

COUNTY OF MARIN



**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND ADULT SERVICES**

REQUEST FOR PROPOSAL (RFP)

**OLDER ADULTS RECOVERY AND RESILIENCE (OARR) ACT
LEGAL SERVICES**

RFP-HHS-2022-20

<https://www.marinhhs.org/rfp/2022-20>

DATE ISSUED:

Thursday, November 10, 2022

DEADLINE FOR SUBMISSIONS:

Tuesday, December 6, 2022, 12 p.m. PST

The County of Marin Health and Human Services Department does not discriminate on the basis of sex, race, color, religion, age, sexual orientation, disability, marital status, national origin, citizenship status, genetic information, gender identity and expression, AIDS/HIV, medical condition, political affiliation, military or veteran status, or status as a victim of domestic violence, assault, or stalking in employment or in its educational programs and activities. Requests for disability accommodations may be made by phoning (415) 473-4381(Voice), CA Relay 711 or by e-mail at disabilityaccess@marincounty.org.

**REQUEST FOR PROPOSAL
TO PROVIDE
one-time OARR Senior Legal Services
FROM January 16, 2023 THROUGH DECEMBER 31, 2023**

All applicants are hereby advised of the following schedule and will be expected to adhere to the applicant- related deadlines below:

RFP Advertised	Thursday, November 10, 2022
Bidder's conference	<p>Thursday, November 17, 2022 Time: 1 – 2:30 p.m.</p> <p>Location: Zoom Teleconference (click link to join) – Zoom Bidders Conference</p> <p>Meeting ID: 824 6337 4588 Passcode: 653742</p> <p>Call-in: 669-219-2599</p> <p>One tap mobile +16692192599,,82463374588#,,,,*653742#</p>
RFP Question/Answer Period (online submission only)	Thursday, November 17 – Friday, December 2, 2022 at 12 p.m. Access at https://www.marinhhs.org/rfp/2022-20
RFP response submission deadline	Tuesday, December 6, 2022, 12 p.m. PST
Notification of Intent to Award	Monday, December 19, 2022
Protest submission deadline	Tuesday, December 27, 2022, 4 p.m.
Public Announcement at Commission on Aging meeting	Thursday, January 5, 2023, 11:15 a.m.
Contract Start Date*	Friday, January 16, 2023

*Contract start date is contingent upon the approval of the Board of Supervisors.

REQUEST FOR PROPOSAL
TO PROVIDE one-time OARR funded Legal Services
FROM January 16, 2023 THROUGH DECEMBER 31, 2023

Marin County Department of Health and Human Services (HHS), Office of Aging and Adult Services (AAS) is issuing a Request for Proposal (RFP) to seek qualified public or nonprofit providers for the provision of one-time Title IIIB Older Adults Recovery and Resilience (OARR) Act-funded Senior Legal Services. Funds for the OARR-funded Senior Legal Services program are contingent upon the availability of federal, state, and local funds. The OARR Senior Legal Services RFP may be found at [Department of HHS RFP website](#).

Only one proposal may be submitted from a single agency for each service category. Collaborative proposals that bring together a lead agency and one or more partner agencies are highly desirable. AAS seeks proposals that show a strong inter-agency partnership to develop a robust program that does not lead to duplicative or fragmented services. Proposals must also identify strategies to reach underserved populations including lesbian, gay, bisexual, transgender (LGBT) individuals, people of color, low-income and rural residents, and previously underserved communities as relevant to the services being proposed.

When preparing a proposal in response to this request, please:

- Carefully read the entire RFP document before you start, and make sure that all procedures and requirements of the RFP are accurately followed and addressed.
- Review answers to questions posted by bidders (Bidders' Conference and/or questions and answers from website), as noticed in this document.
- Carefully review the entire proposal prior to submittal and use the checklist provided in this RFP to make sure everything has been completed as instructed.
- Submit a complete proposal by the required deadline.

I. BACKGROUND

A. DEPARTMENT OF HEALTH AND HUMAN SERVICES STRATEGIC PLAN TO ACHIEVE HEALTH AND WELLNESS EQUITY

In 2018, Marin County Health and Human Services (HHS) launched a strategic plan to achieve health and wellness equity in Marin. While income, education, and other socioeconomic and cultural factors play key roles in shaping outcomes in our communities, the direct effects of racism – whether covert or overt, intentional or unintentional, systemic or individual – must be acknowledged and addressed to achieve equity. Research demonstrates independent associations of racial discrimination on driving inequities, including downward mobility.

Central to our efforts on leading with race to achieve equity is treating clients respectfully and with cultural humility. HHS commits to systematically expanding this work throughout the Department and to supporting contracted service providers to do the same. By deepening our understanding of how individuals experience accessing and receiving services and understanding how services result in outcomes by race and ethnicity, HHS and contracted service providers can identify opportunities to improve service delivery.

HHS recognizes that leading with race to achieve health and wellness equity requires working with our partners in new ways. These collaborations will amplify efforts on leading with race to advance health and wellness equity by aligning and coordinating work, accomplishing more than HHS or any other single organization could do alone.

To achieve these goals, we must work differently across sectors. New and non-traditional partnerships can help remove barriers to opportunity and direct resources toward evidence-based efforts that address historic inequities.

This RFP seeks bids that demonstrate efforts to promote racial equity in providing the proposed services. To learn more about the HHS Strategic Plan to Achieve Health and Wellness Equity, visit: MarinHHS.org/Equity-Plan

B. ABOUT MARIN COUNTY AGING AND ADULT SERVICES (AAS)

The Marin County Office of AAS is a branch within the Marin County Department of Health and Human Services (HHS). AAS acts as the Area Agency on Aging (AAA) and works closely with the Marin County Commission on Aging (MCCOA), a 23-member advisory council representing supervisorial districts, towns and cities of Marin, and the California Senior Legislature. In partnership with the MCCOA, AAS has the overall responsibility of planning, coordinating, administering funding, and advocating for a comprehensive and integrated community-based service system to meet the needs of older persons in Marin County. In addition to the AAA, AAS oversees the Long-Term Care Ombudsman, Adult Protective Services, and In-Home Support Services programs.

C. ABOUT THE PLANNING AND SERVICE AREA

The State of California is divided into 33 Planning and Service Areas, or PSAs, for the administration of the OAA and Older Californians Act. In each PSA, a single agency has been designated as its AAA charged with the responsibility of fulfilling the statutory mandates contained in both Acts. Marin County is designated as PSA 5 with its AAA administered by AAS. The County Board of Supervisors serves as its board of directors.

II. PROJECT DESCRIPTION AND EXPECTATIONS

A. PROJECT PERIOD

Contract awards will be made on a competitive bid basis. The anticipated contract period is from January 16, 2023, to December 31, 2023. The County reserves the right to: increase or decrease the contract amount, fund the proposed service in whole or in part, and terminate or extend the program/contract based on funding availability.

B. AVAILABLE FUNDING AND PRIORITY AREAS

OARR Legal Services funds are available for one-time funding for the 11 ½-month period January 16, 2023 to December 31, 2023 in the following estimated amount:

Legal Services	\$ 247,532
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Proposal narratives must be accompanied by a clear, concise and reasonable budget for the proposed service category for the grant period of January 16, 2023 to December 31, 2023 using the budget form provided in this RFP.

Funding Priority Areas

Marin County AAS is seeking qualified home- and community-based nonprofit or public agencies to provide programs that will respond to the identified needs of older adults in Marin County. Results of the quantitative Marin County AAA's [Older Adults Needs Assessment](#) guided the prioritization of services in this RFP as described below. These areas should be prioritized for funding to respond to the most pressing service needs identified in the [Older Adults Needs Assessment](#). This RFP seeks applicants that can show their ability to develop approaches and programs in these priority areas as described below.

This RFP also encourages bids that demonstrate the ability to provide services (as appropriate) in alternative formats, such as online or via teleconference, given the unknown impact of any potential future of state and local public health orders.

Service Definitions:¹

This RFP seeks services as defined by the California Department of Aging (CDA). Applicants should carefully review the following service descriptions, including the units of service, and then review the combination of services this RFP seeks in the Project Description section. Proposed services must adhere to the following service descriptions, rather than offering different or modified services, to be considered for funding.

All services are categorized as non-registered or registered services which determine the type of data the successful bidder(s) will be required to collect and report.

- **Non-Registered Services:** Services where it is not practical to collect client specific information or where requiring the client to register may serve as a barrier to receiving a service.
- **Registered Services:** Services with data collection and reporting requirements, including unduplicated client counts by characteristic, units of service, and Assistance with Daily Living criteria.

CDA's defined services are grouped into three areas called Priority Access Services, Priority In-Home Services and Other services. This RFP seeks services in the priority area(s) indicated below. The California Department of Aging Data Dictionary can be accessed here: [CDA Data Dictionary July 2022 \(ca.gov\)](https://www.cda.ca.gov/data-dictionary/).

1. PRIORITY AREA: LEGAL ASSISTANCE

Service Category: Legal Assistance (non-registered service)

Legal advice, counseling and/or representation by an attorney or other person acting under the supervision of an attorney.

Unit of service = 1 hour.

C. ELIGIBLE SERVICE POPULATION

Services must target older adults aged 60 years and above living in Marin County, with attention to low-income older individuals, including low-income minorities, persons with limited English-proficiency, and rural residents. Selected Applicant(s) must ensure provision of programs and services to all classes that are protected by State and Federal law.

D. TARGET POPULATION

The 2019 [Older Adults Needs Assessment](#) that informed the [AAA 2020-2024 Area Plan](#) is instrumental in informing the service priorities sought in this RFP to address the needs and issues of concern expressed by older adults in Marin. The California Code of Regulations (CCR) Article 3, Section 7312 requires the AAA to allocate an adequate proportion of federal funds to provide services in the Title IIIB program categories of Access, In-Home Services and Legal Assistance.

According to the 2014-2019 American Community Survey, there are 76,000 persons over the age of 60 in Marin.² This represents 29% of the population of the county. Of Marin's population which is currently age 60 and older, 43% live alone. Marin's older adults mostly identify as Caucasian at 90%. Five percent identify as

¹ California Department of Aging Data Dictionary. Available at: <https://www.aging.ca.gov/download.ashx?IE0rcNUV0zYVluwocgk52g%3D%3D>

² American Community Survey 5-year Estimates (2014-2019). Population 60 Years and over in the United States, Marin County.

Asian and 1.5% as Black or African American with 4.7% percent identifying as Hispanic or Latino ethnicity.³ The 2019 AAA Needs Assessment Study found that four percent of older adults in Marin identify as being LGBT.⁴ Aligning with the Marin County HHS Department's Strategic Plan to Achieve Health and Wellness Equity ([HHS Equity Plan](#)), the AAA seeks proposals that will serve older adult persons of color proportionally to the racial/ethnic makeup of Marin County's older adult population. The HHS Equity Plan is built upon the Marin County Board of Supervisors' definition of equity: Just and fair inclusion in the County where all can participate, prosper, and reach their full potential. Equity efforts seek to rectify historic patterns of exclusion.

Moreover, the Marin County AAA's [Older Adults Needs Assessment](#) found significant disparities between older adult persons of color and their Caucasian counterparts. Some of these disparities were around food insecurity, employment and unemployment, caregiving and whether individuals feel they are respected members of their community.

E. PROJECT DESCRIPTION

This RFP seeks proposals in the classification as defined by CDA: **Legal Services**. The service classification described below is the singular services sought.

This RFP seeks proposals that will provide services to older adults throughout Marin County, including the rural areas of West Marin. Collaborative proposals that bring together a lead agency and other organizations to serve all geographic areas of the county and maximize service delivery are highly encouraged.

Supportive Services is defined in Title III, Part A Section 301(A-D) of the federal OAA as fostering the development and implementation of comprehensive and coordinated systems to serve older individuals by entering into new cooperative arrangements for the planning and provision of supportive services and multipurpose senior centers, in order to:

- Secure and maintain maximum independence and dignity in a home environment for older individuals capable of self-care with appropriate supportive services
- Remove individual and social barriers to economic and personal independence for older individuals
- Provide a continuum of care for vulnerable older individuals
- Secure the opportunity for older individuals to receive managed in-home and community-based long-term care services

The RFP has one area of focus for III B services:

Legal Assistance: Senior Legal Services

This service provides legal advice, education, counseling and/or representation by an attorney or other person acting under the supervision of an attorney. Ensures the rights and entitlements of older persons by providing or securing legal services. This one-time funding is to expand existing legal services that assist older adults, and older adults with disabilities, with a variety of legal problems concerning housing, consumer fraud, elder abuse, Social Security, Supplemental Security Income (SSI), Medicare, Medi-Cal, age discrimination, pensions, nursing homes, protective services, conservatorships, and other matters.

Additionally, program services for this special funding may include:

- Legal outreach clinics to complete advance care directives/durable power of attorney for health care or durable power of attorney for finance.
- Legal workshops focused on elder abuse prevention including financial abuse, scams, and fraud.
- Housing rights and eviction protection outreach and information
- Resource: https://www.americanbar.org/groups/law_aging/resources/

³ American Community Survey 5-year Estimates (2014-2019). Population 60 Years and over in the United States, Marin County.

⁴ Marin Older Adult Needs Assessment Study. Davis Research. 2019. Available at: [Marin County Older Adult Needs Assessment \(marinhhs.org\)](http://marinhhs.org)

Services are to be provided free of charge to older adults of any income level with priority given to older adults who are low-income, who have limited English-proficiency, are minority and/or reside in rural areas of Marin County. For more information, see the Eligible Service Population section on pg. 5.

Legal services shall be given priority in areas related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination. **Unit rates:** Bidder to propose

F. REPORTING AND MONITORING REQUIREMENTS

All successful applicants shall utilize computerized data reporting systems (e.g. California GetCare/California Aging Reporting System) to comply with the California Department of Aging, Administration on Aging, Aging Program Information System, and AAS reporting requirements. Service and financial reports must be submitted by the due date of each month determined by AAS. All staff conducting registered services must complete the California Department of Aging Security Awareness Training.

All successful applicants shall maintain statistical and financial data in such a way as to document and assure the accuracy of the data presented in the required program and financial reports.

AAS may conduct one or more of the following activities for program monitoring: review policies and procedures, review satisfaction survey results, review cases, conduct site visits, interview a random sample of clients who have received the service, interview agency staff and volunteers, interview other agencies who provide services to the same target population, and any other method deemed necessary. Fiscal monitoring will also be done and may include one or more of the following activities: case review, site visits, desk audit, and yearly contract resolution. Applicants will cooperate with AAS in any evaluation techniques in order to improve program performance and comply with federal, state and local regulations.

G. MAINTENANCE OF PERFORMANCE LEVELS

For all services funded by the Title III B Supportive Services OARR Legal Services, each successful applicant shall maintain the contracted units of service level throughout the contract period. Unless there are extenuating circumstances, for each quarter in which the performance is reviewed, the number of units served shall not fall below 90% of the level expected for the period being monitored. Should performance fall below the **90%** expected service level for the period, the contractor may be required to submit a written Plan of Action to AAS within 15 days of receiving the monitoring report from AAS, detailing specific steps to be taken, including time frame, to remedy performance. If the contractor fails to fulfill the contracted unit of service level within that time frame, AAS may institute sanctions as described in AAS' Sanction and Hearing Policy (see section XVI).

H. AUDIT REQUIREMENTS

An annual audit by a Certified Public Accountant must be delivered to AAS within 120 days after the end of your organization's fiscal year. This is an allowable program expense (up to a maximum of \$600) and should be reflected as a line item in the detailed budget. New applicants may be required to submit a copy of the most recent financial audit before entering into a contract.

III. REQUIREMENTS AND EXPECTATIONS FOR GRANTEEES

If you are an organization that does not meet these requirements independently, consider partnering with an organization that does.

A. SUMMARY OF CONTRACT TERMS, CONDITIONS AND REQUIREMENTS

The contractor shall be required to comply with the Americans With Disabilities Act of 1990, Sections 504 and 508 of the Rehabilitation Act of 1973 as amended, and all other applicable Federal and State accessibility laws

and regulations; this Request for Application [RFP-HHS-2022-20](#); and the terms and conditions required by the original funding source for the programs and services described by this RFP and the terms and conditions of the County of Marin's Professional Services Contract. The County's Professional Services Contract contains specific provisions, including but not limited to nondiscrimination in hiring and in the provision of services, program evaluation, record keeping, payments, limitations and obligations, conflict of interest, indemnification and insurance, assignment, and HIPAA. By submitting an Application, the applicant agrees to be bound by all terms and conditions of the County's Standard Professional Services Contract.

B. INSURANCE

The County requires that contractors carry \$1,000,000 in liability insurance (\$2,000,000 aggregate). The County must be named as an additional insured, and specific language must be included on the signed endorsement to the policy. The required insurance coverage requirements include automobile insurance and is described in the County of Marin's Standard Professional Services Contract, attached hereto as Attachment D. Prior to submitting an application, it is strongly suggested that applying entities be certain of the ability to secure this insurance and the additional insured endorsement if they are awarded the contract.

Insurance can be waived in some instances by submitting Exhibit C – attached to a Professional Services Contract. Some valid reasons for waiving insurance include:

- No employees/ sole contractor – Workers Comp can be waived
- Not driving on county business or on county property – Auto Insurance can be waived
- Not a certified/ licensed “professional” – certain professional liability can be waived

C. ADMINISTRATIVE AND LEGAL REQUIREMENTS

1. Contractors will be paid on a monthly basis, following the submission of an invoice for services performed to County's satisfaction. Specific instructions will be provided to the contractor upon award of a contract. Services will be reimbursed for contracted services provided on the monthly invoices, not to exceed the total contract amount. It is the responsibility of the contractor to track expenditures and any services provided by contractor and/or subcontractors. Expenses that exceed the allocation will not be reimbursed.
2. This RFP and any resulting agreement, contract, and purchase order shall be governed by all applicable federal, state and local laws, codes, ordinances and regulations, including but not limited to, those promulgated by CAL-OSHA, FED-OSHA, EPA, EEOC, DFEH, the California State Department of Health Services, and the County of Marin. All matters and subsequent contract shall be governed by, and in accordance with, the substantive and procedural laws of the State of California. The applicant agrees that all disputes arising out of or in connection with the Professional Services Contract and the procurement process shall be construed in accordance with the laws of the State of California and that the venue shall be in Marin County, California.
3. Nuclear Free Zone: The County is a nuclear free zone, in which work on nuclear weapons or the storage or transportations of weapons-related components and nuclear material is prohibited or appropriately restricted. The County is prohibited or restricted from contracting for services or products with, or investing County funds in, any nuclear weapons contractor.
4. Non-Appropriations: The County's performance arising from this RFP process is contingent upon the availability of funds. Should funds not be appropriated or otherwise made available to the County, any contract entered into pursuant to this RFP will be terminated with respect to any payments for which such funds are not available.
5. Applicant must be legally authorized to conduct business in the State of California and have established administrative and program resources to provide services in Marin County. The applicant must also have

appropriate federal, state and local permits or certifications necessary to perform the services that are the subject of this RFP.

6. Prior to executing a contract, the applicant (and any subcontractors/partners) must be able to provide the following written policies and procedures that comply with and are otherwise acceptable to the federal, state and local statutes, laws, regulations, and ordinances:
 - a. Conflict of interest policy for staff and governing boards, if applicable.
 - b. Grievance procedure for customers and clients.
 - c. Does not discriminate against nor deny employment or services to any person on the grounds of race, color, religion, sex, national origin, age, disability, citizenship, political affiliation or belief.
 - d. Complies with the 1990 ADA, the Americans with Disabilities Act, Sections 504 and 508 of the Rehabilitation Act of 1973 as amended, and all other applicable Federal and State accessibility laws and regulations.
7. Applicants must have proven fiscal capacity including capacity for fund accounting.
8. Applicants must have access to non-County funds sufficient to cover any disallowed costs that may be identified through the audit process.
9. Applicants must agree that state, federal, and local monitors or auditors may review provider facilities and relevant financial and performance records to ensure compliance with funding requirements.
10. Applicants must be eligible to receive Federal funds.
11. Contractors must comply with all reporting requirements set forth by the Marin Department of Health and Human Services and the State Department of Health Care Services.
12. Applicants must have the demonstrated ability to collect outcome data, which measure performance to plan.
13. If applicable, Contractor shall maintain medical records required by the California Code of Regulations. Notwithstanding the foregoing, Contractor shall maintain beneficiary medical and/or clinical records for a period of ten (10) years, except that the records of persons under age eighteen (18) at the time of treatment shall be maintained: a) until one (1) year beyond the person's eighteenth (18th) birthday or b) for a period of ten (10) years beyond the date of discharge, whichever is later.
14. Contractor agrees to administer/utilize any and all survey instruments as directed by the County Department of Health and Human Services, including outcomes and satisfaction measurements if applicable. Contractors must also comply with all reporting requirements set forth by the Department of Health and Human Services and the State Department of Health Care Services, including, but not limited to, completion of cost reports, annual provider self-audits and site visits.
15. Cultural Competency: It is recommended (but not required) that all program staff receive at least four hours of in-service training per year on some aspect of providing culturally and linguistically appropriate services. Should staff participate in this recommended training, contractor shall provide County with record of training and a list of participants at each such training. Programs should implement National Culturally and Linguistically Appropriate Services (CLAS) Standards.

Applicants who do not meet these minimum requirements may be deemed non-responsive and may not receive further consideration. Any application that is rejected as non-responsive will not be evaluated and no score will be assigned.

IV. APPLICATION INSTRUCTIONS

In responding to the RFP (the submission is hereinafter referred to as “Application” or “Letter(s) of Interest”), use the outline as it appears below and label your responses accordingly. If the total number of pages exceeds the parameters stated below, the additional pages will be discarded and will not be reviewed by the Application Review Committee. A non-response will result in disqualification of the Application. Ensure that all applicable fields are completed and that the application face sheet page is signed.

A complete request for proposal application package must be included when submitted. Proposals that do not follow instructions and/or fail to respond to all parts of the RFP shall be deemed non-responsive and will not be considered. The County will not accept any amendments, clarifications, revisions or alterations after the proposal due date unless the changes are requested by the County. For each program proposed, bidder should complete and submit a separate application.

The County may in its discretion accept or reject in whole or in part any or all proposals, may cancel, amend or reissue the RFP at any time prior to contract approval and may waive any immaterial defect in a proposal. The County's waiver of an immaterial defect shall in no way modify the proposal requirements or excuse the applicant from full compliance with the objective if awarded the contract.

Upload all required documents here: <https://www.marinhhs.org/rfp/2022-20>

The application package must contain all of the following items and must be presented in the order listed below:

1. Application Face Sheet (Attachment A)

Complete the Application Face Sheet of this RFP. Include the completed Face Sheet with each copy of a complete application packet. The Face Sheet includes an Application checklist. Applicants must complete the checklist and ensure that all required documents are provided in the response package.

2. Narrative Response (Attachment B)

Using the Narrative Response Form of this RFP, respond to the questions and information requested in order to describe the Applicant's capacity to administer proposed Services and successfully fulfill its requirements and deliver the services. Narrative responses should be provided directly on the Narrative Response Form and must not exceed 10 pages total, including the form itself. If the total number of pages exceeds the parameters stated herein, the additional pages will be discarded and will not be reviewed. One narrative response is required for each proposed category of services.

3. Program Budget

Using the [Sample Budget Template](#) of this RFP, provide a breakdown of all the costs associated with providing the services proposed in the application. In addition to the grant being sought from the County, identify other funding sources to cover all costs outlined in the budget. One budget must be submitted for each individually defined service category.

Matching Contributions mean local cash and/or in-kind contributions by the Applicant, subcontractor, or other local resources that qualify as match for the contract funding. Cash and/or in-kind contributions may count as match if such contributions are used to meet program requirements. Matching contributions must be used for allowable costs in accordance with the Office of Management and Budget (OMB) circulars. There is no specific match required for the OARR-funded Legal Services Program.

Non-Matching Contributions mean local funding that does not qualify as matching contributions and/or is not being budgeted as matching contributions. (e.g., federal funds overmatch, etc.)

4. Letters of Support

Include two letters of support from other organizations highlighting knowledge of your organization's capabilities and experience that are relevant to your proposal. Letters should not be from other organization with which you are partnering on your proposal(s).

V. APPLICATION SUBMISSION REQUIREMENTS

A. GENERAL POLICIES

1. The County assumes no obligation for any of the costs associated with responding to this RFP including, but not limited to, development, preparation, and submission of applications.
2. This RFP is in no way an agreement, obligation, or contract between County and any applicant.
3. The applications will become the property of the County upon submission and may be subject to the terms of the California Public Records Act ("PRA"), as required by law.
4. By submitting an application, applicants acknowledge and agree as follows: that the County is a public agency subject to the disclosure requirements of the PRA; that applicants must clearly identify all proprietary information that is contained in the application submitted to the County, if applicant claims that such information falls within one or more PRA exemptions; that applicants must mark said proprietary information as "CONFIDENTIAL AND PROPRIETARY" and must identify the specific lines containing the information; that the County will make reasonable efforts to provide notice to the applicants prior to such disclosure in the event of a PRA request; that applicants are required to obtain a protective order, injunctive relief, or other appropriate remedy from the Marin County Superior Court, before the County's deadline for responding to the PRA request; that if an applicant fails to obtain such remedy within County's deadline for responding to the PRA request, County may disclose the requested information without penalty or liability; and that applicants shall defend, indemnify, and hold County harmless against any claims, action, or litigation, including but not limited to all judgments, costs, fees, and attorney fees that may result from denial by County of a PRA request for information arising from any representation or any action (or inaction), by the applicants.
5. After submission of the application and closing of the application period, no information other than what is outlined in this RFP will be released, until an award becomes final.
6. The County reserves the right to make an award without further discussion of the applications received. Therefore, it is important that the application be submitted initially on the most favorable terms from both a technical and cost standpoint.
7. While it is the intention to award the contract to one applicant, the County reserves the right to split the award in any manner deemed most advantageous to the County. The County also reserves the right to increase or decrease the award amount.
8. The County reserves the sole right to interpret, change or terminate any provision of the RFP at any time prior to the submission date. Any such interpretation or change shall be in the form of a written addendum and shall become part of the RFP. The County also reserves the right to accept and reject any or all of the RFP, cancel the RFP in whole or in part, or terminate the process and elect to operate by other means.
9. An applicant may not be recommended for funding, regardless of the merits of the application submitted, if it has a history of contract non-compliance with the requirements of HHS or other funding source or poor past or current contract performance with any HHS or other funding source. The applicant may be given a provisions award with the stipulation that special terms and conditions regarding the areas of concern will be a part of the contract.

10. An application may be **immediately** rejected and disqualified for any of the following reasons:
 - a. The application is not received at the time and place specified in the RFP.
 - b. The application does not adhere to the required material elements of format and guidelines or substantive requirements set forth in this RFP.
 - c. Evidence indicates that the applicant, applicant's staff or consultants have in any way attempted to influence the confidential nature of the review through contact with Marin County staff or members of the selection review committee.

B. APPLICATION PROCEDURE

The RFP includes one category of service.

Grant applications will be available online and in person starting Thursday, November 10, 2022.

Applications may be downloaded here: <https://www.marinhhs.org/rfp/2022-20>. Applications may be picked up between November 10 – December 5, 2022 8:30 a.m. and 4:30 p.m. at the following office:

Aging and Adult Services – Reception Desk (first floor)
10 N. San Pedro Road
San Rafael, CA 94903

C. MINIMUM QUALIFICATIONS

Applicants shall possess all of the following minimum qualifications:

- A minimum of two years providing the same or similar services to those sought in this RFP.
- A minimum of two years serving the target population.

D. SUBMISSION DEADLINE AND FORMAT

Please upload a PDF version of your application including all attachments **no later than 12 p.m. PST on Tuesday, December 6, 2022**. No verbal applications will be considered. To submit your application, visit <https://www.marinhhs.org/rfp/2022-20>.

1. Proposals must be received by the date and time recited above. It is up to the applicant to ensure that the application was received by the date and time recited above. Proposals, modifications, or corrections received after the deadline specified will not be considered, except if such modifications or corrections were at the County's request.
2. Only Applications submitted in the format described within this RFP will be considered. Applications must be submitted via website upload in PDF format on standard 8-1/2" x 11", typed, in no less than 12-point typeface, with 1" margins and pages numbered consecutively. Must be in accessible format.
3. An Application may be rejected if incomplete, if it contains any alterations of form, or if it contains other irregularities of sufficient magnitude or quantity to warrant a finding of being substantially non-compliant.
4. The County may in its discretion accept or reject in whole or in part any or all Applications, may cancel, amend or reissue the RFP at any time prior to contract approval and may waive any immaterial defect in an Application. The County's waiver of an immaterial defect shall in no way modify the Application requirements or excuse the applicant grantee from full compliance with the objective if awarded the contract.

E. CONTACT BETWEEN APPLICANT AND COUNTY

- (1) **County staff contact:** During the period from issuance of this RFP and the award of the contract to a successful applicant, contact regarding the specific subject of this RFP between potential or actual applicant and County staff is restricted under the terms of this section. Except as otherwise expressly authorized in this RFP, neither applicant nor County staff shall discuss, question or answer questions, or provide or solicit information, opinion, interpretation, or advocate or lobby regarding this RFP. A documented instance of such contact by an actual or potential applicant shall be grounds for disqualification from the process. County staff shall be defined as any County employees, agents or contractors involved in, or connected with this RFP process.
- (2) **Questions regarding the RFP:** To maintain a fair and impartial process, all questions regarding this RFP must be submitted in writing via the County's website and contain a contact name and address. All questions and responses will be available on the County's website Friday, November 18– December 6, 2022 at 4 p.m. No telephone consultation will be provided. **Questions must be submitted via the County website at <https://www.marinhhs.org/rfp/2022-20>.** Answers will be posted within two business days.
- (3) **Pre-Proposal Bidder's Conference:** There will be a non-mandatory pre-proposal bidder's conference at the date and time listed below. Attendance is optional and not a pre-requisite for submission of a proposal. All questions asked and answers given will be posted via the County website at: <https://www.marinhhs.org/rfp/2022-20>.

November 17, 2022

Time: 1 – 2:30 p.m.

Location: Zoom Teleconference (click link to join) – [Zoom Bidders Conference](#)

Meeting ID: 824 6337 4588

Passcode: 653742

Call-in: 669-219-2599

One tap mobile: +16692192599,,82463374588#,,,,*653742#

VII. APPLICATION REVIEW AND SELECTION PROCESS

A. APPLICATION REVIEW AND SELECTION

HHS staff will conduct an initial technical review to ensure that the format requirements outlined in this RFP have been fulfilled. If any of the material format or substantive requirements is missing or incorrect, the application may be disqualified.

All applications that pass the initial technical review will be submitted to an Application review committee that shall evaluate and rank the applications. The committee will be comprised of parties knowledgeable about the services sought by this RFP from diverse backgrounds, **including persons with lived experience from the target population of this RFP**, representatives from other county departments, representatives from local advisory boards or community-based organizations, and/or any other individuals that HHS deems capable and appropriate for the selection of potential providers. The committee shall not include any potential contractors, and no committee member may apply or assist others in applying for this contract.

The purpose of the evaluation is to determine which applicants demonstrate the skills, expertise and experience to successfully perform the tasks specified in the RFP. Each committee member will read and score each application using a standardized scoring instrument. The scoring instrument will reflect the requirements of the RFP. A copy of the scoring instrument that will be used can be found in [Attachment C](#). The County reserves the right to seek clarifying or additional information from applicants, potentially including site visits or agency interviews. Proposals must receive a minimum score of 70 points out of 100 possible points to be considered for funding.

The committee will make an award recommendation to the Director of Aging and Adult Services or the Director of Health and Human Services, or designee, who will make the final recommendation to the Marin County Board of Supervisors or County Administrator.

Prior to making an award, the County may choose to conduct interviews with applicants. The purpose of the interviews would be to ask follow-up questions that may arise from the review committee and collect any additional information not gleaned from the Applications. The County may also request additional information necessary to determine the applicant's financial stability, ability to perform on schedule or willingness to incorporate additional features in the application, and any other relevant information necessary to make the award.

Once a decision is made, a Notice of Intent to Award will be emailed to all applicants evaluated by the committee.

B. PROTEST PROCEDURE

Within five calendar days of the issuance of a notice of intent to award the contract, any Applicant that has submitted a proposal may submit a written notice of protest. The notice of protest must include a written statement specifying in detail each and every ground asserted for the protest. The protest must be signed by an individual authorized to represent the Applicant, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the Applicant must specify facts and evidence sufficient for the County to determine the validity of the protest.

Delivery of Protest:

All protests must be submitted in writing and received by 4 p.m. PST on Tuesday, December 27, 2022 by email to Lee Pullen, lpullen@marincounty.org or at the following address:

Marin County Department of Health and Human Services,
Aging and Adult Services
10 North San Pedro Road
San Rafael, CA 94903
Attention: Lee Pullen, AAA Director

If a protest is mailed via U.S. Mail, it must be postmarked within 5 calendar days of the notice issuance. The Applicant bears the risk of non-delivery.

The protest will be forwarded, through the appropriate administrative channels, to the Director of the Marin County Department of Health and Human Services, or designee. The Department Director or designee may review the original RFP Application(s), the public notice, the Request for Application document, and the scoring instruments of the Application review committee, and any other document deemed appropriate. The Department Director or designee will provide a written response to the protest, including any action that will be taken, if applicable. The decision of the Department Director or designee shall be final.

C. POST AWARD

Once the Notice of Intent to Award has been issued, the provider selected will be contacted to execute the [County Professional Services Contract](#). At that time, the selected provider and the County may discuss adjustments to the budget and the scope of work. **No other provisions of the County's Standard Professional Services Contract will be negotiated.**

The applicant grantee awarded a contract under this bid process will be required to adhere to the reporting requirements set forth by HHS, as well as to provide any additional data needed to satisfy other County, state, or

federal reporting requirements.

For the duration of the contract period, contract renewals are contingent upon the demonstration of progress in achieving measurable results to the County's satisfaction and compliance with all contract requirements, as well as the continued availability of contract project funding.

Award of a contract under this process does not preclude the County from conducting another RFP process for these services at a future date.