



# **TEXAS**

## **Health and Human Services**

**Dr. Courtney N. Phillips, Executive Commissioner**

**Request for Applications (RFA)**

**For**

**Aging and Disability Resource Center (ADRC) Services  
RFA No. HHS0002702**

**Date of Release:  
Friday, February 22, 2019**

**Responses Due:  
Friday, March 15, 2019 by 2:00 p.m.**

**NIGP Class/Item Codes:  
952/59 Human Services- Human Services (Not Otherwise Classified)**

**Table of Contents**

**Article 1. Executive Summary, Definitions, and Authority ..... 4**

    1.1 Executive Summary .....4

    1.2 Definitions.....4

    1.3 Authority .....5

**Article 2. Scope of Grant Award ..... 6**

    2.1 Description of services.....6

        2.1.1 Program Background..... 6

        2.1.2 Service Delivery ..... 6

    2.2 Grant Award and Term .....6

        2.2.1 Available Funding ..... 6

        2.2.2 Grant Term ..... 7

    2.3 Eligible Applicants.....7

    2.4 Program Requirements.....7

    2.5 Scope.....7

        2.5.3 Contract Monitoring Questionnaire..... 9

        2.5.4 Formal Communication..... 9

        2.5.4 Contract Records Retention..... 10

    2.6 Key Performance Requirements .....10

    2.7 Prohibitions.....11

    2.8 Standards.....12

    2.9 Data Use Agreement .....12

    2.10 No Guarantee of Volume, Usage or Compensation.....13

**Article 3. Administrative Information ..... 14**

    3.1 Schedule of Events.....14

    3.2 Changes, Amendment or Modification to Solicitation .....14

    3.3 Irregularities.....14

    3.4 Inquiries .....14

        3.4.1 Point of Contact..... 14

        3.4.2 Prohibited Communications ..... 15

        3.4.3 Questions ..... 15

        3.4.4 Clarification request made by Respondent ..... 16

        3.4.5 Responses ..... 16

        3.4.6 Respondent Conference..... 16

    3.5 Solicitation Response Composition .....16

        3.5.1 Generally ..... 16

        3.5.2 Submission in Separate Sections..... 17

    3.6 Solicitation Response Submission and Delivery .....17

        3.6.1 Deadline..... 17

        3.6.2 Labeling..... 17

        3.6.3 Delivery ..... 18

        3.6.4 Alterations, Modifications, and Withdrawals..... 18

**Article 4. Solicitation response evaluation and award Process..... 19**

    4.1 Generally.....19

    4.2 Eligibility Screening .....19

- 4.2.1 Minimum Qualifications ..... 19
- 4.3 Evaluation .....19
- 4.4 Final Selection .....20
- 4.5 Negotiation and Award .....21
- 4.6 Questions or Requests for Clarification By the System Agency .....21
- Article 5. Narrative Proposal..... 22**
- 5.1 Narrative Proposal .....22
  - 5.1.1 Executive Summary ..... 22
  - 5.1.2 Plan of Operation..... 22
- Article 6. Required Respondent Information..... 23**
- 6.1 Administrative Entity Information.....23
- 6.2 Litigation and Contract History .....23
- 6.3 Conflicts of Interest.....23
- 6.4 Grant Application Disclosure.....24
- 6.5 Affirmations and Certifications .....24
- Article 7. Expenditure proposal ..... 25**
- 7.1 Expenditure Proposal .....25
- 7.2 Financial Capacity .....28
- 7.3 Bonding.....28
- Article 8. General Terms and Conditions..... 29**
- 8.1 General Conditions .....29
  - 8.1.1 Costs Incurred..... 29
  - 8.1.2 Contract Responsibility ..... 29
  - 8.1.3 Public Information Act ..... 29
  - 8.1.4 News Releases ..... 29
  - 8.1.5 Additional Information ..... 30
- Article 9. Submission checklist ..... 31**
- 9.1 Submission Checklist.....31

## **ARTICLE 1. EXECUTIVE SUMMARY, DEFINITIONS, AND AUTHORITY**

### **1.1 EXECUTIVE SUMMARY**

The Texas Health and Human Services Commission (HHSC) seeks qualified applicants to provide Aging and Disability Resource Center (ADRC) services. Services shall be provided in accordance with the specifications contained in this RFA and in compliance with the ADRC Contract Requirements. It is HHSC's intent to execute cost reimbursement contracts with successful respondents.

To be considered for award, respondents must execute **Exhibit A. Affirmations and Solicitation Acceptance**, of this solicitation and provide all other required information and documentation as set forth. Eligible applicants are limited to non-profit and governmental organizations.

### **1.2 DEFINITIONS**

Refer to **Exhibit B. HHSC Uniform Terms and Conditions Grant, Exhibit C. Assurances Non-Construction, and Exhibit D HHSC Special Terms and Conditions**, for additional definitions. Additionally, as used in this solicitation, unless the context clearly indicates otherwise, the following terms and conditions have the meanings assigned below:

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

**"Consumer"** means a member of the target population to be served by the Respondent's organization. For the purposes of this solicitation, a consumer is a person who is older, a person of any age with a disability, and family members who contact the ADRC for assistance.

**"ESBD"** means the Electronic State Business Daily, the electronic marketplace where State of Texas contract opportunities over \$25,000 are posted. The ESBD may currently be accessed at <http://www.txsmartbuy.com/sp>

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

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

**"No Wrong Door System"** or **"NWD"** represents a collaborative effort of the U.S. Administration for Community Living (ACL), the Centers for Medicare & Medicaid Services (CMS), and the Veterans Health Administration (VHA), to support state efforts to streamline access to long-term services and supports (LTSS) options for all populations and all payers.

**"Project"** means the work and activities for which grant funding is awarded and information provided as part of the response to this solicitation. During the open

application period and before selection of grant recipients is made, the Project will be known as the “Proposed Project.”

“Respondent” means the entity responding to this solicitation. May also be referred to as “Applicant.”

“Solicitation” means this Request for Application including any Exhibits and Addenda.

“State” means the State of Texas and its instrumentalities, including HHSC - the System Agency - and any other state agency, its officers, employees, or authorized agents.

“Successful Respondent” means an organization that receives a grant award as a result of this RFA. May also be referred to as “Respondent”, “Awarded Applicant”, “Sub recipient” or “Grant Recipient”.

### 1.3 AUTHORITY

The authority for this solicitation and resulting contract is based on [Section 10202 of the Patient Protection and Affordable Care Act \(Pub. L. 111-148, also known as The Affordable Care Act\)](#), which authorizes incentives to states to increase access to non-institutionally based LTSS. This solicitation and resulting contracts are also governed by federal, state, and local laws, including, but not limited to, the following:

- A. [Title 45 Code of Federal Regulations \(CFR\), Part 75](#);
- B. [Title 45 CFR, Part 1321](#);
- C. [Title 45 CFR, Part 91](#);
- D. The Uniform Grant Management Standards (UGMS), Governor’s Office of Budget and Planning, June 2004; see procurement library.
- E. Applicable HHSC rules as published in [Title 40 Part 1, Texas Administrative Code \(TAC\)](#);
- F. Federal Grant and Cooperative Agreement Act of 1977, now [31 U.S.C. §§ 6301-6308](#); and

## **ARTICLE 2. SCOPE OF GRANT AWARD**

### **2.1 DESCRIPTION OF SERVICES**

#### **2.1.1 Program Background**

ADRCs support the Texas “No Wrong Door” system, an original federal initiative, which is designed to streamline public access to long-term care and make it easier for individuals to navigate the complex system of services offered by government agencies, non-profit organizations, and other service providers. Understanding the available options and making decisions about healthcare, housing, transportation, and other long-term services and supports (LTSS) can be overwhelming; however, ADRCs provide objective information and assistance to help clients access the care they need to live in their communities.

#### **2.1.2 Service Delivery**

ADRCs use a person-centered service delivery model that takes into consideration an individual’s goals, strengths, and preferences. Services are provided in a way that promotes the independence and dignity of the client, while exploring the full range of available LTSS options to meet the client’s identified needs or situation. This approach empowers individuals and their caregivers to make informed choices about their long-term care.

In addition, ADRCs are expected to operate with a level of flexibility that allows them to assume new projects, duties, and responsibilities as opportunities are identified. ADRCs will be expected to work collaboratively with other HHSC funded programs (i.e., Area Agencies on Aging) to streamline resources and provide comprehensive assistance to consumers.

### **2.2 GRANT AWARD AND TERM**

#### **2.2.1 Available Funding**

The estimated total amount of funding available for the ADRC program is **SIX MILLION FIVE HUNDRED FORTY-SIX THOUSAND TWO HUNDRED EIGHTY-SIX DOLLARS (\$6,546,286.00)** per year for a maximum total of **THIRTY-TWO MILLION SEVEN HUNDRED THIRTY-ONE THOUSAND FOUR HUNDRED THIRTY DOLLARS (\$32,731,430.00)** for five (5) years.

It is HHSC's intention to make multiple awards. The estimated amounts of funding available for each ADRC region and the funding sources are identified in **Exhibit E, ADRC Regions and Funding Estimates.**

Reimbursement will only be made for those allowable expenses that occur within the term of the grant. No pre-award spending will be allowed. The total amounts listed above include the initial two (2) year term, from **September 1,**

**2019, through August 31, 2021, with the option to extend one (1) year for up to three (3) years, ending on August 31, 2024.**

Anticipated award amounts are based on available funding and the projected population to be served. The initial award will cover expenses occurring within the first year of the contract and awards for later years will be made by contract amendment. The specific dollar amount to be awarded to the successful respondent may depend upon the merit and scope of the proposed project. Portions of the available funding are grant-restricted and must be used for the provision of specific ADRC activities. Award amounts are subject to change at the discretion of HHSC.

### **2.2.2 Grant Term**

It is anticipated the grant funding period for this program will begin **September 1, 2019**, and continue through **August 31, 2021**. HHSC may exercise its option to extend any contract awarded pursuant to this solicitation with the option to extend one (1) additional year for up to three (3) years, ending on August 31, 2024.

## **2.3 ELIGIBLE APPLICANTS**

- 23.1 Non-profit and governmental organizations are the only entities eligible to submit proposals in response to this solicitation. Respondents must have or propose to have offices, chapters or affiliates in the ADRC region in which the respondent is proposing to provide services at the time of contract execution.
- 23.2 Respondents may submit proposals to provide services in the ADRC regions and associated counties identified in **Exhibit E. ADRC Regions and Funding Estimates**.

## **2.4 PROGRAM REQUIREMENTS**

To meet the mission and objectives of the ADRC program, successful respondents must be in compliance with the requirements of **Exhibit E. Contract Requirements**.

## **2.5 SCOPE**

- 2.5.1 ADRCs serve all individuals and their families, regardless of age, income, and disability. Services are primarily focused to the following target populations:
- A. Individuals who are older;
  - B. Individuals with intellectual disabilities, developmental disabilities, physical, and/or chronic diseases or conditions;
  - C. Family caregivers;

- D. Veterans;
- E. Families with children who have special needs; and
- F. Other individuals planning for future LTSS needs.

### 2.5.2 Contract Requirements

This solicitation requires the successful respondents to develop, implement, and administer the operations of an ADRC in at least one of the ADRC regions identified in this solicitation. Selected respondents shall have the appropriate leadership and management structure to ensure comprehensive oversight of service delivery in accordance with the specifications contained in **Exhibit F, Contract Requirements**. Additionally, the respondent's staff must have the knowledge, skills, resources, and abilities to provide all of the following core services:

- A. Specialized Information, Referral and Assistance (IR&A) – ADRCs provide individuals with up-to-date information on the LTSS services and resources available to them in their communities. IR&A specialists use a person-centered approach to assess the capacities and challenges of clients and provide objective information and assistance to help them make informed decisions about their long-term care needs.
- B. Referral to Respite Care services – Respite care supports families caring for an individual of any age with a chronic health condition or a disability. It allows caregivers to take a break while a provider cares for their loved ones. ADRCs assess caregivers' eligibility for services and provide referrals to community providers for respite care and other services that support caregivers.
- C. Local Contact Agency functions – As the Local Contact Agency (LCA), ADRCs provide transition planning and person-centered options counseling to assist non-Medicaid, Medicare, and private-pay nursing facility residents who need assistance transitioning into community living. LCA services are more in-depth and usually require follow-up sessions with clients to ensure they are successful in meeting their goals.
- D. Housing Navigation activities – ADRC Housing Navigation activities focus on opportunities to increase accessible, integrated and affordable housing in the local area. ADRC staff must maintain inventories of available housing in their areas, participate in local coalitions that advocate for affordable housing, and develop and maintain working relationships with key stakeholders, including housing authorities, property owners, developers, and state and local lawmakers. In addition, housing navigation staff analyze complex housing policies and plans, and provide public input to city planners and other policy makers.
- E. Outreach and Education activities under the Medicare Improvements for Patients and Providers Act (MIPPA) – ADRCs facilitate and participate in



community events to provide outreach and education to Medicare beneficiaries, particularly those with limited incomes who may be eligible for the Low-Income Subsidy program (LIS), Medicare Savings Program (MSP), and Medicare Prescription Drug Coverage (Part D). Outreach activities must also provide information on disease prevention and promotion of wellness.

- F. Pilot programs and local initiatives that target underserved populations – ADRCs also may provide other programs or services that meet the unique needs of their communities. For instance, ADRCs in communities with a high number of military personnel and veterans have implemented programs to provide specialized assistance to these populations. Other local initiatives have targeted Native American, refugee, and non-English speaking populations.

### **2.5.3 Contract Monitoring Questionnaire**

- A. Successful respondents must comply with all applicable cost principles, audit requirements, and administrative requirements listed under terms and conditions. To ensure compliance with these requirements, HHSC utilizes a risk-based contract monitoring system. The **Exhibit G, Contract Monitoring Questionnaire (CMO)**, is part of the risk evaluation process and provides detailed information regarding internal controls and other general processes important to contracting.
- B. The successful respondent must submit the initial CMQ within thirty (30) calendar days after contract execution or by the date specified by HHSC, and annually thereafter within sixty (60) calendar days prior to the end of each state fiscal year.

### **2.5.4 Formal Communication**

- A. Successful respondents must follow a formal communication process with HHSC for receipt and response to requests for information, work products, deliverables, updates, and other required correspondence related to performance of contract requirements. HHSC will issue State Action Requests (SARs) or Vendor Action Requests (VARs) Responses. The successful respondent's response should describe how the respondent will follow and manage formal communication with HHSC.
- B. In addition to the requirements stated above, the successful respondent must:
  1. Submit a complete and accurate responses to any SAR or VAR Response memos no later than ten (10) calendar days after the respondent's receipt of the request unless a specific date is specified in the request.
  2. Submit a written request for extension of a SAR deadline that specifies the estimated date of completion and reasons for the extension no later than three (3) business days after the respondent receives the SAR.
  3. Submit a written request for extension of a High Priority deadline that specifies the estimated date of completion and reasons for extension no

later than three (3) hours after the respondent receives the SAR or VAR Response.

4. Submit ad hoc reports and respond to Legislative inquiries and other high priority requests within three (3) business days from the time of the request or by the date specified by HHSC, for data or reports that already exist and are produced.
5. All correspondence must be sent to the HHSC ADRC SAR VAR email address at ADRC\_SAR\_VAR@hhsc.state.tx.us.

#### 2.5.4 Contract Records Retention

As indicated in **Exhibit B. HHSC Uniform Terms and Conditions**, successful respondents will keep and maintain under the Generally Accepted Accounting Principles (GAAP) or the Governmental Accounting Standards Boards (GASB), as applicable, full, true, and complete records necessary to fully disclose to HHSC, the Texas State Auditor's Office, the United States Government, and their authorized representatives sufficient information to determine compliance with the terms and conditions of this Contract and all state and federal rules, regulations, and statues. Unless otherwise specified in this Contract, successful respondents will maintain legible copies of its Contract and all related documents for a minimum of seven (7) years after the termination of the contract period or seven (7) years after the completion of any litigation or dispute involving the Contract, whichever is later.

## 2.6 KEY PERFORMANCE REQUIREMENTS

### 2.6.1 Monitor of Performance

HHSC will monitor the performance of contracts awarded under this RFA. All services and deliverables under the contract shall be provided at an acceptable quality level and in a manner consistent with acceptable industry standard, custom, and practice. The successful respondent shall ensure services are provided at least at the level established for ADRC approved goals and outcomes. The Successful Respondent shall report on key performance requirements and outcomes in accordance to the workmanship and performance outlined within **Exhibit H, Key Performance Requirements (KPRs)**, and **Exhibit I, Deliverables** and outlined below:

- A. All Services and Deliverables provided under the agreement will be provided in a manner consistent with the standards of quality and integrity as outlined in the Agreement, the solicitation, and the Successful Respondent's Proposal.
- B. All Services and Deliverables must meet or exceed the required level of performance specified in or under the Agreement, and will meet or exceed HHSC's Mission and Objectives, as set forth in the solicitation.

- C. The Successful Respondent will perform the Services in a workmanlike manner, in accordance with best practices and high professional standards used in well-managed operations performing services similar to the services described in the Agreement.

## 2.7 PROHIBITIONS

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

- A. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- B. Lobbying Activity, which involves direct communication with and preparation for direct communication with a member of legislative or executive branch to influence legislation or administrative action;
- C. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
- D. Vehicles or equipment for government agencies that are for general agency use and/or do not have a clear nexus to terrorism prevention, interdiction, and disruption (i.e. mobile data terminals, body cameras, in-car video systems, or radar units, etc. for officers assigned to routine patrol);
- E. Weapons, ammunition, tracked armored vehicles, weaponized vehicles or explosives (exceptions may be granted when explosives are used for bomb squad training);
- F. Admission fees or tickets to any amusement park, recreational activity or sporting event;
- G. Promotional gifts;
- H. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel or where pre-approved for working events;
- I. Membership dues for individuals;
- J. Any expense or service that is readily available at no cost to the grant project;
- K. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
- L. Fundraising; and
- M. Any other prohibition imposed by federal, state, or local law.

## 2.8 STANDARDS

Successful respondents must comply with the requirements applicable to this funding source cited in the Uniform Grant Management Standards (UGMS, located in the procurement library), and all statutes, requirements, and guidelines applicable to this funding.

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

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

HHSC Civil Rights Office  
701 W. 51st Street, Mail Code W206  
Austin, TX 78751

Phone Toll Free (888) 388-6332  
Phone: (512) 438-4313  
TTY Toll Free (877) 432-7232  
Fax: (512) 438-5885

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

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

## 2.9 DATA USE AGREEMENT

By entering into a contract with HHSC as a result of this solicitation, the successful respondent agrees to be bound by the terms of **Exhibit J, Data Use Agreement**. All successful respondents are also required to complete **Exhibit J, Attachment A, HHS Enterprise Data Use Agreement Security and Privacy Initial Inquiry (SPI) Form**.

## **2.10 NO GUARANTEE OF VOLUME, USAGE OR COMPENSATION**

HHSC makes no guarantee of volume, usage, or total compensation to be paid to any successful respondent under an awarded Grant, if any, resulting from this solicitation. Any awarded Grant is subject to appropriations and the continuing availability of funds.

HHSC reserves the right to cancel, make partial award, or decline to award a Grant under this solicitation at any time at its sole discretion.

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

**The remainder of this page is intentionally left blank.**

## **ARTICLE 3. ADMINISTRATIVE INFORMATION**

### **3.1 SCHEDULE OF EVENTS**

<b>EVENT</b>	<b>DATE/TIME</b>
Solicitation Release Date	February 22, 2019
Respondent Conference (optional)	Week of March 4-8, 2019
Deadline for Submitting Questions	March 11, 2019 by 5:00 p.m.
Answers to Questions Posted	March 13, 2019
<b>Deadline for submission of Solicitation Responses [NOTE: Responses must be RECEIVED by HHSC by the deadline.]</b>	March 15, 2019 @ 2:00 p.m.
Anticipated Notice of Award	May – June 2019
Anticipated Contract Start Date	September 1, 2019

Note: These dates are a tentative schedule of events. HHSC reserves the right to modify these dates at any time upon notice posted to the [ESBD](#), [HHSC Grants](#), and [Texas.gov eGrants](#) websites. Any dates listed after the Solicitation Response deadline will occur at the discretion of HHSC and may occur earlier or later than scheduled without notification on the [ESBD](#), [HHSC Grants](#), and [Texas.gov eGrants](#) websites.

Note: You must use Google Chrome when navigating CPA websites, if applicable.

### **3.2 CHANGES, AMENDMENT OR MODIFICATION TO SOLICITATION**

HHSC reserves the right to change, amend or modify any provision of this solicitation, or to withdraw this solicitation, at any time prior to award, if it is in the best interest of HHSC and will post such on the [ESBD](#), [HHSC Grants](#), and [Texas.gov eGrants](#) websites. It is the responsibility of all respondents to periodically check the [ESBD](#), [HHSC Grants](#), and [Texas.gov eGrants](#) websites to ensure full compliance with the requirements of this solicitation.

### **3.3 IRREGULARITIES**

Any irregularities or lack of clarity in this solicitation should be brought to the attention of the Point of Contact listed in Section 3.1 as soon as possible so corrective addenda may be furnished to prospective respondents.

### **3.4 INQUIRIES**

#### **3.4.1 Point of Contact**

All requests, questions or other communication about this solicitation shall be made in writing to HHSC's Point of Contact addressed to the person listed in Section 3.4.1. All communications between respondents and HHSC staff members concerning the

solicitation are strictly prohibited, unless noted elsewhere in this RFA. **Failure to comply with these requirements may result in disqualification of the Respondent's Solicitation Response.**

Name: Carolyn R. DeBoer  
Title: HHSC PCS Procurement Manager  
Address: 1100 W. 49th Street  
Austin, TX 78756, MC: 2020  
Phone: (512) 406-2447  
Email: [Carolyn.deboer@hhsc.state.tx.us](mailto:Carolyn.deboer@hhsc.state.tx.us)

### 3.4.2 Prohibited Communications

All communications between respondents and HHSC staff members concerning the solicitation may not be relied upon and respondents should send all questions or other communications to the Point of Contact in Section 3.4.1. This restriction does not preclude discussions between affected parties for the purposes of conducting business unrelated to this solicitation. **Failure to comply with these requirements may result in disqualification of the Respondent's Solicitation Response.**

### 3.4.3 Questions

HHSC will allow written questions and requests for clarification of this solicitation. Questions must be submitted in writing and sent by U.S. First class mail or email to the Point of Contact listed in Section 3.4.1 above and deadline listed in Section 3.1. Respondents' names will be removed from questions in any responses released. Questions shall be submitted in the format below. Submissions that deviate from this format may not be accepted:

- A. Identifying Solicitation Number
- B. Section Number
- C. Paragraph Number
- D. Page Number
- E. Text of passage being questioned
- F. Question

Note: Questions or other written requests for clarification must be received by the point of contact by the deadline set forth in Section 3.1, above. Please provide entity name, address, phone number; fax number, e-mail address, and name of contact person when submitting questions.

#### **3.4.4 Clarification request made by Respondent**

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

#### **3.4.5 Responses**

Responses to questions or other written requests for clarification will be posted on the ESD, HHSC, and Texas.gov eGrants websites. HHSC reserves the right to amend answers prior to the deadline of Solicitation Responses. Amended answers will be posted on the ESD, HHSC, and Texas.gov eGrants websites. It is Respondent's responsibility to check the ESD, HHSC, and Texas.gov eGrants websites for updated responses. HHSC also reserves the right to provide a single consolidated response of all similar questions in any manner at the sole discretion of HHSC.

#### **3.4.6 Respondent Conference**

HHSC will conduct an **optional** pre-submittal respondent conference in the month of March. The exact date and time will be issued through an addendum and posted to the [ESD](#), [HHSC Grants](#), and [Texas.gov eGrants](#) websites.

### **3.5 SOLICITATION RESPONSE COMPOSITION**

#### **3.5.1 Generally**

All applications must be:

- A. Clearly legible;
- B. Sequentially page-numbered and include the respondent's name at the top of each page;
- C. Organized in the sequence outlined in Article 9 - Submission Checklist;
- D. In Arial or Times New Roman font, size 12 or larger for normal text, and no less than font size 10 for tables, graphs, and appendices;
- E. Blank forms provided in the attachments must be used (electronic reproduction of the forms is acceptable; however, all forms must be identical to the original form(s) provided); do not change the font used on forms provided;
- F. Correctly identified with the RFA number and submittal deadline;
- G. Responsive to all RFA requirements; and
- H. Signed by an authorized official in each place a signature is required (copies must be signed but need not bear an original signature).



### 3.5.2 Submission in Separate Sections

- A. Applications in response to this solicitation must be separated into the following four sections:
  1. Narrative Proposal;
  2. Required Respondent Information, includes **Form A, Respondent Information.**
  3. Expenditure Proposal using **Exhibit K, Expenditure Proposal;** and
  4. Applicable Exhibits.
  
- B. Paper documents (i.e., the original and all hard copies) must include dividers separating the application into the sections identified above. Electronic submissions must be separated per section via electronic medium used for submission (i.e., flash drive). Both forms must be submitted.
  
- C. The entire Solicitation Response – all separated paper documents and electronic copies – must then be submitted in one package to HHSC at the address listed in Section 3.6.3. The number of copies and directions for submitting an "Original" and "Copies" are outlined in Article 9.
  
- D. Page Limit and Supporting Documentation  

The Narrative Proposal should not exceed fifty (50) pages in length, not including appendices or attachments, and should be formatted at follows:

  - a. 8 ½” x 11” paper;
  - b. Arial or Times New Roman font, size 12 or larger for normal text;
  - c. No less than font size 10 for tables, graphs, and appendices; and
  - d. Single-sided.

## 3.6 SOLICITATION RESPONSE SUBMISSION AND DELIVERY

### 3.6.1 Deadline

Solicitation Responses must be received at the address in Section 3.6.3 and time-stamped by HHSC no later than the date and time specified in Section 3.1.

### 3.6.2 Labeling

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

SOLICITATION NO.: HHS0002702

SOLICITATION NAME: Aging and Disability Resource Centers (ADRC)

RESPONSE DEADLINE: March 15, 2019 @ 2:00 p.m.

FOR: Aging and Disability Resource Centers (ADRC)

PURCHASER'S: Carolyn R. DeBoer

RESPONDENT'S NAME:

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

**3.6.3 Delivery**

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

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

Note: All submitted Solicitation Responses become the property of HHSC and will not be returned to Respondents.

**3.6.4 Alterations, Modifications, and Withdrawals**

Prior to the solicitation submission deadline, a respondent may:

- A. Withdraw its Solicitation Response by submitting a written request to the Point of Contact identified in Section 3.1; or
- B. Modify its Solicitation Response by submitting a written amendment to the Point of Contact identified in Section 3.1. HHSC may request Solicitation Response Modifications at any time.

## **ARTICLE 4. SOLICITATION RESPONSE EVALUATION AND AWARD PROCESS**

### **4.1 GENERALLY**

#### **4.1.2 A three-step selection process will be used to evaluate all Solicitation Responses:**

- A. Eligibility screening;
- B. Evaluation based upon specific selection criteria; and
- C. Final Selection based upon State priorities.

### **4.2 ELIGIBILITY SCREENING**

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

#### **4.2.1 Minimum Qualifications**

- A. Respondents must meet the minimum qualifications listed below. Furthermore, Solicitation Responses that appear unrealistic in terms of technical commitment, that show a lack of technical competence, or that indicate a failure to comprehend the risk and complexity of a potential contract may be rejected, at the sole discretion of HHSC.
- B. Respondents must be financially solvent and adequately capitalized; and
- C. Respondents must be authorized to do business in the State of Texas.

### **4.3 EVALUATION**

Applications will be evaluated and scored in accordance with the factors required by the Texas Procurement and Contract Management Guide, Version 1.1, and **Exhibit L, Evaluation Scoring Tool.**

#### **4.3.1 Specific Selection Criteria**

Grant applications shall be evaluated based upon the following best value criteria:

- A. Respondent demonstrates the ability to provide quality Information, Referral and Assistance Services (**Exhibit F, Contract Requirements, Section 5.1, Information, Referral and Assistance Services**). - 25%

- B. Respondent provides a quality plan outlining the process and procedures for providing Respite Services. - **5%**  
**(Exhibit F, Contract Requirements, Section 5.2.2, TLRCP Service Provision)**.
- C. Respondent provides a quality plan outlining the process and procedures for providing options counseling as the Local Contact Agency for their service area - **10%**  
**(Exhibit F, Contract Requirements, Section 5.3.1, LCA Service Provision)**.
- D. Response demonstrates the respondent's ability to meet all expenditure requirements as outlined in RFA, section 7.1, Budget and Justification - **10%**  
**(Exhibit K, Expenditure Proposal Template** in support of as defined in **Exhibit F, Contract Requirements, Section 3, Plan of Operation)**.
- E. Respondent provides a quality plan outlining the process and procedures for providing housing navigation activities in their service area - **10%**  
**(Exhibit F, Contract Requirements, Section 5.4.1, Housing Navigation Service Provision)**.
- F. Respondent provides a quality plan outlining the process and procedures for providing outreach and education activities under the Medicare Improvements for Patients and Providers Act in their service area - **10%**  
**(Exhibit F, Contract Requirements, Section 5.5.1, MIPPA Services Provision)**.
- G. Respondent provides a quality plan outlining the process and procedures for providing community outreach and education in their service area - **10%**  
**(Exhibit F, Contract Requirements, Section 6, Community Outreach)**.
- H. Response demonstrates the respondent's ability to meet **Exhibit H, Key Performance Requirements (KPRs)** and **Exhibit I, Deliverables** - **20%**

#### **4.4 FINAL SELECTION**

HHSC intends to make multiple awards, but reserves the right to make a single award, or make no awards from this RFA. After initial screening for eligibility, application completeness, and initial scoring of the elements listed above in Section 4.3, a selection committee will look at all eligible respondents to determine which applications should be awarded in order to most effectively accomplish state priorities. The selection committee will make award recommendations to the HHSC Executive Commissioner, who will have final approval on any awards.

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

## 4.5 NEGOTIATION AND AWARD

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

### 4.5.1 Negotiation Phase

The negotiation phase will involve direct contact between the successful respondent and HHSC representatives in person. During negotiations, successful respondents may expect:

- A. An in-depth discussion of the submitted proposal and budget; and
- B. Requests from HHSC for clarification or additional detail regarding the submitted application.
- C. The final funding amount and the provisions of the contract will be determined at the sole discretion of HHSC staff.
- D. HHSC may announce tentative or apparent successful respondents once the HHSC Executive Commissioner has given approval to initiate negotiation and execute contracts.

### 4.5.2 Exceptions

Any exceptions to the requirements, terms, conditions, or certifications in the RFA or attachments, addendums, or revisions to the RFA or General Provisions, sought by the respondent must be specifically detailed in writing by the respondent on **Exhibit M, Exception and Assumptions Form** of this proposal and submitted to HHSC for consideration. HHSC will accept or reject each proposed exception. HHSC will not consider exceptions submitted separately from the respondent's proposal or at a later date.

HHSC will post to the [ESBD](#), [HHSC Grants](#), and [Texas.gov eGrants](#) Websites and may publicly announce a list of successful respondents whose applications are selected for final award. This posting does not constitute HHSC's agreement with all the terms of any respondent's application and does not bind HHSC to enter into a contract with any respondent whose award is posted.

## 4.6 QUESTIONS OR REQUESTS FOR CLARIFICATION BY THE SYSTEM AGENCY

HHSC reserves the right to ask questions or request clarification from any respondent at any time during the application process.

## **ARTICLE 5. NARRATIVE PROPOSAL**

### **5.1 NARRATIVE PROPOSAL**

#### **5.1.1 Executive Summary**

Respondents must include a high-level overview of the respondent's approach to meeting the RFA's requirements. The summary must demonstrate an understanding of the goals and objectives of the grant and must not exceed two (2) pages in length.

#### **5.1.2 Plan of Operation**

Respondents will submit a Plan of Operation outlining the proposed services, processes, and methodologies for meeting all components and requirements described in Article 2 and **Exhibit F, Contract Requirements, Section 3, Plan of Operations**, including the respondent's approach to meeting the timeline and associated milestones. The Respondent should identify all tasks to be performed, including all contract activities to take place during the grant funding period. The Respondent will also include all documents requested to fulfill requirements under Article 2 and **Exhibit F, Contract Requirements, Section 3, Plan of Operation**. HHSC's expectations are for the respondent to provide a clear, comprehensive, and concise application.

**The remainder of this page is intentionally left blank.**

## **ARTICLE 6. REQUIRED RESPONDENT INFORMATION**

### **6.1 ADMINISTRATIVE ENTITY INFORMATION**

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

- A. Litigation and Contract History
- B. Conflicts of Interest
- C. Grant Application Disclosure
- D. Affirmations and Certifications

### **6.2 LITIGATION AND CONTRACT HISTORY**

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

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

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

### **6.3 CONFLICTS OF INTEREST**

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

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

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

#### **6.4 GRANT APPLICATION DISCLOSURE**

In an effort to maximize state resources and reduce duplication of effort, HHSC, at its discretion, may require the respondent to disclose information regarding the application for or award of state, federal, and/or local grant funding by the respondent within the past two years to provide ADRC Services.

#### **6.5 AFFIRMATIONS AND CERTIFICATIONS**

The Respondent must complete and return all of the following listed forms and exhibits. Exhibits are listed following Article 9.

- A. Exhibit A, Affirmations and Solicitation Acceptance
- B. Exhibit C, Assurances Non-Construction
- C. Exhibit M, Exceptions Form (if applicable)

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## **ARTICLE 7. EXPENDITURE PROPOSAL**

### **7.1 EXPENDITURE PROPOSAL**

#### **7.1.1 Exhibit K, Expenditure Proposal Template**

- A. Respondents must complete this form and place it in a separate, sealed package, clearly marked with the respondent's name, the RFA number, and the RFA submission date.
- B. Respondents must base their Annual Expenditure Proposal on the Scope of Work described in Article 2. This section should include any business, economic, legal, programmatic, and practical assumptions that underlie the Expenditure Proposal. HHSC reserves the right to accept or reject any assumptions. All assumptions not expressly identified and incorporated into the contract resulting from this RFA are deemed rejected by HHSC.
- C. Respondent shall submit the initial annualized Expenditure Proposal as a part of the sealed package for the full term of the agreement, beginning September 1, 2019, through August 31, 2021 for the initial term, with the option to extend one (1) year for up to three (3) years, ending on August 31, 2024.

#### **7.1.2 Exhibit E, ADRC Regions and Funding Estimates**

- A. **Exhibit E, ADRC Regions and Funding Estimates.** contains the list of ADRC regions, including the counties in each region (Table 1) and the amount of funding available for each region (Table 2). The amount requested in the Expenditure Proposal cannot exceed the amount of funding available for the region for which the respondent is applying to provide services.
- B. Upon contract execution, the respondent shall submit the first revised expenditure proposal thirty (30) calendar days prior to contract execution or by the date specified by HHSC; and annually, thereafter, no less than sixty (60) calendar days prior to the end of each state fiscal year.
- C. Respondents must demonstrate that project costs outlined in the Expenditure Proposal are reasonable, allowable, allocable, and developed in accordance with applicable state and federal grant requirements.
- D. Respondents must utilize the approved HHSC template to identify costs to be requested from HHSC. Costs must be broken out to a degree that is sufficient to determine if costs are reasonable, allowable, and necessary for the successful performance of the project, as indicated in the Allowable and Non-Allowable Costs in the procurement library. The requested budget should include supporting documentation and a justification that describes the following:

1. Personnel – The actual cost of employee salaries devoted to working on activities directly related to the HHSC funded program. These costs are allowable to the extent that they are identified in the contract budget and conform to 2 CFR Part 200. The respondent must specify by title or name the positions that will support the “PROGRAM NAME” services and indicate how many positions will have the same title or name, and the percentage of time each position will allocate to each service. Also provide the individual annual salaries, and the cost to the organization's staff by staff position. Do not include the costs of consultants. The costs of consultants must be included in a separate category, under “Other”.
2. Fringe Benefit – Specify the costs of fringe benefits, including the amount budgeted for Federal Income Contributions Act (FICA), State Unemployment Tax Account (SUTA), health insurance, worker’s compensation, retirement, leave, etc. The fringe benefit rate should be based on the respondent organization's actual expenditures. The fringe benefit rate is typically calculated by dividing the organization’s total fringe benefit costs by total wage/salary costs. The respondent must provide specific calculations that show how these costs were derived.
3. Travel – The cost of transportation, lodging, meals, and related expenses incurred by employees of the organization while performing duties relevant to the services provided. Out-of-Town travel is travel outside of the local area to attend conferences and training. Out-of-State travel must have HHSC’s prior approval at least 30 days in advance. Other/Local Travel costs are incurred in direct support of ADRC services and include items such as traveling to outlying counties at least once per month, tolls, parking fees, etc. Costs related to conference registration fees should be classified under the “Other” cost category. HHSC will only reimburse travel costs up to the maximum travel rates as identified in HHSC Travel Policy and Rates using [State of Texas Travel Policies and Procedures](#). Specify costs of out-of-town travel that will be incurred on official business of the ADRC. Do not enter costs for consultant's travel or local transportation. This information will be included under “Other”.
4. Materials and Supplies – Supplies are defined as consumable items necessary to carry out the services under this HHSC program, including office supplies, software, and any tangible items other than those defined under equipment. The respondent must specify general categories of supplies; for example, office supplies and training supplies, and their costs.
5. Equipment – Enter the cost of any equipment purchases. Equipment is defined as an article of non-expendable, tangible property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

NOTE: If the item does not meet the \$5,000 threshold, it must be included in the budget under "Supplies". Items such as maintenance for copiers or postage meters should be included as part of "Other" costs.

6. Units and Rates - List line item details regarding the costs of activities directly associated with carrying out the statement of work that directly applies to the total rate and number of units to provide services for a client.
7. Professional Services and Sub-Contractors – List each known contractor, indicating the names of the organizations or individuals, the purposes of the contracts, and the estimated dollar amounts of the awards as part of the budget justification. If the name of the contractor, exact scope of work, and estimated total costs are not available or have not been negotiated, enter something such as "Contractor A" as the contractor name, include the best estimate of the cost of the work, and provide the best available description of the nature of the work to be purchased. Any third-party contract that is equal to or exceeds \$100,000 over the life of the contract must obtain prior written approval from HHSC before entering into the contract.
8. Other – Specify all other costs. Examples of these costs include: non-contractual fees and travel paid directly to individual consultants; local transportation, which means all travel that does not require per diem; space rentals; utility and telephone expenses; printing and publication costs; training costs, including tuition and stipends; training service costs, including wage payments to individuals and supportive service payments; and staff development costs.
9. Indirect Costs – Enter the total amount of indirect costs, if any. If no indirect costs are requested, enter "none." The respondent may request indirect costs if it has a current indirect cost rate agreement and a central service cost allocation plan approved by the Health and Human Services agency or at a rate less than 10% of the direct charges.
10. Costs will be reviewed for compliance with UGMS and federal grant guidance found in 2 CFR Part 200, as modified by UGMS, with an effective date to whichever provision imposes the more stringent requirement in the event of a conflict. UGMS and 2 CFR Part 200 are included in the procurement library.
11. Costs included in the Expenditure Proposal will be entered into budget tables and supported by narrative descriptions describing the need for the requested cost and a calculation demonstrating how the cost was arrived at.

12. The value of donated materials, professional services, and volunteer time is to be calculated in accordance with Section .24, Subpart C, of UGMS located in the procurement library.
13. Financial Solvency shall be confirmed via a single audit and the annual profit and loss statements submitted by the respondent.

## **7.2 FINANCIAL CAPACITY**

As part of the Solicitation Response Package, a respondent must supply evidence of financial stability sufficient to demonstrate reasonable stability and solvency appropriate to the requirements of this solicitation.

Respondents must submit a current financial statement plus two (2) years of audited financial reports including all supplements, management discussion and analysis, and actuarial opinions. At a minimum, such financial statements and reports shall include:

- a. balance sheet;
- b. statement of income and expense;
- c. statement of changes in financial position;
- d. and cash flows.

If the respondent is a corporation that is required to report to the Securities and Exchange Commission, it must submit its two most recent SEC Forms 10K, Annual Reports. If any change in ownership is anticipated during the twelve (12) months following the proposal due date, the respondent must describe the circumstances of such change and indicate when the change is likely to occur. If evidence of financial capacity is not included as part of the Solicitation Response Package, then the respondent would be considered disqualified from consideration.

## **7.3 BONDING**

HHSC reserves the right to require the vendor to procure one or more performance, fidelity, payment or other bond, if during the term of the contract; HHSC in its sole discretion determines that there is a business need for such requirement.

## **ARTICLE 8. GENERAL TERMS AND CONDITIONS**

### **8.1 GENERAL CONDITIONS**

#### **8.1.1 Costs Incurred**

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

#### **8.1.2 Contract Responsibility**

HHSC will look solely to the respondent for the performance of all contractual obligations that may result from an award based on this solicitation. The Respondent shall not be relieved of its obligations for any non-performance by its subcontractors.

#### **8.1.3 Public Information Act**

Solicitation Responses and information, documentation, and other material submitted in connection with this Solicitation or any resulting Contract may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code (the "Public Information Act"). In accordance with Section 2252.907 of the Texas Government Code, Respondent is required to make any information created or exchanged with the State pursuant to any resulting Contract, and not otherwise excepted from disclosure under the Public Information Act, available in a format that is accessible by the public at no additional charge to the State.

Respondents who wish to protect portions of the Solicitation Response from public disclosure as proprietary or trade secret information or other privileged information must clearly mark the information the Respondent claims is proprietary, trade secret, or other privileged information.

#### **8.1.4 News Releases**

Prior to final award, a respondent may not issue a press release or provide any information for public consumption regarding its participation in the procurement. Questions should be directed to the HHSC Point of Contact Identified in Article 3, Section 3.4.1.

### **8.1.5 Additional Information**

By submitting a proposal, the respondent grants HHSC the right to obtain information from any lawful source regarding the respondent and its directors', officers', and employees':

- (1) past business history, practices, and conduct;
- (2) ability to supply the goods and services; and
- (3) ability to comply with contract requirements.

By submitting an application, a respondent generally releases from liability and waives all claims against any party providing HHSC information about the respondent. HHSC may take such information into consideration in evaluating proposals.

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**ARTICLE 9. SUBMISSION CHECKLIST**

**9.1 SUBMISSION CHECKLIST**

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

**Original Solicitation Response Package**

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

**Narrative Proposal (Section 5.1)**

- a. Executive Summary (Section 5.1.1) \_\_\_\_\_
- b. Plan of Operation (Section 5.1.2) \_\_\_\_\_

**Required Respondent Information**

- a. Form A – Respondent Information (Face Page) (Section 3.5) \_\_\_\_\_
- b. Litigation and Contract History (Section 6.2) \_\_\_\_\_
- c. Conflicts of Interest (Section 6.3) \_\_\_\_\_

**Expenditure Proposal (Article 7)**

- a. Exhibit K - Expenditure Proposal Template (Section 7.1) \_\_\_\_\_
- b. Single Audit (Section 7.1.2, 13) \_\_\_\_\_
- c. Annual Profit and Loss Statements (Section 7.1.2, 13) \_\_\_\_\_
- d. Financial Capacity Documentation (Section 7.2) \_\_\_\_\_

**Applicable Exhibits (Section 6.5)**

- a. Exhibit A - Affirmations and Solicitation Acceptance \_\_\_\_\_
- b. Exhibit C - Assurances Non-Construction \_\_\_\_\_
- c. Exhibit J – Security and Privacy Inquiry (SPI) \_\_\_\_\_
- d. Exhibit M - Exceptions and Assumptions Form, if applicable \_\_\_\_\_

**Copies of Solicitation Response Package**

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

1 Electronic copy of the Narrative Proposal








1 Electronic copy of the Required Respondent Information










1 Electronic copy of the Expenditure Proposal

1 Electronic copy of the Applicable Exhibits

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<b>The contract awarded is a result of this RFA and all exhibits listed below.</b>		
<b>Exhibit A</b>	<b>Affirmations and Solicitation Acceptance, Version 1.3</b>  Section 1.1 and Article 6	 Exhibit A-Affirmations and
<b>Exhibit B</b>	<b>HHSC Uniform Terms and Conditions Grant, Version 2.16</b>  Section 1.2 and Section 2.5.4	 Exhibit B -Grantee UTC VERSION 2 16 e
<b>Exhibit C</b>	<b>Assurances Non-Construction</b>  Section 1.2 and Section 6.5	 Exhibit C-Assurances-Non-C
<b>Exhibit D</b>	<b>HHSC Grantee Special Conditions Version 1.1</b>  Section 1.2	 Exhibit D HHSC Special Conditions.
<b>Exhibit E</b>	<b>ADRC Regions and Estimated Funding Amounts</b>  Section 2.2, Section 2.3 and Section 7.1.2.	 Exhibit E-ADRC Regions and Estima
<b>Exhibit F</b>	<b>Contract Requirements</b>  Section 2.4, Section 2.5, Section 4.3 and Section 5.1.	 Exhibit F - Contract Requirements.docx
<b>Exhibit G</b>	<b>Contract Monitoring Questionnaire</b>  Section 2.5.3	 Exhibit G- Contract Monitoring.pdf

<p><b>Exhibit H</b></p>	<p><b>Key Performance</b> Section 2.6 and Section 4.3</p>	 Exhibit H-Key Performance Requir
<p><b>Exhibit I</b></p>	<p><b>Deliverables</b> Section 2.6 and Section 4.3</p>	 Exhibit I-Deliverables.doc
<p><b>Exhibit J</b></p>	<p><b>Texas HHS System Data Use Agreement (DUA)</b>  <b>DUA Attachment 2 Security and Privacy Inquiry (SPI)</b>  Section 2.9</p>	 Exhibit J-DUA.pdf   Exhibit J DUA Att 2 Security and Privacy
<p><b>Exhibit K</b></p>	<p><b>Expenditure Proposal Template</b> Section 3.5.2 and Section 7.1</p>	 Exhibit K-Expenditure Propos
<p><b>Exhibit L</b></p>	<p><b>Sample of Evaluation Tool</b> Section 4.3</p>	 Exhibit L-Example Evaluation Tool.pdf
<p><b>Exhibit M</b></p>	<p><b>Exceptions and Assumptions</b> Section 4.5 Section 6.5 and Section 7.1</p>	 Exhibit M-Exemptions and
<p><b>Form A</b></p>	<p><b>Respondent Information (Face Page)</b> Section 3.5</p>	 Form A Respondent Information Face Pa
	<p><b>Procurement Library</b></p>	 FY20 ADRC Procurement Library.zip