



Aging SERVICES

INCLUDES III B LEGAL SERVICES

REQUEST FOR PROPOSAL (RFP) **July 1, 2023 – June 30, 2026**

FOR SERVICES FUNDED UNDER TITLE III-B OF THE UNITED STATES
ADMINISTRATION FOR COMMUNITY LIVING (ACL), ADMINISTRATION ON
AGING (AOA), PURSUANT TO THE OLDER AMERICANS ACT
OF 1965, AS AMENDED IN 2016

Submission Deadline: June 21, 2023

Purchase Area Development District (PADD)

1002 Medical Center Dr.

Mayfield, KY 42066

Phone : (270) 247-7171

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E-Mail : cissy.fox@purchaseadd.org

**Serving the counties of Ballard, Calloway, Carlisle, Fulton, Graves,
Hickman, Marshall and McCracken**

Bidder's Meeting: June 14, 2023, 10:00 am Central Time.

The Bidder's Meeting will be held via zoom meeting. An inquiry period is open for all questions to registered vendors who attend the Bidder's Meeting. Registration and questions must be submitted to cissy.fox@purchaseadd.org We suggest two or more staff members register for each interested agency.

PURCHASE AREA DEVELOPMENT DISTRICT

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Mayfield, KY 42066

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www.purchaseadd.org

REQUEST FOR PROPOSAL for Aging Services

Mission Statement: The Mission of the Purchase Area Development District is to improve the quality of life for the residents of the Purchase Area through planning, programs, and partnerships.

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I. INTRODUCTION AND STATEMENT OF PURPOSE

Purchase Area Development District (PADD) has been designated the Area Agency on Aging and Independent Living (AAAIL) in accordance with Administration for Community Living (ACL), Administration on Aging (AOA), pursuant to the Older American's Act of 1965 (amended 2016) and Regulations thereto. As the Area Agency on Aging and Independent Living (AAAIL), PADD is responsible for administering federal and state funded programs for the citizens of the Kentucky counties of Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Marshall, and McCracken which comprise the PADD AAAIL service area. In this capacity, PADD will support a network of service providers whose mission is to establish and develop services for older adults throughout the Purchase region.

Additionally, 906 KAR 1:180 requires agencies providing personal care services to become certified according to standards to be set by the Cabinet for Health and Family Services.

PADD is seeking proposals from multiple organizations experienced and qualified to provide services for individuals aged 60 and over. The period in which services are to be performed is **July 1, 2023 – June 30, 2026**. PADD has the option to extend the provision of services for subsequent fiscal year(s) through the procurement period referenced below, contingent upon the availability of funding, satisfactory performance of services, compliance with the provisions of the awarded contract and mutual agreement by both parties. PADD reserves the right to extend the procurement period as necessary to ensure the continuous delivery of services for seniors in its region. PADD will give priority to low-income minority seniors in the delivery of its services. Applicants must meet the minimum requirements and complete the proposal document in its entirety, with submission of the documents as requested, to be eligible for consideration of funding. PADD anticipates selecting one or more vendors to provide the necessary products that will help support the safety and welfare of the older adults served.

Procurement Period: FY2023 – FY2026

<u>Fiscal Year</u>	<u>Period of Contracts</u>
FY2024	July 1, 2023 – June 30, 2024
FY2025	July 1, 2024 – June 30, 2025
FY2026	July 1, 2025 – June 30, 2026

PADD is issuing this Request for Proposal for the following services:

PADD is issuing this Request for Proposal for the following services:

Title III B Legal Services

PADD allocates the funds it receives for Aging services for the direct services to clients through a network of providers established through the procurement process. Successful applicants will be expected to offer a high-quality service and carry out the services as represented in the proposal while meeting expected outcomes. PADD reserves the right to negotiate with eligible applicants regarding the scope of work, service area, budget, and special provisions. All applicants eligible for consideration and meeting specified standards for a successful proposal will be given equal opportunity for negotiation. PADD reserves the right to accept or reject any or all proposals meeting minimum requirements for consideration. In the event a modification occurs after the bidder's meeting, only those entities who signed in at the bidder's meeting or recorded on the call-in bidder's meeting will receive the final addendum, if applicable.

II. PADD REGIONAL INFORMATION

The PADD Area Agency on Aging and Independent Living service area is comprised of the following counties: Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Marshall and McCracken. According to the Kentucky Data Center, Population data provided in the 2016 projection data using the 2010 census indicates 21.2% of all persons living in the PADD Region are 60 years old and above and 17.1% of all persons in Kentucky are 60 and above. Further, 25.8% of all people in Kentucky who are 60 and above live in Hickman County.

As the demographics of our communities continue to shift and change, our programs and service network must adjust to meet the needs and provide opportunities for its citizens. In particular, the senior service network must continue to develop and evolve into a system that has the ability to reach all of its older adults who currently need or potentially need services in the home and community setting.

As more individuals choose to remain in the community and their homes, it is the responsibility of the provider network to offer services in a manner that will allow for continued independence. Applicants shall consider if the current services, programs, and activities that exist within the community and provider network are appropriate to meet the needs of older individuals utilizing services over the next ten to twenty years. Applicants are encouraged to evaluate the effectiveness and quality of the current system and offer progressive services to meet the current and changing environment of the future. It is necessary to maintain the momentum of creating a progressive network of opportunities and assure the availability of services to all members of a community and particularly its older members.

III. ELIGIBLE POPULATION TO BE SERVED

Individuals, age 60 and older, who reside in the PADD region, meeting the eligibility guidelines of the III-B programs may receive services upon completion of an assessment, approval for services and determination of service needs. The eligibility guidelines are outlined as a part of this proposal and shall be considered in planning and development of the proposal. Individuals determined eligible for services upon completion of an assessment of needs, may select among a network of providers approved to implement services through the PADD In-Home Services Program.

IV. MINIMUM REQUIREMENTS TO APPLY

Organizations may submit proposals for consideration of funding contingent upon meeting the following conditions:

- A. Financial Capability – Organizations must demonstrate financial solvency and be capable of supporting the programs and services described in its proposal. Organization must have a financial management system established and capable of tracking revenue and expenditures by funding stream or program.
- B. Eligible to Conduct Business in Kentucky and with the Federal Government – Organizations must either be registered with the Secretary of State’s Office if incorporated, possess a current 501(C)(3) certificate to conduct business as a not-for-profit organization, or must possess a Business License issued by the Commonwealth of Kentucky. Additionally, organizations must not be barred from conducting business with the Federal Government as presented on the Federal Debarment and Suspension list. Organizations must possess a Federal and Kentucky State tax identification number. Providers must ensure that proper certification by OIG as a personal service agency must be completed with evidence of certification provided to PADD by the implementation date.
- C. Experience – Organization must be experienced in the delivery of human services and particularly providing in-home services for eligible individuals and be able to provide evidence of sustainability in providing proposed services and programs. At least three years’ experience is preferred.
- D. Reporting and Computer Systems – Organization possesses computer hardware and software that meets the minimum standards established by PADD for purposes of reporting and communicating electronically. Organization can develop or currently has in place a reporting system to provide information regarding the units of service, number of PADD participants served, demographic data regarding those served, record of outcomes and time records for each service delivered. Organization will utilize regional information data system when it is fully implemented.

- E. Match – Organization can provide the minimum required match toward the overall cost of the program. Match can be either cash or in-kind third-party contribution.
- F. Partnership - Accessing additional funds including fundraising to supplement public funding is encouraged. Details regarding planned events or methods of collecting and usage of additional funds is at the discretion of the organization, but mandatory for review during the procurement process.
- G. Facilities – Organization facilities where services are to be performed meet federal accessibility requirements and OSHA standards for safety and cleanliness.
- H. Staffing – Staff are available to deliver the services as proposed, have completed a criminal record check with a clean record prior to hire, and are licensed or trained as necessary to complete the service to be delivered.

V. TIMELINES

PADD will attempt to adhere to the evaluation and decision schedule but reserves the right to modify timeframes if in the best interest of the Agency and satisfactory completion of the procurement process.

June 7, 2023	Request for Proposals released.
June 14, 2023	Bidder’s Meeting 10:00 a.m. Central Time. The Bidder’s Meeting will be held virtually
June 16, 2023	Applicant inquiry period concludes on June 16, 2023 by close of business. This period allows written contact with PADD for asking questions regarding the application and process. Questions must be submitted at via email to cissy.fox@purchaseadd.org
June 21, 2023	Proposal must be received by PADD at https://purchaseadd-my.sharepoint.com/:f/g/personal/cissy_fox_purchase_add_org/EuqVMOrjzhCrZitpOCKC1gBAQAoHKmplkoCi50iVhtlbA by 12:00 Noon (Central Time).
June 28, 2023	Evaluation Team reviews and scores proposals
July 12, 2023	Aging Committee meets
July 23, 2023	PADD Board considers proposals

Submission Instructions:

All Responses must be received before the Closing Time at the Electronic Closing Location, as identified in the Timelines section above.

Responses submitted by hard copy, mail, facsimile, or e-mail will not be accepted. Responses received after the Closing Time will not be considered.

Upload your submission at: https://purchaseadd-my.sharepoint.com/:f:/g/personal/cissy_fox_purchaseadd_org/EuqVMOrifzhCrZitpOCKC1gBAQAoHKmplkoCi50iVhtlba

Important Notes:

- You will receive an email confirmation once you finalize your submission. This will confirm that you have successfully submitted your proposal.
- Each submitted item of requested information will only be visible to PADD after the Closing Time.
- Uploading large documents may take significant time, depending on the size of the file(s) and your Internet connection speed.
- Minimum system requirements: Internet Explorer 11, Microsoft Edge, Google Chrome, or Mozilla Firefox. Java Script must be enabled.

Inquiries:

Inquiries must be submitted by close of business **June 16, 2023**.

Proposals submitted after the established deadline will not be accepted.

Upon completion of the opening, proposals will be reviewed for general responsiveness. Non-responsive proposals will not be reviewed with applicants notified in writing of non-responsiveness and non-review of proposal. Responsive proposals will be reviewed according to the established schedule and criteria with final consideration of proposals by the PADD Board of Directors.

VI. GUIDELINES FOR SUBMITTING PROPOSALS

A. Procurement Process and Requirements

Rules of Procurement

To facilitate this procurement, various rules have been established. These are described in the following paragraphs. The Second Party (Provider)s should review and comply with the General Conditions and Instructions for submission of proposals and utilize the inquiry period to ask questions. After the inquiry period has elapsed, subsequent questions will not be addressed by PADD management, staff, or council members.

The procurement process will provide for the evaluation of proposals and selection of the proposals to be selected for award. PADD anticipates the selection of multiple organizations to serve in the capacity of a III B legal services provider, and clients will be able to choose among a pool of eligible and contracted organizations to provide In-Home care as prescribed in the care plan.

Approach

The Purchase Regional Planning and Development Agency (PADD), in the exercise of its lawful duties, has determined that the services outlined in this proposal are necessary for the performance of the statutory and regulatory requirements of the PADD. The PADD has concluded that if either state personnel are not available to perform these services, or it would not be feasible to utilize state personnel to perform these services. Additionally, a Second Party (Provider) is available and qualified to perform these services; and, for the before-stated reasons, the state agency desires to avail itself of the services of a Second Party (Provider).

The procurement process will provide for the evaluation of proposals and selection of the winning proposal in accordance with State law and regulations. KRS Chapter 45A of the Kentucky Model Procurement Code provides the regulatory framework for the procurement of services by State agencies.

Independent Price Determination

A proposal shall not be considered for award if the price in the proposal was not arrived at independently without collusion, consultation, communication, or agreement as to any matter relating to such prices with any other bidding entity or with any competitor. In addition, the bidding entity is prohibited from making multiple proposals in a different form.

The bidding entity must include a certified statement in the proposal that the price was arrived at without any conflict of interest, as described above (Assurances Section). Should a conflict of interest be detected at any time during the contract, the contract shall be null, and void and the Second Party (Provider) shall assume all costs of the project until such a time that a new Second Party (Provider) is selected.

No Contingent Fees

No person or selling agency shall be employed or retained or given anything of monetary value to solicit or secure this contract, except bona fide employees of the bidding organization or bona fide established commercial or selling agencies maintained by the Offeror for the purpose of securing business. For breach or violation of this provision, PADD shall have the right to reject the proposal or cancel the contract without liability.

Cancellation of This Solicitation

In accordance with KRS 45A.105 and PADD policies and procedures, this Request for Proposals may be canceled at any time and for any reason, or all bids or proposals

rejected, if it is determined in writing that such action is in the best interest of PADD. Receipt of proposal materials by PADD or submission of a proposal to PADD confers no rights upon the Proposer nor obligates PADD in any manner.

Cost of Preparing Proposal

Costs for developing the proposals are solely the responsibility of the Offerors. PADD will provide no reimbursement for such costs.

EEO Requirements

The Kentucky EEO Act, KRS 45.560-45.640, applies to all State government projects with an estimated value exceeding \$500,000.00. The Second Party (Provider) shall comply with all terms and conditions of the Act. Organizations submitting proposals will be required to certify in the assurances that it has complied with and adheres to the provisions of KRS 45.560 – 45.640.

Waiver of Minor Irregularities

PADD reserves the right to reject any offers and to waive informalities and minor irregularities in offers received providing such action is in the best interest of PADD. Where PADD may waive minor irregularities, such waiver shall in no way modify the RFP requirements or excuse the bidding organization from full compliance with the RFP specifications and other requirements if the bidding organization is awarded the contract.

Clarifications of Proposal

PADD reserves the right to request additional information as may reasonably be required for selection, and to reject any proposals for failure to provide additional information on a timely basis. PADD reserves the right to conduct discussions with any bidding organization who has submitted a proposal to determine the bidding organization's qualifications for further consideration. Discussions shall not disclose any information derived from proposals submitted by other offerors.

Best and Final Offers

PADD reserves the right at its discretion to request a Best and Final Offer (BAFO) for technical and/or cost proposals. Bidding organizations are cautioned to propose their best possible offers at the outset of the process, as there is no guarantee that any Offeror will be allowed an opportunity to submit a Best and Final technical and/or cost offer.

Rules of Withdrawal of Proposals

Prior to the date specified for receipt of offers, a submitted proposal may be withdrawn by submitting a signed written request for its withdrawal to the Sole Point of Contact listed on the Title Page.

Disposition of Proposals

All proposals become the property of PADD. The successful entities' proposals will be incorporated into the resulting contract by reference. Disposal of unsuccessful proposals shall be at the discretion of the Director of Social Services.

PADD's Right to Use Proposal Ideas

PADD shall have the right to use all system ideas, or adaptations of those ideas, contained in any proposals received in response to the RFP. Selection or rejection of the proposal will not affect this right.

Confidentiality of Contract Terms

The Second Party (Provider) and PADD agree that all information communicated between them before the effective date of the Contract shall be received in strict confidence and shall not be necessarily disclosed by the receiving party, its agents, or employees without prior written consent of the other party. Such material will be kept confidential subject to Commonwealth and Federal public information disclosure laws.

Upon signing of the Contract by all Parties, terms of the contract become available to the public, pursuant to the provisions of the Kentucky Revised Statutes. The Second Party (Provider) shall have an appropriate agreement with its Subcontractors extending these confidentially requirements to all Subcontractors' employees.

Prohibitions of Certain Conflicts of Interest

In accordance with KRS 45A.340, the Second Party (Provider) represents and warrants, and PADD relies upon such representation and warranty, that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services. The Second Party (Provider) further represents and warrants that in the performance of the contract, no person, including any subcontractor, having any such interest shall be employed.

In accordance with KRS 45A.340 and KRS 11A.040 (4), the Second Party (Provider) agrees that it shall not knowingly allow any official or employee of PADD who exercises any function or responsibility in the review or approval of the undertaking or carrying out of this contract to voluntarily acquire any ownership interest, direct or indirect, in the company prior to the completion of the contract.

Sworn Statement Regarding Violations of Kentucky Revised Statutes

Pursuant to KRS 45A.485, Second Party (Provider)s are required to reveal final determinations of violation of certain statutes incurred within the last five years and be in continuous compliance with those statutes during the contract. Where applicable, the Second Party (Provider) is required to complete and submit the Sworn Statement Regarding Violations of Kentucky Revised Statutes with the Technical Proposal.

Open Records Law

Requests for bid/contract information shall comply with the Kentucky Open Records Act (KRS 61.870 to 61.884).

Deviations to Provisions of the Solicitation

The provisions appearing elsewhere in this Request for Proposals (RFP) shall become a part of any resulting contract. Any deviations from the provisions of the RFP must be specifically identified by the Second Party (Provider) in its proposal, which if successful, shall become a part of the Contract. Such deviations shall not be in conflict with the basic nature of the technical and cost requirements of this RFP. Deviations must be submitted as stated in Section 4 of this Solicitation. PADD reserves the right to reject any and/or all deviations in whole or in part.

Second Party (Provider) Response and Public Inspection

The RFP specifies the format, required information, and general content of proposals submitted in response to the RFP. The PADD will not disclose any portions of the proposals prior to contract award to anyone outside the PADD, representatives of the agency for whose benefit the contract is proposed, representatives of the Federal Government, if required, and the members of the evaluation committees. After a contract is awarded in whole or in part, the PADD shall have the right to duplicate, use, or disclose all proposal data submitted by Second Party (Provider)s in response to this RFP as a matter of public record.

Any and all documents submitted by a Second Party (Provider) in response to the RFP shall be available for public inspection after contract award and in accordance with the Kentucky Open Records Act (KRS 61.870 to KRS 61.884).

The PADD shall have the right to use all system ideas, or adaptations of those ideas, contained in any proposal received in response to this RFP. Selection or rejections of the proposal will not affect this right.

B. Communications and Proposal Submission Criteria

Issuing Office

Purchase Area Development district (PADD) is issuing this RFP on behalf of the Area Agency on Aging and Independent Living. PADD is the only entity authorized to change, modify, amend, alter, or clarify the specifications, terms and conditions of this RFP.

Restrictions on Communications

The sole point of contact throughout the procurement process is cissy.fox@purchaseadd.org. All communications, oral and written (regular mail, express mail, electronic mail, or fax), concerning this procurement must be submitted only in this format. From the issue date of this RFP until a Second Party (Provider) is selected and the selection is announced, offerors are not allowed to communicate with any staff, Board or Advisory Council members concerning this RFP.

PADD reserves the right to reject the proposal response for any violation of this provision.

VII. SCOPE OF WORK SERVICES:

Title III B Legal Services

Legal services are included as a part of the social services with the goal of increasing the availability of legal services to older people with the greatest economic and social need. Legal services provided with Title III funds must be in addition to any legal services currently available to older persons within the planning and service area.

Individuals or organizations responding to this request must be either a **Legal Services Corporation, a private law firm, individual attorney, or other entities authorized to practice law in Kentucky**. A successful applicant must adhere to laws, regulations, and policies and procedures governing the Legal Assistance Services funded by the Older Americans Act.

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- A. **Legal Assistance:** Providing legal advice and representation by an attorney or counseling from a paralegal or law student under the supervision of an attorney.

Components of the Service: One (1) unit of legal assistance shall equal one (1) hour of service that could entail any of the above-defined activities.

LEGAL ASSISTANCE SERVICES PROVIDER RESPONSIBILITIES: Organizations funded to provide Legal assistance services will be responsible for the following:

1. To assure compliance with Title III regulations, standardized service definitions, Part 74 and the DAIL SOP.
2. To employ and train persons in the administration and delivery of the appropriate services.
3. To assure that priority for services should be given to those elderly who are frail and socially and economically deprived.
4. To adhere to DAIL Policy regarding Confidentiality and Disclosure, and assign each client served with a code number to preserve anonymity.
5. To assure that the service provider has a system for making referrals to other agencies/services.
6. To develop mechanisms for monitoring these services to ensure that appropriate

services are delivered in a timely manner. These mechanisms must be implemented by the end of the first quarter of the current contract period.

7. To provide each older person with a free and voluntary opportunity to contribute to the cost of the service.
8. To establish formal complaint procedures to handle any grievances lodged by participants.
9. To assure that present services will not be adversely interrupted by any changeover, if applicable.
10. To assure that required reports are submitted on appropriate dates and that they are correct. Monthly and/or quarterly reports must be provided in a format designed by the State Department for Aging and Independent Living and/or the Area Agency on Aging and Independent Living.
11. To make available for inspections all records upon requests by the Area Agency on Aging and/or State Department for Aging and Independent Living personnel taking into account confidentiality issues and using methods to assure appropriate confidentiality.
12. To provide or arrange for adequate liability insurance and must provide documentation of compliance to this requirement to the PADD/AAAIL office. Insurance must be provided to protect volunteers from personal liabilities, if volunteers are utilized.
13. To assure that any form of donation solicitation used by the service provider has been submitted for prior approval by the Area Agency on Aging and Independent Living.
14. To provide publicity concerning the program which may include, but not be limited to, public service announcements on radio, TV or in newspapers, posters, flyers, letters/ newsletters which provide outreach in the community regarding services available.

VIII. CONTRACT INFORMATION FOR SUCCESSFUL ENTITIES

A. Basis of Contract

Applicants will be selected to be awarded a contract based on the best evaluated bid price and final and best offer by PADD. PADD anticipates selecting more than one provider of service, as clients will be provided the opportunity to select a provider, they believe will best meet his/her needs (client choice). Agreements will

be awarded through the period July 1, 2023 – June 30, 2026, the first year of this procurement period. PADD has the option to extend the contract throughout the procurement period contingent upon satisfactory performance of services, availability of funding, and authorization to provide services. PADD reserves the right to negotiate any terms, conditions, and payment methods with successful applicants as appropriate. The type of contract and payment method will be a fixed unit price, which may vary per service.

PADD reserves the right to modify unit pricing to ensure reasonableness of cost for services and to address external factors that affect pricing and the cost of delivering services. The line-item budget submitted for In-Home Services will be utilized as the initial basis of establishing unit prices for In-Home services. Payment is based on services authorized by PADD and delivered by the successful provider(s) or its subcontractor(s).

PADD reserves the right to refuse any and all proposals and to accept those proposals that are most advantageous to PADD in carrying out the goal of the program. Applicants will be notified in writing of approval or denial of funding. Services are to be provided to people, age 60 or over, based on the eligibility criteria to receive IIIB in-home services. Clients of the III B legal services program must reside in the PADD region and applicants may serve multiple counties. Identify the counties to be served by the applying organization on the coversheet of the proposal package. Upon final selection of successful proposals submitted in response to the RFP, all proposals, with the exception of proprietary information, must become public documents of PADD and must be open for review by the public.

B. Subcontracting

Subcontracting of **III B Legal Services** in whole or in part will be permitted, only with prior approval from PADD. Applicants must submit a draft copy of all subcontracts, memoranda of understanding or agreements applicable to the services to be delivered with the submission of the proposal. Subcontractors, if applicable for specific services, must be monitored quarterly by service providers that are successful and awarded a contract by PADD. PADD will prohibit any entity from requesting a subcontractor to complete major components of the services for which it is submitting a proposal. It is anticipated that if allowable through PADD's funder, that entities subcontracted are those that perform intermittent (emergency) or ancillary services to the primary in-home service delivery.

C. Post-Contract Audit

Organizations receiving State General Funds will be required to certify their final closeout report and invoice, including the number of the final service units delivered, amounts paid by PADD and all match. Entities required to complete a single audit must complete the audit and submit to PADD as specified in 2 CFR,

Part 200 and A-133 as applicable. The Cabinet may require specific entities complete an audit in compliance with Governmental Auditing Standards under certain conditions, such as amount of revenue received or types of services delivered.

D. Pre-Contract Costs

All costs incurred prior to the date of the contract award are not allowable for reimbursement from PADD through this process.

E. Availability of Funds

PADD has no legal liability for payment of funds or award of a contract until funds are made available to PADD for this procurement and notice of such availability, to be confirmed in writing by the Executive Director of PADD, is provided to the Contractor.

F. ExParte Contact

ExParte contact with any member of the PADD Aging Advisory Council, PADD staff and/or PADD Board of Directors in an effort to provide information or influence a recommendation outside a scheduled public meeting established by PADD must be grounds for disqualification of the proposal from further consideration of funding.

G. Performance-Based Penalties:

PADD reviews performance on a regular basis. In the event of underperformance or non-performance, PADD will work with the contracted organization to resolve the performance issue. PADD reserves the right to amend and revise provider contracts including the recoupment of or reduction in funding.

IX. PROTEST

Pursuant to KRS 45A.285, The Secretary of the Finance and Administration Cabinet, or his/her designee, must have authority to determine protests and other controversies of actual or prospective parties in connection with the solicitation or selection for award of an Agreement or Contract.

Any actual or prospective party, who is aggrieved in connection with the solicitation or selection for award of an Agreement or Contract, may file protest with PADD in accordance with its grievance policies, with state level grievances to be conducted in accordance with KRS 13B. A protest or notice of other controversy must be filed promptly and in any event within two (2) calendar weeks after such aggrieved person knows or should have known of the facts giving rise thereto. All protests or notices of other controversies must be in writing and must be addressed to:

Jeremy Buchanan
Executive Director

Purchase Area Development District
1002 Medical Center Dr.
Mayfield, KY 42066

PADD will follow its local resolution process and if satisfactory resolution to a grievance is not established at the local level, state level fair hearing procedures must be followed. A copy of that decision must be mailed or otherwise furnished to the aggrieved party and must state the reasons for the action taken.

All disputes escalated to a State Level review or hearing will receive a decision by the Secretary of the Finance and Administration Cabinet and shall be final and conclusive.



PROPOSAL APPLICATION INSTRUCTIONS

GENERAL INSTRUCTIONS

The following is a list of documents to be included in the completed proposal package submitted to PADD for consideration of funding.

- Letter of Application
- Organization Capability and Experience
- Program Narrative
- Attachment B
- Programmatic and Budget Worksheets
 - Application summary
 - Program Budget and Backup
 - Resources Used for Match Form
 - Staffing plan
 - Certification of Current Cost and Pricing Data

ADDITIONAL INSTRUCTIONS

LETTER OF APPLICATION

The Letter of Application and the attached Assurances and Certifications (Attachments to Be Completed and Submitted with Application) must be signed and dated by the person authorized to legally bind the Applicant to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor of a sole proprietorship. Along with introductory remarks, the Letter of Application is to include the following information about the applicant any proposed subcontractors:

1. Name, address, principal place of business, telephone number, and email of legal entity or individual with whom final contract, if awarded, would be executed.
2. Name, address, telephone number and email address of each principal officer (president, chairperson of the board of directors, CFO, etc.).
3. Legal Status of the Applicant (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists.
4. Federal Employer Tax Identification number.
5. Location of the facility from which the applicant would operate.
6. Identify any Purchase Area Development District employee(s), Aging Committee member(s) or Purchase Area Development District Board of Directors who may have conflict of interest related to the evaluation, selection and/or award of this application due to their relationship with the Applicant. Include his/her position and responsibilities within the Applicant's organization. If following a review of this information, it is determined by the Agency that conflict of interest information has not been disclosed, the Applicant's proposal will immediately be disqualified and any further consideration by the Agency will be terminated.
7. List all services/programs that are being applied

ORGANIZATION CAPABILITY AND EXPERIENCE

The Applicant's organizational capability and experience should be completed only one time regardless of the number of services Applicant is proposing to deliver.

1. Describe the following:
 - a. Attach Applicant's organizational chart;
 - b. Applicant's organization which would include current mission statement, overall goals and objectives, and how the organization has successfully provided services to older adults in a similar manner as being requested for each Service/Program in the RFP;
 - c. If the Applicant does not currently provide services in the Purchase District, fully describe the planning steps (including milestones) leading up to how these services will be provided to clients with a start date of July 1, 2023, and thereafter (if awarded contract).

2. Describe any service/program innovation and/or any awards received for the services/programs listed above.
3. Personnel records shall be maintained for all staff and volunteers. Records for each must contain, but not be limited to, application for employment form and/or resume, job description, TB screening documents (as applicable), criminal records check, and all job specific training received by staff and volunteers along with any other agency required documents.
4. Provide job descriptions for all Service/Program related positions, including those of volunteers.
 - a. Provide a resume or list the qualifications of staff and volunteers in each program including supervisors, managers and all direct service staff. Include a copy of applicable licensing and/or certifications.
 - b. Indicate starting salary range for each new staff position/job category. List benefits provided to staff (i.e., mileage pay and rate per mile, sick/vacation days per year, provision of uniforms, retirement plans, health insurance, etc.).
 - c. Submit Applicant's plan to recruit and retain quality staff.
5. Describe your agency's contingency plan for when regular staff are unavailable and include back-up arrangements to insure consistent and quality service delivery. List for all services/programs applied for:
 - a. Maximum length of time worker is off before replacement of worker.
 - b. Maximum length of time worker is off before client receives services.
 - c. Method used by agency to provide replacement worker as quickly as possible.
 - d. How client is notified of situation when a worker is absence.
 - e. How and when Case Manager (if applicable) is notified of worker's absence.
 - f. Plan to continue services to client in absence of regular staff.
 - g. Indicate if agency employs PRN staff to cover absences and describe how long the agency has used PRN staff including a description of the success or failure of serving clients using this method.
 - h. Indicate how long, on average, clients in the agency's client files, have gone without (ordered) services due to lack of staff over the last two full fiscal years. Also, provide the longest of time a client has gone without service due to lack of staffing. Provide documentation which may include letters from other contractors (if not a current contractor of Agency) employing the applicant agency to perform the same service(s) as being applied for in the Purchase ADD.
6. Describe how staff will be properly identifiable when seeing clients/participants (use of official agency badges or uniform, etc.)
7. Describe the Applicant's plan to utilize staff for each of the Services/Programs (as applicable) that Applicant is applying for. Staff must meet the requirements of the DAIL SOP's and all other requirements.
8. Describe current use of staff. Be specific as to the number of staff used per county and per site, and an approximate number of hours worked.

9. Provide written policies and procedures for the following for staff (provide as an attachment):
 - a. Means of recruitment;
 - b. Application
 - c. Position Description
 - d. Screening methods including:
 - i. TB Skin Test documents (as applicable)
 - ii. Criminal Records Check
 - iii. Training
 1. Include a new volunteer orientation agenda with applicable attachments
 2. Include agenda of training for specific position staff is assigned
 3. Describe ongoing Training. Be specific as to: Frequency, Resource Providing Training, Sample topics,
10. Supervision
11. Monitoring
 - a. Evaluation of staff performance (provide evaluation tool)
 - i. Include who will conduct monitoring staff performance
 - ii. What tool(s)/documentation will be used to monitor performance
 - iii. Frequency staff performance will be monitored
 - iv. Time keeping of work and services provided
 - v. Reimbursement for expenses
12. Retention/Recognition methods
13. Employee/Volunteer Code of Conduct
14. Use of volunteers: Describe the Applicant's plan to utilize volunteers for each of the Services/Programs (as applicable) Applicant is applying for. However, volunteers are considered unpaid staff and as such, they must meet the requirements of the DAIL SOP's and all other requirements of regular staff.
 - a. Describe current use of volunteers. Be specific as to number of volunteers used per county and per site, and an approximate number of hours worked.
 - b. Provide written policies and procedures for the following for volunteers (provide as an attachment):
 - i. Means of recruitment;
 - ii. Application
 - iii. Position Description
 - iv. Screening methods including:
 1. TB Skin Test documents (as applicable)
 2. Criminal Records Check
 - v. Training
 1. Include a new volunteer orientation agenda with applicable attachments
 2. Include agenda of training for specific position volunteer is assigned

3. Describe ongoing Training. Be specific as to: Frequency, Resource Providing Training, Sample topics, and Supervision
- vi. Monitoring
 1. Evaluation of volunteer performance (provide evaluation tool)
 - a. Include who will conduct monitoring volunteer performance
 - b. What tool(s)/documentation will be used to monitor performance
 - c. Frequency volunteer performance will be monitored
 - d. Time keeping of work and services provided
 - e. Reimbursement for expenses

Program Narrative

1. Complete the application Cover Sheet. (Form provided.)
2. State briefly the history and organization of the applicant agency.
3. Describe the agency's experience and former activities that indicate ability to implement the specific objective of this proposal.
4. Briefly state the purpose of the program in narrative form.
5. Identify the proposed service area for this project. By county, provide the number of estimated unduplicated persons to be served.
6. Does this agency plan to utilize volunteers within this project? If yes, please describe current use of volunteers, plans for recruitment, training/orientation activities and supervision.
7. Explain procedures to ensure the confidentiality of information provided by or regarding clients.
8. Describe the procedure for making referrals and coordinating services with other agencies including efforts to involve the private bar in legal assistance under Title III-B such as the use of individuals and/or groups within the private bar who furnish legal services to older persons on a pro bono or reduced fee basis.
9. Specify how applicant intends to coordinate efforts with the Long Term Care Ombudsman.
10. Describe the agency's Policies and Procedures for addressing and resolving client complaints/grievances.
11. Describe client intake procedure including criteria used by your agency to determine eligibility for legal services.
12. Explain waiting list procedures, if applicable.
13. Describe the method utilized for providing each older person with a free and

- voluntary opportunity to contribute to the cost of the service.
14. Describe how donations will be collected, accounted for and expended.
 15. Describe how the public will be made aware of the availability of legal services, including those persons residing in institutions.
 16. Describe outreach procedures for low-income minority individuals.
 17. Describe the agency's mechanism for monitoring services to assure appropriate services are delivered on a timely basis. (i.e. client satisfaction surveys, staff evals.)
 18. Provide job descriptions and educational credentials for staff assisting clients. Estimate the percentage of time each level of staff spends assisting clients in the Title III-B program.
 19. Describe the use of pro bono referrals for clients unable to be served by the agency.
 20. Describe efforts to be taken to provide legal education to the elderly throughout the district.
 21. Describe Policy and Procedure regarding district-wide visits to counties as needed to provide on-site services.
 22. Provide per unit cost rate requested. If an increase in the current per unit rate is shown, provide an explanation and justification for the increase.
 23. Provide detailed information regarding items included in the per unit cost. (Per unit cost should include project management costs.)
 24. Complete the Services/Program Proposal and Cost Proposal Summary for the returned packet.
 25. Complete the Memorandum of Understanding with the local Ombudsman program. (Form provided.)
 26. Complete the Legal Assurances Form (Form provided)
 27. Complete the Budget and Financial Summary Report (Form provided)
 28. Complete the Service Delivery/Budget Back-up (Form provided)
 29. Complete Local Resources Form. (Form provided.)
 30. Complete Legal Checklist. (Form provided.)

Retention/Recognition methods

1. Describe the Applicant's provision of, or arrangements to provide, adequate liability insurance to protect employee/volunteer from personal liability.

2. Describe all fundraising activities Applicant plans to undertake, the amount of funds anticipated to be raised, the services to which those funds will be targeted and if the funds collected will be used as match. If fundraising is not utilized, please indicate.
3. Has the Applicant organization ever been cited, sanctioned debarred, suspended or had audit exceptions from a Federal or State or local government contract? If yes, describe infraction and date, name and address of monitoring entity, and final outcome.
4. Has the Applicant organization filed for bankruptcy or restructuring under the U.S. bankruptcy code? If yes, when?
5. Include applicant's internal incident reporting policy regarding client and staff incidents and describe how the Applicant's organization will comply with the Agencies Incident Reporting Policy as listed in Attachment A Reference Materials,
6. Name the Internet Service Provider Applicant is using. High speed internet connectivity with regard to local (Purchase Area) administration and delivery of the services noted in this RFP is a requirement of the Agency. Individually describe the Applicant's disaster, bioterrorism and flu pandemic plans or attach a copy of each. Include the name, title and contact information relative to the Applicant's designated disaster/bio-terrorism/flu pandemic staff member.

ATTACHMENTS TO BE COMPLETED AND SUBMITTED WITH APPLICATION

Complete each Service or Program Proposal, Cost Proposal attachment as identified in the Letter of Application. If a question is not applicable to an Applicant's organization please mark with an N/A. The Service or Program section should be no more than 7-10 pages per attachment.

- | | |
|--------------|--|
| Attachment A | Reference Materials
Code of Conduct for the Award and Allocation of Aging Funds
FY 2022 Current Subcontractor Funding Levels
FY 2022 Fixed Price unit Costs by Program
Geographical and Volume Information
Population Statistics from 2020 Census
Local Administrative Review Procedures
Purchase Area Development District
Area on Aging and Independent Living
Policies and Procedures FY 2022
Sample Contract |
| Attachment B | Attachments to Be Completed and Submitted With Application
Application Submission Cover Sheet
Verification of Intent
Assurance of Program Administration Compliance
Certification of Assurances and Compliance with General Provisions |

Department of Health and Human Services Assurance of
Compliance with Section 504 of the Rehabilitation Act of 1973 as
Amended
Assurance of Compliance with the Department of Health and
Human Services Regulation Under Title VI of the Civil Right Act of
1964
Assurance of Compliance with the Americans with Disabilities Act
of 1990
Certification Regarding Drug-Free Workplace and the
Requirements
Contractor Certification of Designated Program Administrator
Procurement Requirements
Invoice Authorization
Legal Document Authorization
Terms and conditions for Official Application
Certification of Prohibited Employee Activities
Board Membership List
Applicant Staffing Plan

Title III B Legal Services Workbook

1. Budget Workbook:

Applicants must complete the line-item budget contained in the excel workbook. The budget workbook contains one worksheet whereby the applicant will break down the unit rates requested for each specific service category. This form allows for the applicant to indicate their capacity to meet the needs of Title III-B Legal Services clients who will receive specific services during this fiscal year. Further, the number of service units that are proposed to be delivered to eligible clients (consistent with unit-definitions) must be represented.

2. Reasonableness of Costs and Allowable costs:

In accordance with Federal and State cost principles and financial management guidelines, all entities awarded public funds must ensure that costs presented are reasonable and can be supported with cost estimate information if necessary and must only be utilized for allowable costs. Applicants are to adhere to the provisions of 2 CFR, Part 200 - Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards. Further, the Department for Aging and Independent Living in accordance with Cabinet policies, may further require limitations on certain types of costs or amounts.

The following limitations apply and must be incorporated as applicants determine and present the proposed budget:

- a. Travel for all staff will be limited to no more than the State mileage rate. (This rate may change quarterly and is currently at the amount of .45 per mile.)
- b. Only costs that are necessary, reasonable and allocable to the specific programs included in this procurement will be considered. Costs that

are determined to be unnecessary or reasonable will be eliminated or reduced at the discretion of PADD.

The costs incorporated into the project budget must only include the proportionate share for staff or other operating costs related to the direct implementation of the stated project(s). Costs that are associated with the overall operation of the applicant entity or not related to the specific programs or services bid must not be incorporated into the project budget or proposal.

The cost submitted under this proposal if accepted will be the contracted rate for the time period of July 1, 2023, through June 30, 2026.

INSTRUCTIONS

1. The Bidder's Meeting requirement for this RFP will be held June 7, 2023, 10:00 am Central Time, and may be attended via conference call if requested in advance by emailing Cissy.Fox@PADD.org for details. Organizations are permitted to submit inquiries up to Close of Business, June 16, 2023. Proposals may be viewed on the PADD website and downloaded from www.purchaseadd.org.
2. Applicants may submit a completed proposal electronically to https://purchaseadd-my.sharepoint.com/:f/g/personal/cissy_fox_purchaseadd_org/EuqVMOrifzhCrZitpOCKC1gBAQAoHKmplkoCi50iVhtlbA. Attachments and addenda must be clearly identified and labeled in the proposals. Proposals are due to PADD no later than **12:00 Noon (Central Time) June 21, 2023**. ***Proposals not completed in the format outlined or with questions unanswered will not be considered for funding. PADD reserves the right to accept or reject any or all proposals and to obtain additional information from applicants to consider final recommendations for funding if this information is deemed necessary and will benefit the agency.***
3. Submit completed forms following the checklist above by uploading into the appropriate requested documents slots in https://purchaseadd-my.sharepoint.com/:f/g/personal/cissy_fox_purchaseadd_org/EuqVMOrifzhCrZitpOCKC1gBAQAoHKmplkoCi50iVhtlbA
4. Proposals will be reviewed for reasonableness of cost for the services, completeness of responses in the application, past performance as an entity serving older adults (statistical data), proposed services that address the needs of older adults and the changing population, and other criteria as established by PADD.
5. Applicants that fail to respond to any section or topic may be declared non-responsive and will not be considered for funding during the procurement cycle. Applicants that submitted non-responsive applications may submit applications for

future procurements. Questions that do not pertain to the services proposed or not applicable to the applicant organization should be marked “not applicable” or NA.

6. It is expected that all required forms and information requested are signed and submitted with the application to be considered for review. **The proposal will not be scored if the forms are not complete.**
7. **Electronic proposals must be submitted to https://purchaseadd-my.sharepoint.com/:f/g/personal/cissy_fox_purchaseadd_org/EuqVMOrfzhCrZitpOCKC1gBAQAoHKmplkoCi50iVhtlbA . All proposals are due no later than 12:00 noon, (Central Time) June 21, 2023. Proposals received after that time and date must not be considered for review.**

AGREEMENT WITH LEGAL ASSISTANCE PROVIDER

Regarding Long-Term Care Ombudsman Program

_____, and the Purchase Area Development District, through their respective staffs hereby agree to coordinate services, to the extent appropriate, with the Long-Term Care Ombudsman Program. The staffs of the respective agencies will be aware of the services each provide to the elderly in long-term care institutions. Each will refer cases to the other for resolution as the circumstances dictate.

The staff of the _____ office(s) in _____ will make every effort to be available for client consultation upon request of the Long-Term Care Ombudsman.

Provider Agency Name
(Signature of official above)

Area Development District Name
(Signature of official above)

Dated this, the _____ day of _____, 20__.

ASSURANCE OF COMPLIANCE FORM

LEGAL SERVICES

The following program specific assurances are applicable:

Ensure that all DAIL Standard Operating Procedures are followed as provided. *

Eligibility for services are persons 60 years or older per federal regulations. *

Target services to those individuals who are caregivers of elderly citizens who suffer from dementia or related dysfunctions, low-income minority, elderly in greatest social or economic needs, those who live in rural areas, those who suffer from a disability, those who have limited English speaking ability, those who suffer from dementia or related dysfunctions.

Provide services to the population of low-income minority individuals at least the same proportion as the population bears to the older population as a whole.

Provide individual legal casework, legal referral, and legal education to the elderly.

Ensure training for legal service staff in areas of the law relevant to the elderly.

Make services available for institutionalized older persons, and for any elderly person otherwise entitled to legal assistance.

Contact institutionalized elderly and inform and educate these individuals about the legal assistance services available.

Assure that services shall not be denied because of a person's failure to disclose information about income or resources.

Coordinate efforts with the efforts of the Long-Term Care Ombudsman's office.

Meet quarterly with the local Ombudsman Program Advisory Council.

Document the legal activities and services provided to clients and report aggregate data as requested by the AAAIL and the DAIL.

Submit applicable written reports to the AAAIL monthly, quarterly and annually as required.

Provide counseling or assistance on legal matters, legal advocacy, legal education, or advice in civil matters and/or representation before some administrative or judicial body.

Utilize lawyers or paralegals and law students when supervised by an attorney.

DATE

SIGNATURE OF CONTRACT REPRESENTATIVE

* These regulations were provided by websites location in the General Section.

**PURCHASE AREA DEVELOPMENT DISTRICT
AREA AGENCY ON AGING AND INDEPENDENT LIVING
RFP FY 2023 – FY 2026**

TITLE IIIB LEGAL SERVICES

**USE THE CORRESPONDING EXCEL WORKBOOK TO COMPLETE
ALL FORMS NEEDED FOR SUBMISSION
WITH YOUR AGENCY PROPOSAL**

TITLE IIIB LEGAL SERVICES FINANCIAL WORKSHEETS INCLUDE:

- **LEGAL SERVICE BUDGET AND FINANCIAL SUMMARY REPORT**
- **TOTAL DISTRICT WIDE SERVICE DELIVERY/ BUDGET BACK-UP**
- **STATE AND LOCAL RESOURCES INCLUDING REQUIRED MATCH**
- **PROVIDER AGENCY INFORMATION**
- **SERVICE NEED/ALLOCATION**