibility criteria, facility type, staffing requirements, service delivery, geographical distribution, scores, best value factors, and the best interest of the State.

Applications will be evaluated and scored in accordance with the factors required by the MEDCARES grant program and other factors deemed relevant by DSHS. See Attachment H: Evaluation Score tool.

4.3.1 Specific Selection Criteria

Grant applications shall be evaluated based upon:

1. Executive Summary & Corporate Background and Experience - 15%
2. Program Narrative - 25%
3. Project Work Plan - 40%
4. Financial Management and Administration Questionnaire - 10%
5. Project Cost - 10%

4.4 FINAL SELECTION

After initial screening for eligibility, application completeness, and initial scoring of the elements listed above in **Section 4.3.1**, a selection committee will look at all eligible applicants to determine which proposals should be awarded in order to most effectively accomplish state priorities. The selection committee will recommend grant awards to be made to the HHSC Executive Commissioner, who will make the final award approval.

HHSC will make all final funding decisions based on eligibility, geographic distribution across the state, state priorities, reasonableness, availability of funding, and cost-effectiveness.

4.5 NEGOTIATION AND AWARD

The specific dollar amount awarded to each successful Applicant will depend upon the merit and scope of the Application, the recommendation of the Selection Committee, the number of selected Applicants, and the decision of the Executive Commissioner. Not all Applicants who are deemed eligible to receive funds are assured of receiving an award.

The negotiation phase will involve direct contact between the successful Applicant and DSHS representatives via phone and/or email. During negotiations, successful Applicants may expect:

1. An in-depth discussion of the submitted proposal and budget; and
2. Requests from DSHS for clarification or additional detail regarding submitted Application.

The final funding amount and the provisions of the contract will be determined at the sole discretion of HHSC staff.

Any exceptions to the requirements, terms, conditions, or certifications in the RFA or attachments, addendums, or revisions to the RFA or Uniform Terms and Conditions, sought by the Applicant must be specifically detailed in writing by the Applicant on Exhibit E: Exception Form in this proposal and submitted to HHSC for consideration. HHSC will accept or reject each proposed exception. HHSC will not consider exceptions submitted separately from the Applicant's proposal or at a later date.

4.6 QUESTIONS OR REQUESTS FOR CLARIFICATION BY THE SYSTEM AGENCY

The System Agency reserves the right to ask questions or request clarification from any Respondent at any time during the application process.

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ARTICLE 5. NARRATIVE PROPOSAL

5.1 NARRATIVE PROPOSAL

5.1.1 Executive Summary

Respondent will complete **Form E, Executive Summary** attached to this RFA. Respondents will provide a high-level overview with a broad understanding of the Respondent's approach to meeting the RFA's business requirements. The summary must demonstrate an understanding of the goals and objectives of this solicitation.

5.1.2 Corporate Background and Experience

Respondent will complete **Form F, Corporate Background and Experience** attached to this RFA. Respondent will provide details of the respondent's corporate background and experience related to service delivery to the target population described in Article 2. Respondent will also include all documents requested as part of completing Form F to demonstrate fulfilling Article 2 requirements.

5.1.3 Program Narrative

Respondent will complete **Form G, Program Narrative** attached to this RFA. Respondent will provide a detailed description of the proposed programmatic services they plan to provide and to whom, and must support all the business activities and requirements described in this RFA. The detailed description must reflect a clear understanding of the work undertaken. Respondent will also include all documents requested as part of completing Form G to demonstrate fulfilling Article 2 requirements.

5.1.4 Project Work Plan

Respondent will complete **Form H, Project Work Plan** attached to this RFA. Respondent will describe its plan for service delivery to the target population in the proposed program service area for meeting all components described in Article 2. Respondent will also include all documents requested as part of completing Form H to demonstrate fulfilling Article 2 requirements.

5.1.5 Financial Management and Administration Questionnaire

Respondent will complete **Form I, Financial Management and Administration Questionnaire** attached to this RFA.

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ARTICLE 6. REQUIRED RESPONDENT INFORMATION

6.1 ADMINISTRATIVE ENTITY INFORMATION

Respondent must provide satisfactory evidence of its ability to manage and coordinate the types of activities described in this Solicitation. As a part of the Solicitation Response requested in **Article 3**, Respondent must provide the following information.

6.2 LITIGATION AND CONTRACT HISTORY

Respondent must include in its Solicitation Response a complete disclosure of any alleged or significant contractual failures.

In addition, Respondent must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Respondent or in which Respondent has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify Respondent.

Solicitation Response may be rejected based upon Respondent's prior history with the State of Texas or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual obligations.

6.3 CONFLICTS

Respondent must certify that it does not have any personal or business interests that present a conflict of interest with respect to the RFA and any resulting contract. Additionally, if applicable, the respondent must disclose all potential conflicts of interest. The respondent must describe the measures it will take to ensure that there will be no actual conflict of interest and that its fairness, independence and objectivity will be maintained. The System Agency will determine to what extent, if any, a potential conflict of interest can be mitigated and managed during the term of the contract. Failure to identify actual and potential conflicts of interest may result in disqualification of a Solicitation Response or termination of a contract.

Please include any activities of affiliated or parent organizations and individuals who may be assigned to this Contract, if any.

Additionally, pursuant to Section 2252.908 of the Texas Government Code, a successful respondent awarded a contract greater than \$1 million dollars, or that requires an action or vote of the governing body, must submit a disclosure of interested parties to the state agency at the time the business entity submits the signed contract. Rules and filing instructions may be found on the Texas Ethics Commissions public website and additional instructions will be given by HHSC to successful respondents.

6.4 AFFIRMATIONS AND CERTIFICATIONS

Respondent must complete and return all of the following listed forms and exhibits. Exhibits are listed following **Article 10**.

1. Exhibit A, Respondent Affirmations and Solicitation Acceptance, v 1.3
2. Exhibit C, Data Use Agreement, v. 8.4 - Attachment 2 Security and Privacy Inquiry (SPI) form, v 2.1
3. Exhibit E, Exceptions (if applicable)
4. Exhibit F, Federally Required Affirmations and Certifications
 - a. Certification Regarding Federal Lobbying
 - b. Federal Affirmations
5. Exhibit G: Fiscal Federal Funding Accountability and Transparency Act Form (FFATA)

6.5 HUB

If a successful Respondent chooses to contract for goods and services using the funding awarded in this grant, HHSC encourages the Respondent to use HUBs to provide those goods and services where possible.

6.6 DISPUTE RESOLUTION

If a contract dispute arises that cannot be resolved to the satisfaction of the Parties, either Party may notify the other Party in writing of the dispute. If the Parties are unable to satisfactorily resolve the dispute within fourteen (14) days of the written notification, the Parties must use the dispute resolution process provided for in Chapter 2260 of the Texas Government Code to attempt to resolve the dispute. This provision will not apply to any matter with respect to which either Party may make a decision within its respective sole discretion.

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ARTICLE 7. EXPENDITURE PROPOSAL

7.1 EXPENDITURE PROPOSAL

Attached **Form J** of this RFA includes the template for submitting the Expenditure Proposal. Attached **Form J-1** is included for guidance. Respondents must complete **Form J**, place it in a separate, sealed package, clearly marked with the respondent's name, the RFA number, and the RFA submission date.

Respondents must base their Expenditure Proposal on the Scope of Work described in **Article 2**. This section should include any business, economic, legal, programmatic, or practical assumptions that underlie the Expenditure Proposal. HHSC reserves the right to accept or reject any assumptions. All assumptions not expressly identified and incorporated into the contract resulting from this RFA are deemed rejected by HHSC.

Respondents must demonstrate that project costs outlined in the Expenditure Proposal are reasonable, allowable, allocable, and developed in accordance with applicable state and federal grant requirements.

Respondent must utilize the HHSC template provided, and identify costs to be requested from HHSC and costs to be matched. Costs must be broken out to a degree that is sufficient to determine if costs are reasonable, allowable, and necessary for the successful performance of the project. **Match is not required under this RFA.**

Costs will be reviewed for compliance with UGMS and federal grant guidance found in 2 CFR Part 200, with effect given to whichever provision imposes the more stringent requirement in the event of a conflict.

Costs included in the Expenditure Proposal will be entered into budget tables and supported by narrative descriptions describing the need for the requested cost and a calculation demonstrating how the cost was arrived at.

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ARTICLE 8. GENERAL TERMS AND CONDITIONS

8.1 GENERAL CONDITIONS

8.1.1 Costs Incurred

Respondents understand that issuance of this Solicitation in no way constitutes a commitment by any System Agency to award a contract or to pay any costs incurred by a Respondent in the preparation of a response to this Solicitation. The System Agency is not liable for any costs incurred by a Respondent prior to issuance of or entering into a formal agreement, contract, or purchase order. Costs of developing Solicitation Responses, preparing for or participating in oral presentations and site visits, or any other similar expenses incurred by a Respondent are entirely the responsibility of the Respondent, and will not be reimbursed in any manner by the State of Texas.

8.1.2 Contract Responsibility

The System agency will look solely to Respondent for the performance of all contractual obligations that may result from an award based on this Solicitation. Respondent shall not be relieved of its obligations for any nonperformance by its contractors.

8.1.3 Public Information Act

Solicitation Responses are subject to the Texas Public Information Act (PIA), Texas Government Code Chapter 552, and may be disclosed to the public upon request. Subject to the PIA, certain information may be protected from public release. Respondents who wish to protect portions of the Solicitation Response from public disclosure should familiarize themselves with this law. Information pertaining to the Solicitation will be withheld or released only in accordance with the PIA.

8.1.4 News Releases

Prior to final award a respondent may not issue a press release or provide any information for public consumption regarding its participation in the procurement. Requests should be directed to the HHSC Point of Contact Identified in **Article 3**.

8.1.5 Additional Information

By submitting a proposal, the Respondent grants HHSC the right to obtain information from any lawful source regarding the respondent's and its directors', officers', and employees': (1) past business history, practices, and conduct; (2) ability to supply the goods and services; and (3) ability to comply with contract requirements. By submitting a proposal, a respondent generally releases from liability and waives all claims against any party providing HHSC information about the respondent. HHSC may take such information into consideration in evaluating proposals.

ARTICLE 9. SUBMISSION CHECKLIST

This checklist is provided for Respondent's convenience only and identifies documents that must be submitted with this Solicitation in order to be considered responsive. Any Solicitation Response received without these requisite documents may be deemed nonresponsive and may not be considered for contract award.

Original Solicitation Response Package

The Solicitation Package must include the "Original" Solicitation Response in **hard-copy** consisting of the four parts described in detail below, each under separate cover but packaged together and clearly labeled "Original" on each.

1. Administrative Information (Forms A through D)

- a. Form A: Face Page _____
- b. Form B-1: Governmental Entity (if applicable) _____
- c. Form B-2: Nonprofit or For-Profit Entity (if applicable) _____
- d. Form C: Contact Person Information _____
- e. Form D: Administrative Information _____

2. Narrative Proposal Forms (Forms E through I)

(Section 2.5)

- a. Form E: Executive Summary _____
- b. Form F: Corporate Background and Experience _____
- c. Form G Program Narrative _____
- d. Form H: Project Work Plan _____
- e. Form I: Financial Management and Administration Questionnaire _____

3. Expenditure Proposal (template included)

(Article 7)

- a. Form J: Expenditure Proposal Template _____

4. Applicable Exhibits

(Section 3.5.2)

- a. Exhibit A - Respondent Affirmations and Acceptance, v. 1.3 _____
- b. Exhibit C - Data Use Agreement, v 8.4 - Attachment 2 Security and Privacy Inquiry (SPI) form, v. 2.1 _____
- c. Exhibit E - Exceptions Form _____
- d. Exhibit F- Federally Required Affirmations and Certifications _____
- e. Exhibit G - Fiscal Federal Funding Accountability and Transparency Act Form (FFATA Form) _____

Copies of Solicitation Response Package

Respondent will provide the following number of **electronic** copies (all clearly labeled as "copy") in addition to the hard-copy "Original" Solicitation Response. Electronic copies must be submitted on a USB Drive and separated by folders.

1. 1 Electronic copy of **Administrative Information**
2. 1 Electronic copy of **Narrative Proposal**
3. 1 Electronic copy of **Expenditure Proposal**
4. 1 Electronic copy of **Applicable Exhibits**

ARTICLE 10. FORMS AND EXHIBITS






















FORM A: FACE PAGE	 Form A Face Page.docx
FORM B-1: GOVERNMENTAL ENTITY (IF APPLICABLE)	 Form B 1 Govenrmental Entity
FORM B-2: NON-PROFIT OR FOR-PROFIT ENTITY (IF APPLICABLE)	 FORM B 2 NON-PROFIT OR FO
FORM C: CONTACT PERSON INFORMATION	 FORM C CONTACT PERSON INFORMATI
FORM D: ADMINISTRATIVE INFORMATION	 FORM D ADMINISTRATIVE INF
FORM E: EXECUTIVE SUMMARY	 FORM E EXECUTIVE SUMMARY.docx
FORM F: CORPORATE BACKGROUND/EXPERIENCE	 FORM F CORPORATE BACKG
FORM G: PROGRAM NARRATIVE	 FORM G PROGRAM NARRATIVE.docx
FORM H: PROJECT WORK PLAN	 FORM H PROJECT WORK PLAN.docx
FORM I: FINANCIAL MANAGEMENT AND ADMINISTRATION QUESTIONNAIRE	 FORM I FINANCIAL MGMT & ADMIN QU
FORM J: EXPENDITURE PROPOSAL TEMPLATE	 FORM J EXPENDITURE PROPI
FORM J-1: EXPENDITURE PROPOSAL TEMPLATE INSTRUCTIONS WITH EXAMPLES	 FORM J1 EXPENDITURE PROPI

EXHIBIT A: AFFIRMATIONS AND SOLICITATION ACCEPTANCE, VERSION 1.3	 EXHIBIT A Affirmations & Solic
EXHIBIT B: HHSC UNIFORM TERMS AND CONDITIONS – GRANT, VERSION 2.14	 Exhibit B HHSC UNIFORM TERMS AN
EXHIBIT C: DATA USE AGREEMENT, VERSION 8.4 ATTACHMENT 2: SECURITY AND PRIVACY INQUIRY, VERSION 2.1	 Exhibit C Data Use Agreement.pdf  Attachment 2 SPL.pdf
EXHIBIT D: DSHS SPECIAL AND SUPPLEMENTAL CONDITIONS, VERSION 3.2017	 EXHIBIT D DSHS Vendor Supplement
EXHIBIT E: EXCEPTIONS FORM	 EXHIBIT E Exceptions Form.doc
EXHIBIT F: FEDERALLY REQUIRED ASSURANCE AND CERTIFICATIONS	 EXHIBIT F FEDERALLY REQUIRE
EXHIBIT G: FISCAL FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT FORM (FFATA FORM)	 EXHIBIT G FFATA Form.pdf
EXHIBIT H: EVALUATION SCORE TOOL	 Exhibit H Evaluation Score Tool