

APPENDIX B: BID RESPONSE PACKET

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INSTRUCTIONS TO BIDDERS

- Bidders may use the Bid Response Packet to submit proposal narrative, and must submit all signed statements contained within this Bid Response Packet.
- Bidders shall ensure that proposals are
 - Single spaced
 - 11-point Arial font
 - 1-inch margins
 - Conform to the maximum page limits
- Bidders are encouraged to use the 'Bid Submission Checklist' in order to check for completeness of submitted documents.
- All pages of the Bid Response Packet must be submitted in total with all required ATTACHMENTS hereto; all information requested must be supplied; any pages of EXHIBIT(S) (or items therein) not applicable to the Bidder must still be submitted as part of a complete bid response, with such pages or items clearly marked "N/A"
- Bidders must submit a single PDF copy of the proposal and Excel copy of the completed Staff List and Schedule with Bidder's name to procurement@acgov.org
- Bidders that do not comply with the requirements, and/or submit incomplete proposals, may be subject to disqualification and their proposals rejected in total.
- If Bidders are making any clarifications and/or amendments or taking exception to policies or specifications of this RFPQ, including those to the county SLEB policy, these must be submitted in the exceptions, clarifications, amendments section of this Exhibit A in order for the proposal to be considered complete.

BID SUBMISSION CHECKLIST

All of the documentation listed below is required to be submitted with the Bid Response Packet in order for a bid to be deemed complete. Bidders shall submit all documentation, in the order listed below and clearly labeled.

☐ **Exhibit A: Bidder Information and Acceptance:**

Bidders must select one box under Item 10 of Exhibit A Bidder Information and Acceptance Form and must fill out and submit a **signed** page of Exhibit A.

☐ **Exhibit B: Exceptions, Clarifications, Amendments:**

Indicate all of Bidder exceptions to the County's requirements, conditions and specifications as stated within this RFPQ.

☐ **SLEB Partnering Information Sheet:**

Bidders must fill out and submit a signed SLEB Partnering Information Sheet, indicating their SLEB certification status.

☐ **OIG and Other Exclusion List Background Checks Attestation:**

Bidders must complete the OIG Attestation form, attesting that they have checked and verified that all licensed staff that are included are part of the current bid against the lists included in the form.

☐ **Bid Response Template:**

Bidder should complete all sections of this document:

- ☐ Proposal Narrative
- ☐ Copy of Current Adult Residential or Residential Care Facility for the Elderly Licensure
- ☐ Staff List, Schedule and applicable trainings (using provided Staff List and Schedule Template).
- ☐ Attachments: Safety Plan and Plan of Operation, as applicable

EXHIBIT A: BIDDER INFORMATION AND ACCEPTANCE

1. The undersigned declares that the proposal documents, including, without limitation, the RFPQ, Addenda and Exhibits have been read and accepted.
2. The undersigned declares that he/she is authorized, offers, and agrees to furnish the articles and/or services specified in accordance with the RFPQ's specifications, terms & conditions.
3. The undersigned has reviewed the proposal documents and fully understands the requirements in this proposal including, but not limited to, the requirements under the County Provisions, and that each Bidder who is awarded a contract shall be, in fact, a prime contractor, not a subcontractor, to the County, and agrees that its proposal, if accepted by County, will be the basis for the Bidder to enter into a contract with County in accordance with the intent of the proposal.
4. The undersigned also agrees to follow the Bid Protests / Appeals Process.

Alameda County prides itself on the establishment of fair and competitive contracting procedures and the commitment made to follow those procedures. The following is provided in the event that Bidders wish to protest the proposal process or the recommendation to award a contract for these programs once the Notices of Intent to Award/Non-Award have been issued.

The following describes two separate processes: Bid Protests and Appeals. Bid Protests submitted prior to issuance of the Notices of Intent to Award/Non-Award shall not be accepted by the County.

Bid Protests from any Bidder related to this RFPQ must be submitted in writing to the ACBHD Director located at 2000 Embarcadero Cove, Suite 400, Oakland, CA 94606 Fax: 510.567.8180, Email: BHCSDirector@acgov.org before 5:00 p.m. of the **fifth (5th)** business day **following the date of issuance of the Notice of Intent to Award/Non-Award, not the date it is received by the Bidder**. Any Bid Protest received after 5:00 p.m. shall be considered received as of the next business day.

- The Bid Protest must contain a complete statement of the reasons and facts for the protest.
- The Bid Protest shall refer to the specific portions of documents that form the basis for the protest.
- The Bid Protest shall include the name, address, email address, fax number and telephone number of the person representing the protesting party.
- ACBHD shall transmit a copy of the Bid Protest to all Bidders as soon as possible after receipt of the protest.

Upon receipt of written Bid Protest, the ACBHD Director, or designee shall review and evaluate the protest and issue a written decision. The ACBHD Director, may, at his or her discretion, investigate the protest, obtain additional information, provide an opportunity to settle the protest by mutual agreement, and/or schedule a meeting(s) with the protesting Bidder and others (as determined appropriate by the ACBHD Director) to discuss the Bid Protest. The decision on the proposal protest shall be issued at least ten (10) business days prior to the date the Board is considering the recommendation and award of contract.

The decision on the Bid Protest shall be communicated by e-mail, fax, or US Postal Service mail, and shall inform the Bidder whether or not the recommendation to the Board of Supervisors as stated in the Notice of Intent to Award is going to change. A copy of the decision shall be furnished to all Bidders affected by the decision. As used in this paragraph, a Bidder is affected by the decision on a Bid Protest if a decision on the Bid Protest could have resulted in the Bidder not being the recommended successful Bidder on the RFPQ.

The decision of the ACBHD Director on the Bid Protest may be appealed to the Auditor-Controller's Office of Contract Compliance & Reporting (OCCR) located at 1221 Oak St., Rm. 249, Oakland, CA 94612, Fax: 510.272.6502, Email: OCCR@acgov.org unless the OCCR determines that it has a conflict of interest in which case an alternate will be identified to hear the appeal and all steps to be taken by OCCR will be performed by the alternate. The Bidder whose proposal is the subject of the Bid Protest, all Bidders affected by the ACBHD Director's decision on the Bid Protest, and the protesting Bidder have the right to appeal if not satisfied with the ACBHD Director's Bid Protest decision. **All Appeals to the Auditor-Controller's OCCR shall be in writing and submitted within five (5) business days following the issuance of the decision by the ACBHD Director, not the date received by the Bidder.** Appeals received after 5:00 p.m. is considered received as of the next business day.

- The Appeal shall specify the Bid Protest decision being appealed and all the facts and circumstances relied upon in support of the Appeal.
- In reviewing Appeals, the OCCR shall not re-judge the proposals. The appeal to the OCCR shall be limited to review of the procurement process to determine if the contracting department materially erred in following the RFPQ or, where appropriate, County contracting policies or other laws and regulations.
- The Appeal to the OCCR also shall be limited to the grounds raised in the original Bid Protest and the decision by the ACBHD Director. As such, a Bidder is prohibited from stating new grounds for a Bid Protest in its Appeal. The Auditor-Controller (OCCR) shall only review the materials and conclusions reached by the GSA-Office of Acquisition Policy or department designee and will determine whether to uphold or overturn the protest decision.
- The Auditor's Office may overturn the results of a bid process for ethical violations by Procurement staff, County Selection Committee members, subject matter experts, or any other County staff managing or participating in the competitive bid process, regardless of timing or the contents of a bid protest.
- The decision of the Auditor-Controller's OCCR is the final step of the Appeal process. A copy of the decision of the Auditor-Controller's OCCR shall be furnished to the protestor, the Bidder whose proposal is the subject of the Bid protest, and all Bidders affected by the decision.

The County shall complete the Bid Protest/Appeal procedures set forth in this RFPQ before a recommendation to award the contract is considered by the Board of Supervisors.

The procedures and time limits set forth in this section are mandatory and are each Bidder's sole and exclusive remedy in the event of Bid Protest. A Bidder's failure to timely complete both the Bid Protest and Appeal procedures shall be deemed a failure to exhaust administrative remedies. Failure to exhaust administrative remedies, or failure to comply otherwise with these

procedures, shall constitute a waiver of any right to further pursue the Bid Protest, including filing a Government Code Claim or legal proceedings.

5. The undersigned agrees to the following terms, conditions, certifications, and requirements found on the County's website:
 - **Debarment / Suspension Policy:**
[Procurement Debarment & Suspension Policy | General Services Agency - Alameda County](#)
 - **Iran Contracting Act (ICA) of 2010:**
[Iran Contracting Act of 2010 \(ICA\) - General Services Agency - Alameda County \(acgov.org\)](#)
 - **General Environmental Requirements:**
[General Environmental Requirements - General Services Agency - Alameda County \(acgov.org\)](#)
 - **Small Local Emerging Business Program:** <http://acgov.org/auditor/sleb/overview.htm>
 - **First Source:** <http://www.acgov.org/auditor/sleb/sourceprogram.htm>
 - **Online Contract Compliance System:** <http://acgov.org/auditor/sleb/elation.htm>
 - **General Requirements:**
[General Requirements - General Services Agency - Alameda County \(acgov.org\)](#)
 - **Proprietary and Confidential Information:**
[Proprietary & Confidential Bidding Information | General Services Agency - Alameda County](#)
6. The undersigned also acknowledges that Bidder will be in good standing in the State of California, with all the necessary licenses, permits, certifications, approvals, and authorizations necessary to perform all obligations in connection with this RFPQ and associated proposal documents.
7. It is the responsibility of each Bidder to be familiar with all of the specifications, terms and conditions and, if applicable, the site condition. By the submission of a proposal, the Bidder certifies that if awarded a contract they will make no claim against the County based upon ignorance of conditions or misunderstanding of the specifications.
8. Patent indemnity: Bidders who do business with the County shall hold the County of Alameda, its officers, agents and employees, harmless from liability of an nature or kind, including cost and expenses, for infringement or use of any patent, copyright or other proprietary right, secret process, patented or unpatented invention, article or appliance furnished or used in connection with the contract or purchase order.
9. Insurance certificates are not required at the time of submission. However, by signing Exhibit A – Bidder Information and Acceptance, the Contractor agrees to meet the minimum insurance requirements stated in the RFPQ. This documentation must be provided to the County, prior to award, and shall include an insurance certificate and additional insured certificate, naming the County of Alameda, which meets the minimum insurance requirements, as stated in the RFPQ.

10. The undersigned also acknowledges **ONE** of the following. Please check only one box.

- ☐ Bidder is not local to Alameda County and is ineligible for any bid preference; **OR**
- ☐ Bidder is a certified SLEB and is requesting 10% bid preference; (Bidder must check the first box and provide its SLEB Certification Number in the SLEB PARTNERING INFORMATION SHEET); **OR**
- ☐ Bidder is LOCAL to Alameda County and is requesting 5% bid preference, and has attached the following documentation to this Exhibit:
- Copy of a verifiable business license, issued by the County of Alameda or a City within the County; and
 - Proof of six (6) months business residency, identifying the name of the bidder and the local address. Utility bills, deed of trusts or lease agreements, etc., are acceptable verification documents to prove residency.

EXHIBIT A: BIDDER INFORMATION AND ACCEPTANCE
Official Name of Bidder
Street Address Line 1
Street Address Line 2
City
State
Zip
Webpage
Type of Entity/Organizational Structure ☐ Corporation ☐ Joint Venture ☐ Limited Liability Partnership ☐ Partnership ☐ Limited Liability Corporation ☐ Non-Profit / Church ☐ Other
Jurisdiction and Date of Organizational Structure: Federal Tax ID Number:
Name: Title:
Phone Number: Fax Number:
Email:
Signature: Title:
Date of Proposal:

EXHIBIT B: EXCEPTIONS, CLARIFICATIONS, AMENDMENTS

List below requests for clarifications, exceptions and amendments, if any, to the RFPQ and associated proposal, and submit with your bid response.

The County is under no obligation to accept any exceptions and such exceptions may be a basis for proposal disqualification.

Reference to			Description
Page No.	Section	Item No.	
p. 23	D	1.c.	<i>Bidder takes exception to...</i>

SLEB PARTNERING AND INFORMATION SHEET

In order to meet the Small Local Emerging Business (SLEB) requirements of this RFPQ, all bidders must complete this form as required below. Bidders not meeting the [definition of a SLEB](http://acgov.org/auditor/sleb/overview.htm) (<http://acgov.org/auditor/sleb/overview.htm>) are required to subcontract with a SLEB for at least 20% of the total estimated bid amount in order to be considered for contract award. Bidders are exempt from these SLEB requirements if they are: A) a non-profit organization providing services on behalf of the County directly to County clients/residents; B) a non-profit church or religious organization; C) a public school or university; or D) a government agency. Bidders may choose 'Other' if neither SLEB option or exemption apply and provide reason.

SLEB subcontractors must be independently owned and operated from the prime Contractor with no employees of either entity working for the other. This form must be submitted for each business that bidders will work with, as evidence of a firm contractual commitment to meeting the SLEB participation goal. (Copy this form as needed.) Once a contract has been awarded, bidders will not be able to substitute named subcontractors without prior written approval from the Auditor-Controller, Office of Contract Compliance & Reporting (OCCR). County departments and the OCCR will use the web-based Elation Systems to monitor contract compliance with the SLEB program (Elation Systems: [Elation Systems | Davis-Bacon & Contract Compliance Solution](#)).

☐ BIDDER IS A CERTIFIED SLEB (sign at bottom of page) SLEB BIDDER Business Name: _____ SLEB Certification #: _____ SLEB Certification Expiration Date: _____ NAICS Codes Included in Certification: _____
☐ BIDDER IS <u>NOT</u> A CERTIFIED SLEB AND WILL SUBCONTRACT ____% WITH THE SLEB NAMED BELOW FOR THE FOLLOWING GOODS/SERVICES: _____ SLEB Subcontractor Business Name: _____ SLEB Certification #: _____ SLEB Certification Expiration Date: _____ SLEB Certification Status: ☐ Small / ☐ Emerging NAICS Codes Included in Certification: _____ SLEB Subcontractor Principal Name: _____ SLEB Subcontractor Principal Signature: _____ Date: _____
☐ BIDDER CLAIMS EXEMPTION. Note status: _____
☐ OTHER. Note: _____

 Bidder Name:

 Bidder Signature:

 Date:

OIG AND OTHER EXCLUSION LIST BACKGROUND CHECK ATTESTATION

In accordance with Alameda County Health's Policy and Procedure #OCS.C.001 on Exclusion Screening, Bidder attests that they have checked and verified all staff that will provide services related to this RFPQ against the following lists and are not excluded from participation in government funded healthcare programs:

- National Plan & Provider Enumeration System (NPES) – NPI Number (<https://npiregistry.cms.hhs.gov/>)
- Licenses are verified to be current with no restrictions
- Office of the Inspector General List of Excluded Individuals & Entities (OIG/LEIE) database (<https://exclusions.oig.hhs.gov/>)
- GSA System Award Management (SAM/EPLS) data base (<https://www.sam.gov/SAM/>)
- California DHCS Medi-Cal Suspended & Ineligible list [Provider Suspended and Ineligible List \(S&I List\) - Dataset - California Health and Human Services Open Data Portal](#)
- Social Security Administration Death Master File (SSDMF)

Further, Bidder attests that they have policies and procedures in place to conduct this verification for new hires and on a regular basis for all employees.

Bidder Name:

Signature, Title

PROPOSAL NARRATIVE**TITLE PAGE**

1. Bidder Name		
2. Check the HSP Level/s of Care for which you are applying.	☐ Level 1: Basic board and care services.	
	☐ Level 2: Basic board and care services AND one service or support. <i>Please indicate ONE service or support to be provided.</i>	Levels 2/3 Supports ☐ Physically accessible or non- ambulatory ☐ Injection medication administration ☐ ADL/ IADL ☐ TAY specific programming
	☐ Level 3: Basic board and care services AND two services or supports. <i>Please indicate TWO or MORE services or supports to be provided.</i>	Level 4A Supports ☐ Oxygen management ☐ CPAP/Sleep management ☐ Ostomy ☐ Catheter ☐ Wound Care (stage 1 or 2) ☐ Diabetic care • Insulin administration • Incontinence care • Specialty diet ☐ IADLs support*

*IADLs support must be bundled with other supports to qualify for Level 4A or 4B. If this is proposed as a stand-alone support, it would be considered Level 2.

	☐ Level 4C: High-Level Specialized Care	Level 4C Supports ☐ Hospice ☐ Continuous 24-hour Bedside Care
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- 3. Describe your staff training, experience, and/or plans to serve individuals living with SMI.**
- 4. If applying for Level 2/3 supports, describe your experience and plan to provide these services.**
- 5. If applying for Level 4 supports, describe your experience, plan, and staff training to provide these services.**

Please limit your response to no more than 2 pages.

6. Complete and submit:

- ***Current Community Care Licensing (CCL) Adult Residential or Residential Care Facility for the Elderly licensure.***
- ***Current Staff List, Schedule and applicable trainings using the provided Excel template.***
- ***If applying for Level 4A, 4B, or 4C, Provide an Emergency Safety Plan and Plan of Operation.***