

COMPETITIVE AWARD PROCEDURES
Request for Proposals

1. The responsible manager will consult with the Mental Health Director about the RFP process and any special conditions for that process.

2. On approval, the responsible manager shall **develop** the RFP.

3. **Pre-Proposal Process**

A pre-proposal survey may be used if it is not clear whether in-county or Bay Area providers would be interested in providing selected services. A notice will be sent out to determine interest. If the Division knows that more than one agency will be interested in a specific proposal, the pre-proposal survey will not be used.

The pre-proposal survey will state, briefly and clearly, the nature of the RFP, the duration of the contract, and the period of time during which a prospective contractor may indicate interest in participating in the RFP process.

If more than one positive response to the pre-proposal survey is received, the service will be put out to a competitive process. If only one answer is received, the Division may begin to negotiate the contract with this sole source provider unless program regulations specify otherwise.

4. The Mental Health Board (MHB) will be consulted on RFP procedures and process.

5. **The RFP must include at least the following:**

Λ A comprehensive, fully detailed description of what service the Division wishes to obtain. This should be written with the greatest specificity possible, and should include as appropriate any special staffing qualifications, supervision, salaries and benefits, training, agency certification, and prior experience required.

Λ Instructions on how to format and submit the proposal and the number of sets of the proposal to submit. Cost or reimbursement information must be included and the method of payment, i.e. fixed-price or fee-for-service, will be identified; the contract period will be noted. Proposals must be signed by the responding individual or an authorized agency representative.

- Λ The date and time by which responses to the RFP must be submitted, clear notice that late proposals will not be accepted under any circumstances, and to whom and where to deliver the proposals.
 - Λ The name and phone number of the Division representative who will coordinate the RFP process.
 - Λ A clause which states that verbal clarification will not form a part of the RFP unless confirmed by Mental Health Services in writing to all potential providers.
 - Λ A clause which states that Mental Health Services may choose not to award a contract based upon the RFP; i.e., the County reserves the right to reject any and all proposals.
 - Λ A brief description of the evaluation process, including a list of factors to be considered in the evaluation process which will affect the award decision. Evaluation factors such as performance, delivery, and support services may be considered to be of greater importance than price when awarding the contract. The contract may be awarded to the provider who does not offer the lowest cost.
 - Λ The period of time that the County has after the RFP due date to accept an offer. After expiration of that time period, providers may withdraw their proposals.
 - Λ Any other terms or conditions that are expected to form a part of the resultant contract.
6. The RFP shall be forwarded for comment to County Counsel and relevant Mental Health, Health Services or other County departments. Comment may be solicited from other stakeholders who have clear interest in the proposal. Substantive comments shall be incorporated into the proposal document.
7. Advertising - The proposal shall be widely publicized to avoid the appearance of favoring one type of provider over another -- i.e., small agencies vs. large agencies, prior contractors vs. new applicants. The proposal will be publicized by mailing and/or by advertising, as follows:
- Λ Copies of the proposal will be displayed at the Mental Health Administrative office.
 - Λ A synopsis may be published (as a paid advertisement to assure publication) in an appropriate print medium. This may be in a local newspaper of general circulation, or in a professional newspaper or journal.

- Λ A 30-day period for response to the RFP for bidders is the guideline.
- Λ Either the full RFP or a notice that proposals are being sought will be mailed or delivered to a sufficient number of prospective applicants to assure adequate competition. It is appropriate for Mental Health Services to have maintained a list of potential proposers for prospective mailing purposes.
8. County staff will be instructed not to communicate with potential providers about any proposal, once the RFP is advertised.
9. **Proposer Conference** - Advertisement of the RFP may include notice of a meeting at which the proposal requirements are explained and potential providers have an opportunity to ask questions. This meeting may be mandatory or voluntary. If such a meeting is offered, minutes will be taken and distributed to all potential bidders. Sufficient time after the meeting will be allowed for providers to prepare their applications.
10. **Receipt of Proposals** - Response to the RFP will be date and time stamped as received and maintained in a central administrative file. Proposals are due on a specific date, but are not publicly opened and read when the deadline has been reached.
11. **Evaluation Committee** - The Mental Health Director will appoint an evaluation committee for each RFP. The committee may include persons who are not County employees, but have experience or expertise to contribute. Whenever possible, consumers and family members will be included on the evaluation committee. For contracts over \$50,000 the Mental Health Board will be consulted on the composition of the evaluation committee. The evaluation committee may not include competitors of any of the prospective contractors.

The committee will use evaluation criteria and weighting factors, as described in the RFP. The committee will utilize a rating sheet provided by the Division, which will highlight the desired components of the proposal.

The committee reviews all proposals/responses and may invite prospective contractors for interviews and/or demonstrations of their ability to perform the desired service.

12. **Evaluation Process** - During the evaluation process, proposers may be asked for clarification and may be allowed to modify their proposal/response. Each proposer must be treated fairly and equally, and a proposal is confidential until an award decision is made. Should Mental Health Services desire an upgrading of services or other changes during the proposal period, communication in writing to

all proposers regarding the requested upgrading is required. No proposer may be told of the contents of competitive offers until a decision is made.

The committee rates all proposals using rating sheets, which are then compiled and consolidated into a master sheet to determine the contractor to be recommended to the Mental Health Services Director.

13. Letters to all proposers who responded and were not selected will be sent out in a timely manner, thanking them for their participation.

14. **Appeal Process** - Once the outcome of an RFP has been announced, an applicant in the process may appeal the decision according to the following steps:

Λ The appellant must submit a written appeal to the Mental Health Services Director no more than five working days from the date on which the outcome of the Request for Proposal is announced. The appellant can determine the format and length of the written appeal. The appellant may wish to address the following topics:

Any perceived misunderstanding by the review committee of the information presented in the appellant=s or any other applicant=s proposal.

Any perceived discrepancy between Mental Health funding decisions and the goals, objectives, specifications, and other requirements of the Request for Proposals.

Any perceived factors affecting the proposal review process.

Λ The Mental Health Director will respond in writing to the appeal within ten working days of receipt of the written appeal. Mental Health Services may establish a meeting with the appellant in order to discuss the concerns.

Λ If the appellant is unsatisfied with the outcome of the appeal, the appellant may appeal, within five working days of receipt of the response, to the Health Services Director. The Director will respond in writing to the appeal within ten working days of receipt of the written appeal. The Director may establish a meeting with the appellant in order to discuss the concerns. The decision of the Health Services Director is final.

15. The agreement with the contractor will be negotiated and referred to County Counsel and Risk Management for approval. All relevant Mental Health Services contract protocols and requirements will be met.

16. The responsible manager will develop a Board of Supervisors' or County Manager's memo for agreement approval. Memo must include RFP process,

selection committee, selection criteria, benefit of contractor, terms, conditions and financial impact and the outcome measures for the contract. A brief history of services provided in past should also be included. The memo is signed by the Mental Health Director prior to submission.

17. After the proposal is accepted confidentiality of all proposals cannot be maintained.