

Addendum 1

Balance of State Housing Opportunities for Persons with AIDS (HOPWA) Program_3_30_2010

The State of Connecticut Department of Social Services is issuing Addendum 1 to the Balance of State Housing Opportunities for Persons with AIDS (HOPWA) Program_03_30_2010 Request for Proposals (RFP).

Questions submitted by interested parties and the Department of Social Services official responses follow. These responses shall clarify the requirements of the RFP. In the event of any inconsistency between information provided in the RFP and information in these responses, the information in these responses shall control.

Question 1: What is meant by “resource identification” on the Line Item Budget?
Answer: See Section III.B of the RFP, Resource Identification/Technical Assistance. “Activities to establish, coordinate, and develop housing assistance resources for eligible persons.”

Question 2: Can we use an excel spreadsheet or word document to outline our budget narrative? (there is no form)
Answer: Either Microsoft Excel 2003 or Microsoft Word 2003 is acceptable.

Question 3: Do we need to include a letter for the references or just the contact information?
Answer: Contact information only.

Question 4: Under Data & Technology Requirements, Part (b) Program Outcome Requirements, do we just identify one? All 3 apply to our efforts.
Answer: There is no limit on the number of program performance measures a proposer develops.

Question 5: The RFP indicates that up to 5 awards will be given in the Balance-of-State Eligible Metropolitan Service Area (EMSA) – New London, Litchfield, Windham, and Middlesex. Are these the only counties eligible to apply?
Answer: Yes

Question 6: Can an organization with experience in providing the required services outside these counties apply?
Answer: Yes, as long as services are delivered within the eligible counties.

Question 7: Is there going to be a contract for Balance of State for the Hartford County Area?
Answer: No. Hartford, New Haven and Bridgeport counties receive HOPWA funds directly. The remaining counties comprise the Balance-of-State Eligible Metropolitan Service Area (EMSA).

Question 8: In previous years, the ratio has been 8 to 10 consumers to one staff person. Does this ratio still exist? Has it changed? If it has changed is there a maximum number of consumers per staff?

Answer: There is no pre-set ratio.

Date Issued: April 16, 2010

Approved: *John Merz*

John Merz

(Original signature on document in procurement file)

This Addendum must be signed and returned with your submission.

Authorized Signer

Name of Company

PROCUREMENT NOTICE

Balance of State Housing Opportunities for Persons With AIDS (HOPWA) Program_3_30_2010

The Connecticut AIDS Resource Coalition (CARC), on behalf of the State of Connecticut, Department of Social Services (the Department), is seeking proposals to provide housing and supportive services under the HOPWA program for people living with HIV/AIDS in Connecticut who are homeless or at risk of becoming homeless.

The Housing Opportunities for Persons With AIDS (HOPWA) program is funded by the U.S. Department of Housing and Urban Development (HUD) to provide states and localities with resources and incentives to devise and implement long-term comprehensive strategies for meeting the housing needs of low-income persons with acquired immunodeficiency syndrome (AIDS) and related diseases, and their families.

The Request For Proposals is available in electronic format on the State Contracting Portal at

http://www.das.state.ct.us/Purchase/Portal/Portal_Home.asp or from the

Department's Official Contact: *Connecticut AIDS Resource Coalition*

Name: John Merz, Executive Director
Address: 110 Bartholomew Avenue, Suite 400, Hartford, CT 06106
Phone: 860-761-6699
Fax: 860-761-6711
E-Mail: john@ctaidiscoalition.org

The RFP is also available on the Department's website at <http://www.ct.gov/dss/site/default.asp> and CARC's website at www.ctaidiscoalition.org. A printed copy of the RFP can be obtained from the Official Contact upon request. Deadline for submission of proposals is May 18, 2010, 3:00 PM.

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I. GENERAL INFORMATION

■ A. INTRODUCTION

1. **RFP Name or Number.** Balance of State Housing Opportunities for Persons With AIDS (HOPWA) Program_3_30_2010
2. **Summary.** The Connecticut AIDS Resource Coalition (CARC), on behalf of the State of Connecticut, Department of Social Services (the Department), is seeking proposals to provide housing and supportive services under the HOPWA program for people living with HIV/AIDS in Connecticut who are homeless or at risk of becoming homeless.
3. **Synopsis (Optional).** The Housing Opportunities for Persons With AIDS (HOPWA) program is funded by the U.S. Department of Housing and Urban Development (HUD) to provide states and localities with resources and incentives to devise and implement long-term comprehensive strategies for meeting the housing needs of low-income persons with acquired immunodeficiency syndrome (AIDS) and related diseases, and their families.
4. **Commodity Codes.** The services that the Department wishes to procure through this RFP are as follows:
 - 2000: Community and Social Services

■ B. ABBREVIATIONS / ACRONYMS / DEFINITIONS

AIDS	Acquired Immunodeficiency Syndrome
BFO	Best and Final Offer
CARC	Connecticut AIDS Resource Coalition
C.G.S.	Connecticut General Statutes
CHRO	Commission on Human Rights and Opportunities (CT)
CT	Connecticut
DAS	Department of Administrative Services (CT)
DMHAS	Department of Mental Health and Addiction Services (CT)
DSS	Department of Social Services
EMSA	Eligible Metropolitan Service Area
FOIA	Freedom of Information Act (CT)
HIV	Human Immunodeficiency Virus
HMIS	Homeless Management Information System
HOPWA	Housing Opportunities for Persons With AIDS Program
HUD	Department of Housing and Urban Development (US)
IRS	Internal Revenue Service (US)
LOI	Letter of Intent
OAG	Office of the Attorney General (CT)
OPM	Office of Policy and Management (CT)
OSC	Office of the State Comptroller (CT)
POS	Purchase of Service
P.A.	Public Act (CT)
RFP	Request For Proposals
SEEC	State Elections Enforcement Commission (CT)

STRMU Short-term Rent, Mortgage and Utilities
TBRA Tenant-Based Rental Assistance
U.S. United States

- *contractor*: a private provider organization that enters into a POS contract with the Department as a result of this RFP
- *proposer*: a private provider organization that has submitted a proposal to the Department in response to this RFP
- *prospective proposer*: a private provider organization that may submit a proposal to the Department in response to this RFP, but has not yet done so
- *subcontractor*: an individual (other than an employee of the contractor) or business entity hired by a contractor to provide a specific health or human service as part of a POS contract with the Department as a result of this RFP

■ C. INSTRUCTIONS

1. **Official Contact.** The CARC has designated the individual below as the Official Contact for purposes of this RFP. The Official Contact is the **only authorized contact** for this procurement and, as such, handles all related communications on behalf of the Department. Proposers, prospective proposers, and other interested parties are advised that any communication with any other CARC or Department employee(s) (including appointed officials) or personnel under contract to the Department about this RFP is strictly prohibited. Proposers or prospective proposers who violate this instruction may risk disqualification from further consideration.

Name: John Merz, Executive Director
Address: 110 Bartholomew Avenue, Suite 400, Hartford, CT 06106
Phone: 860-761-6699
Fax: 860-761-6711
E-Mail: john@ctaidcoalition.org

Please ensure that e-mail screening software (if used) recognizes and accepts e-mails from the Official Contact.

2. **RFP Information.** The RFP, amendments to the RFP, and other information associated with this procurement are available in electronic format from the Official Contact or from the Internet at the following locations:

- Connecticut AIDS Resource Coalition website
www.ctaidcoalition.org
- Department's RFP Web Page
<http://www.ct.gov/dss/cwp/view.asp?a=2345&q=304920&dssNav=|>
- State Contracting Portal
http://www.das.state.ct.us/Purchase/Portal/Portal_Home.asp

It is strongly recommended that any proposer or prospective proposer interested in this procurement subscribe to receive e-mail alerts from the State Contracting Portal. Subscribers will receive a daily e-mail announcing procurements and addendums that

are posted on the portal. This service is provided as a courtesy to assist in monitoring activities associated with State procurements, including this RFP.

Printed copies of all documents are also available from the Official Contact upon request.

3. Contract Awards. The award of any contract pursuant to this RFP is dependent upon the availability of funding to the Department. The Department anticipates the following:

- Total Funding Available: \$521,670.00
- Number of Awards: Up to 5 awards
- Contract Cost: Confidential
- Contract Term: July 1, 2010 – June 30, 2012

4. Eligibility. Private provider organizations (defined as nonstate entities that are nonprofit corporations or partnerships) are eligible to submit proposals in response to this RFP. Individuals who are not a duly formed business entity are ineligible to participate in this procurement. Proposers must provide proof of nonprofit status such as a copy of the Internal Revenue Service (IRS) determination letter.

5. Minimum Qualifications of Proposers. To qualify for a contract award, a proposer must have the following minimum qualifications:

- a. Demonstrated experience and focus on serving persons living with HIV/AIDS in the Balance-of-State Eligible Metropolitan Service Area (EMSA). The geographic areas that comprise the Balance-of-State EMSA are New London County, Litchfield County, Windham County and Middlesex County. Demonstration of abilities will occur in the proposal and workplan, which should include but not be limited to the following:
 - i. Successfully provided supportive housing for persons living with HIV/AIDS for a minimum of two (2) years, or equivalent;
 - ii. Currently provide case management services in conjunction with supportive housing;
 - iii. Currently provide services within the eligible geographic area(s) for which the proposer is seeking funding from the Department;
 - iv. Meet the CARC "Standards of Care" by passing the CARC Quality Assurance Review Process (also known as "CARC Audit"), if an existing AIDS housing provider or an equivalent credential standard, which includes the following: passing reviews by Commission on Accreditation of Rehabilitation Facilities ("CARF") and DMHAS/DSS Permanent Supportive Housing Program.
 - v. Have the capacity to collect client level data using the Homeless Management Information System (HMIS) used in CT (Bowman's *ServicePoint* or Groupware Technologies' *Provide Case Management*), or ability to implement such data collection no later than three months after contract start date.
- b. Demonstrated managerial and administrative support to implement a HOPWA program including the ability to meet the data and technology requirements.
- c. Evidence of financial stability.

6. Procurement Schedule. See below. Dates after the due date for proposals (“Proposals Due”) are target dates only (*). The Department may amend the schedule, as needed. Any change will be made by means of an amendment to this RFP and will be posted on the State Contracting Portal and, if available, the Department’s RFP Web Page.

- RFP Planning Start Date: February 22, 2010
- RFP Released: March 30, 2010
- Letter of Intent Due: Not Applicable
- Deadline for Questions: April 13, 2010
- Answers Released (Round 1): April 20, 2010
- RFP Conference: Not Applicable
- Answers Released (Round 2): Not Applicable
- Proposals Due: May 18, 2010
- (*) Proposer Selection: June 1, 2010
- (*) Start of Contract Negotiations: June 3, 2010
- (*) Start of Contract: July 1, 2010

7. Letter of Intent. A Letter of Intent (LOI) is not required by this RFP.

8. Inquiry Procedures. All questions regarding this RFP or the Department’s procurement process must be directed, in writing, to the Official Contact before the deadline specified in the Procurement Schedule. The early submission of questions is encouraged. Questions will not be accepted or answered verbally – neither in person nor over the telephone. All questions received before the deadline will be answered. However, the CARC will not answer questions when the source is unknown (i.e., nuisance or anonymous questions). Questions deemed unrelated to the RFP or the procurement process will not be answered. At its discretion, the CARC may or may not respond to questions received after the deadline. CARC may combine similar questions and give only one answer. All questions and answers will be compiled into a written amendment to this RFP. If any answer to any question constitutes a material change to the RFP, the question and answer will be placed at the beginning of the amendment and duly noted as such. CARC will release the answers to the questions on the date(s) established in the Procurement Schedule. CARC will publish any and all amendments to this RFP on the State Contracting Portal, CARC’s website, and on the Department’s RFP Web Page.

9. Proposal Due Date and Time. The Official Contact is the **only authorized recipient** of proposals submitted in response to this RFP. Proposals must be received by the Official Contact on or before the due date and time:

- Due Date: May 18, 2010
- Time: 3:00 PM

Faxed or e-mailed proposals will not be evaluated. When hand-delivering proposals by courier or in person, allow extra time due to building security procedures. CARC will not accept a postmark date as the basis for meeting the submission due date and time. Proposals received after the due date and time may be accepted by the CARC as a clerical function, but late proposals will not be evaluated. At the discretion of the CARC, late proposals may be destroyed or retained for pick-up by the submitters.

An acceptable submission must include the following:

- one (1) original proposal;
- five (five) conforming copies of the original proposal; and
- one (1) conforming electronic copy (Compact Disk) of the original proposal.

The original proposal must carry original signatures and be clearly marked on the cover as "Original." Unsigned proposals will not be evaluated. The original proposal and each conforming copy of the proposal must be complete, properly formatted and outlined, and ready for evaluation by the Screening Committee. The electronic copy of the proposal must be compatible with *Microsoft Office Word 2003*. For the electronic copy, required forms and appendices may be scanned and submitted in Portable Document Format (PDF) or similar file format.

10. Multiple Proposals. The submission of multiple proposals is not an option with this procurement.

11. Declaration of Confidential Information. Proposers are advised that all materials associated with this procurement are subject to the terms of the Freedom of Information Act (FOIA), the Privacy Act, and all rules, regulations and interpretations resulting from them. If a proposer deems that certain information required by this RFP is confidential, the proposer must label such information as CONFIDENTIAL. In Section C of the proposal submission, the proposer must reference where the information labeled CONFIDENTIAL is located in the proposal. *EXAMPLE: Section G.1.a.* For each subsection so referenced, the proposer must provide a convincing explanation and rationale sufficient to justify an exemption of the information from release under the FOIA. The explanation and rationale must be stated in terms of (a) the prospective harm to the competitive position of the proposer that would result if the identified information were to be released and (b) the reasons why the information is legally exempt from release pursuant to C.G.S. § 1-210(b).

12. Conflict of Interest - Disclosure Statement. Proposers must include a disclosure statement concerning any current business relationships (within the last three (3) years) that pose a conflict of interest, as defined by C.G.S. § 1-85. A conflict of interest exists when a relationship exists between the proposer and a public official (including an elected official) or State employee that may interfere with fair competition or may be adverse to the interests of the State. The existence of a conflict of interest is not, in and of itself, evidence of wrongdoing. A conflict of interest may, however, become a legal matter if a proposer tries to influence, or succeeds in influencing, the outcome of an official decision for their personal or corporate benefit. The Department will determine whether any disclosed conflict of interest poses a substantial advantage to the proposer over the competition, decreases the overall competitiveness of this procurement, or is not in the best interests of the State. In the absence of any conflict of interest, a proposer must affirm such in the disclosure statement. *Example: "[name of proposer] has no current business relationship (within the last three (3) years) that poses a conflict of interest, as defined by C.G.S. § 1-85."*

■ D. PROPOSAL FORMAT

1. Required Outline. All proposals must follow the required outline presented in Section IV – Proposal Outline. Proposals that fail to follow the required outline will be deemed non-responsive and not evaluated.

2. **Cover Sheet.** The Cover Sheet is Page 1 of the proposal. Proposers must complete and use the Cover Sheet form provided by the Department in Section IV.I – Forms.
3. **Table of Contents.** All proposals must include a Table of Contents that conforms with the required proposal outline. (See Section IV.)
4. **Executive Summary.** Proposals must include a high-level summary, not exceeding two (2) pages, of the main proposal and cost proposal.
5. **Attachments.** Attachments other than the required Appendices or Forms identified in Section IV are not permitted and will not be evaluated. Further, the required Appendices or Forms must not be altered or used to extend, enhance, or replace any component required by this RFP. Failure to abide by these instructions will result in disqualification.
6. **Style Requirements.** Submitted proposals must conform to the following specifications:
 - Binding Type: None specified
 - Dividers: None specified
 - Paper Size: 8 ½" x 11"
 - Page Limit: 20 numbered pages plus required Appendices and Forms
 - Print Style: 2-sided
 - Font Size: Minimum 12 point
 - Font Type: None specified
 - Margins: 1"
 - Line Spacing: Single-spaced
7. **Pagination.** The proposer's name must be displayed in the header of each page. All pages, including the required Appendices and Forms, must be numbered in the footer.
8. **Packaging and Labeling Requirements.** All proposals must be submitted in sealed envelopes or packages and be addressed to the Official Contact. The Legal Name and Address of the proposer must appear in the upper left corner of the envelope or package. The RFP Name or Number must be clearly displayed on the envelope or package. Any received proposal that does not conform to these packaging or labeling instructions will be opened as general mail. Such a proposal may be accepted by the CARC as a clerical function, but it will not be evaluated. At the discretion of the CARC, such a proposal may be destroyed or retained for pick-up by the submitters.

■ E. EVALUATION OF PROPOSALS

1. **Evaluation Process.** It is the intent of the CARC to conduct a comprehensive, fair, and impartial evaluation of proposals received in response to this RFP. When evaluating proposals, negotiating with successful proposers, and awarding contracts, CARC and the Department will conform with the Department's written procedures for POS procurements (pursuant to C.G.S. § 4-217) and the State's Code of Ethics (pursuant to C.G.S. §§ 1-84 and 1-85).

- 2. Screening Committee.** CARC and the Department will designate a Screening Committee to evaluate proposals submitted in response to this RFP. The contents of all submitted proposals, including any confidential information, will be shared with the Screening Committee. Only proposals found to be responsive (that is, complying with all instructions and requirements described herein) will be reviewed, rated, and scored. Proposals that fail to comply with all instructions will be rejected without further consideration. Attempts by any proposer (or representative of any proposer) to contact or influence any member of the Screening Committee may result in disqualification of the proposer.
- 3. Minimum Submission Requirements.** All proposals must comply with the requirements specified in this RFP. To be eligible for evaluation, proposals must (1) be received on or before the due date and time; (2) meet the Proposal Format requirements; (3) follow the required Proposal Outline; and (4) be complete. Proposals that fail to follow instructions or satisfy these minimum submission requirements will not be reviewed further. The CARC will reject any proposal that deviates significantly from the requirements of this RFP.
- 4. Evaluation Criteria (and Weights).** Proposals meeting the Minimum Submission Requirements will be evaluated according to the established criteria. The criteria are the objective standards that the Screening Committee will use to evaluate the technical merits of the proposals. Only the criteria listed below will be used to evaluate proposals. The criteria are weighted according to their relative importance. The weights are disclosed below.
 - Organizational Profile - 10 points
 - Scope of Services - 25 points
 - Staffing Plan – 10 points
 - Program Outcome Requirements - 15 points
 - Quality Assurance Requirements – 15 points
 - Financial Profile - 10 points
 - Budget and Budget Narrative - 15 points

Note:

As part of its evaluation of the Staffing Plan, the Screening Committee will consider the proposer's demonstrated commitment to affirmative action, as required by the Regulations of CT State Agencies § 46A-68j-30(10).

- 5. Proposer Selection.** Upon completing its evaluation of proposals, the Screening Committee will submit the rankings of all proposals to the Department head. The final selection of a successful proposer is at the discretion of the Department head. Any proposer selected will be so notified and awarded an opportunity to negotiate a contract with the Department. Such negotiations may, but will not automatically, result in a contract. Pursuant to Governor M. Jodi Rell's Executive Order No. 3, any resulting contract will be posted on the State Contracting Portal. All unsuccessful proposers will be notified by e-mail or U.S. mail, at the Department's discretion, about the outcome of the evaluation and proposer selection process.

- 6. Debriefing.** Within ten (10) days of receiving notification from the Department, unsuccessful proposers may contact the Official Contact and request information about the evaluation and proposer selection process. The e-mail sent date or the postmark date on the notification envelope will be considered “day one” of the ten (10) days. If unsuccessful proposers still have questions after receiving this information, they may contact the Official Contact and request a meeting with the Department to discuss the evaluation process and their proposals. If held, the debriefing meeting will not include any comparisons of unsuccessful proposals with other proposals. The Department will schedule and hold the debriefing meeting within fifteen (15) days of the request. The Department will not change, alter, or modify the outcome of the evaluation or selection process as a result of any debriefing meeting.
- 7. Appeal Process.** Proposers may appeal any aspect of the Department’s competitive procurement, including the evaluation and proposer selection process. Any such appeal must be submitted to the Department head. A proposer may file an appeal at any time after the proposal due date, but not later than thirty (30) days after an agency notifies unsuccessful proposers about the outcome of the evaluation and proposer selection process. The e-mail sent date or the postmark date on the notification envelope will be considered “day one” of the thirty (30) days. The filing of an appeal shall not be deemed sufficient reason for the Department to delay, suspend, cancel, or terminate the procurement process or execution of a contract. More detailed information about filing an appeal may be obtained from the Official Contact.
- 8. Contract Execution.** Any contract developed and executed as a result of this RFP is subject to the Department’s contracting procedures, which may include approval by the Office of the Attorney General.

II. MANDATORY PROVISIONS

■ A. POS STANDARD CONTRACT, PARTS I AND II

By submitting a proposal in response to this RFP, the proposer implicitly agrees to comply with the provisions of Parts I and II of the State's "standard contract" for POS:

Part I of the standard contract is maintained by the Department and will include the scope of services, contract performance, quality assurance, reports, terms of payment, budget, and other program-specific provisions of any resulting POS contract. A sample of Part I is available from the Department's Official Contact upon request.

Part II of the standard contract is maintained by OPM and includes the mandatory terms and conditions of the POS contract. Part II is available on OPM's website at: http://www.ct.gov/opm/fin/standard_contract

Note:

Included in Part II of the standard contract is the State Elections Enforcement Commission's notice (pursuant to C.G.S. § 9-612(g)(2)) advising executive branch State contractors and prospective State contractors of the ban on campaign contributions and solicitations. If a proposer is awarded an opportunity to negotiate a contract with the Department and the resulting contract has an anticipated value in a calendar year of \$50,000 or more, or a combination or series of such agreements or contracts has an anticipated value of \$100,000 or more, the proposer must inform the proposer's principals of the contents of the SEEC notice.

Part I of the standard contract may be amended by means of a written instrument signed by the Department, the selected proposer (contractor), and, if required, the Attorney General's Office. Part II of the standard contract may be amended only in consultation with, and with the approval of, the Office of Policy and Management and the Attorney General's Office.

■ B. ASSURANCES

By submitting a proposal in response to this RFP, a proposer implicitly gives the following assurances:

- 1. Collusion.** The proposer represents and warrants that the proposer did not participate in any part of the RFP development process and had no knowledge of the specific contents of the RFP prior to its issuance. The proposer further represents and warrants that no agent, representative, or employee of the State participated directly in the preparation of the proposer's proposal. The proposer also represents and warrants that the submitted proposal is in all respects fair and is made without collusion or fraud.
- 2. State Officials and Employees.** The proposer certifies that no elected or appointed official or employee of the State has or will benefit financially or materially from any contract resulting from this RFP. The Department may terminate a resulting contract if it is determined that gratuities of any kind were either offered or

received by any of the aforementioned officials or employees from the proposer, contractor, or its agents or employees.

3. **Competitors.** The proposer assures that the submitted proposal is not made in connection with any competing organization or competitor submitting a separate proposal in response to this RFP. No attempt has been made, or will be made, by the proposer to induce any other organization or competitor to submit, or not submit, a proposal for the purpose of restricting competition. The proposer further assures that the proposed costs have been arrived at independently, without consultation, communication, or agreement with any other organization or competitor for the purpose of restricting competition. Nor has the proposer knowingly disclosed the proposed costs on a prior basis, either directly or indirectly, to any other organization or competitor.
4. **Validity of Proposal.** The proposer certifies that the proposal represents a valid and binding offer to provide services in accordance with the terms and provisions described in this RFP and any amendments or attachments hereto. The proposal shall remain valid for a period of 180 days after the submission due date and may be extended beyond that time by mutual agreement. At its sole discretion, the Department may include the proposal, by reference or otherwise, into any contract with the successful proposer.
5. **Press Releases.** The proposer agrees to obtain prior written consent and approval of the Department for press releases that relate in any manner to this RFP or any resultant contract.

■ C. TERMS AND CONDITIONS

By submitting a proposal in response to this RFP, a proposer implicitly agrees to comply with the following terms and conditions:

1. **Equal Opportunity and Affirmative Action.** The State is an Equal Opportunity and Affirmative Action employer and does not discriminate in its hiring, employment, or business practices. The State is committed to complying with the Americans with Disabilities Act of 1990 (ADA) and does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services, or activities.
2. **Preparation Expenses.** Neither the State nor the Department shall assume any liability for expenses incurred by a proposer in preparing, submitting, or clarifying any proposal submitted in response to this RFP.
3. **Exclusion of Taxes.** The Department is exempt from the payment of excise and sales taxes imposed by the federal government and the State. Proposers are liable for any other applicable taxes.
4. **Proposed Costs.** No cost submissions that are contingent upon a State action will be accepted. All proposed costs must be fixed through the entire term of the contract.
5. **Changes to Proposal.** No additions or changes to the original proposal will be allowed after submission. While changes are not permitted, the Department may request and authorize proposers to submit written clarification of their proposals, in a manner or format prescribed by the Department, and at the proposer's expense.

6. **Supplemental Information.** Supplemental information will not be considered after the deadline submission of proposals, unless specifically requested by the Department. The Department may ask a proposer to give demonstrations, interviews, oral presentations or further explanations to clarify information contained in a proposal. Any such demonstration, interview, or oral presentation will be at a time selected and in a place provided by the Department. At its sole discretion, the Department may limit the number of proposers invited to make such a demonstration, interview, or oral presentation and may limit the number of attendees per proposer.
7. **Presentation of Supporting Evidence.** If requested by the Department, a proposer must be prepared to present evidence of experience, ability, data reporting capabilities, financial standing, or other information necessary to satisfactorily meet the requirements set forth or implied in this RFP. The Department may make onsite visits to an operational facility or facilities of a proposer to evaluate further the proposer's capability to perform the duties required by this RFP. At its discretion, the Department may also check or contact any reference provided by the proposer.
8. **RFP Is Not An Offer.** Neither this RFP nor any subsequent discussions shall give rise to any commitment on the part of the State or the Department or confer any rights on any proposer unless and until a contract is fully executed by the necessary parties. The contract document will represent the entire agreement between the proposer and the Department and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State shall assume no liability for costs incurred by the proposer or for payment of services under the terms of the contract until the successful proposer is notified that the contract has been accepted and approved by the Department and, if required, by the Attorney General's Office.

■ D. RIGHTS RESERVED TO THE STATE

By submitting a proposal in response to this RFP, a proposer implicitly accepts that the following rights are reserved to the State:

1. **Timing Sequence.** The timing and sequence of events associated with this RFP shall ultimately be determined by the Department.
2. **Amending or Canceling RFP.** The Department reserves the right to amend or cancel this RFP on any date and at any time, if the Department deems it to be necessary, appropriate, or otherwise in the best interests of the State.
3. **No Acceptable Proposals.** In the event that no acceptable proposals are submitted in response to this RFP, the Department may reopen the procurement process, if it is determined to be in the best interests of the State.
4. **Award and Rejection of Proposals.** The Department reserves the right to award in part, to reject any and all proposals in whole or in part, for misrepresentation or if the proposal limits or modifies any of the terms, conditions, or specifications of this RFP. The Department may waive minor technical defects, irregularities, or omissions, if in its judgment the best interests of the State will be served. The Department reserves the right to reject the proposal of any proposer who submits a proposal after the submission date and time.

5. **Sole Property of the State.** All proposals submitted in response to this RFP are to be the sole property of the State. Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of this RFP shall be the sole property of the State, unless stated otherwise in this RFP or subsequent contract. The right to publish, distribute, or disseminate any and all information or reports, or part thereof, shall accrue to the State without recourse.
6. **Contract Negotiation.** The Department reserves the right to negotiate or contract for all or any portion of the services contained in this RFP. The Department further reserves the right to contract with one or more proposer for such services. After reviewing the scored criteria, the Department may seek Best and Final Offers (BFO) on cost from proposers. The Department may set parameters on any BFOs received.
7. **Clerical Errors in Award.** The Department reserves the right to correct inaccurate awards resulting from its clerical errors. This may include, in extreme circumstances, revoking the awarding of a contract already made to a proposer and subsequently awarding the contract to another proposer. Such action on the part of the State shall not constitute a breach of contract on the part of the State since the contract with the initial proposer is deemed to be void *ab initio* and of no effect as if no contract ever existed between the State and the proposer.
8. **Key Personnel.** When the Department is the sole funder of a purchased service, the Department reserves the right to approve any additions, deletions, or changes in key personnel, with the exception of key personnel who have terminated employment. The Department also reserves the right to approve replacements for key personnel who have terminated employment. The Department further reserves the right to require the removal and replacement of any of the proposer's key personnel who do not perform adequately, regardless of whether they were previously approved by the Department.

■ E. STATUTORY AND REGULATORY COMPLIANCE

By submitting a proposal in response to this RFP, the proposer implicitly agrees to comply with all applicable State and federal laws and regulations, including, but not limited to, the following:

1. **Freedom of Information, C.G.S. § 1-210(b).** The Freedom of Information Act (FOIA) generally requires the disclosure of documents in the possession of the State upon request of any citizen, unless the content of the document falls within certain categories of exemption, as defined by C.G.S. § 1-210(b). Proposers are generally advised not to include in their proposals any confidential information. If the proposer indicates that certain documentation, as required by this RFP, is submitted in confidence, the State will endeavor to keep said information confidential to the extent permitted by law. The State has no obligation to initiate, prosecute, or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information pursuant to a FOIA request. The proposer has the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. While a proposer may claim an exemption to the State's FOIA, the final administrative authority to release or exempt any or all material so identified rests with the State. In no event shall the State or any of its employees have any liability for disclosure of documents or information in the possession of the State and which the State or its employees believe(s) to be required pursuant to the FOIA or other requirements of law.

- 2. Contract Compliance, C.G.S. § 4a-60 and Regulations of CT State Agencies § 46a-68j-21 thru 43, inclusive.** CT statute and regulations impose certain obligations on State agencies (as well as contractors and subcontractors doing business with the State) to insure that State agencies do not enter into contracts with organizations or businesses that discriminate against protected class persons.
- 3. Consulting Agreements, C.G.S. § 4a-81.** Proposals for State contracts with a value of \$50,000 or more in a calendar or fiscal year, excluding leases and licensing agreements of any value, shall include a consulting agreement affidavit attesting to whether any consulting agreement has been entered into in connection with the proposal. As used herein "consulting agreement" means any written or oral agreement to retain the services, for a fee, of a consultant for the purposes of (A) providing counsel to a contractor, vendor, consultant or other entity seeking to conduct, or conducting, business with the State, (B) contacting, whether in writing or orally, any executive, judicial, or administrative office of the State, including any department, institution, bureau, board, commission, authority, official or employee for the purpose of solicitation, dispute resolution, introduction, requests for information or (C) any other similar activity related to such contract. Consulting agreement does not include any agreements entered into with a consultant who is registered under the provisions of C.G.S. Chapter 10 as of the date such affidavit is submitted in accordance with the provisions of C.G.S. § 4a-81. The Consulting Agreement Affidavit (OPM Ethics Form 5) is available on OPM's website at http://www.ct.gov/opm/fin/ethics_forms
IMPORTANT NOTE: A proposer must complete and submit OPM Ethics Form 5 to the Department with the proposal.
- 4. Gift and Campaign Contributions, C.G.S. §§ 4-250 and 4-252(c); Governor M. Jodi Rell's Executive Orders No. 1, Para. 8 and No. 7C, Para. 10; C.G.S. § 9-612(g)(2).** If a proposer is awarded an opportunity to negotiate a contract with an anticipated value of \$50,000 or more in a calendar or fiscal year, the proposer must fully disclose any gifts or lawful contributions made to campaigns of candidates for statewide public office or the General Assembly. Municipalities and CT State agencies are exempt from this requirement. The gift and campaign contributions certification (OPM Ethics Form 1) is available on OPM's website at http://www.ct.gov/opm/fin/ethics_forms
IMPORTANT NOTE: The successful proposer must complete and submit OPM Ethics Form 1 to the Department prior to contract execution.
- 5. Nondiscrimination Certification , C.G.S. §§ 4a-60(a)(1) and 4a-60a(a)(1).** If a proposer is awarded an opportunity to negotiate a contract, the proposer must provide the Department with *written representation* or *documentation* that certifies the proposer complies with the State's nondiscrimination agreements and warranties. A nondiscrimination certification is required for all State contracts – regardless of type, term, cost, or value. Municipalities and CT State agencies are exempt from this requirement. The nondiscrimination certification forms are available on OPM's website at http://www.ct.gov/opm/fin/nondiscrim_forms
IMPORTANT NOTE: The successful proposer must complete and submit the appropriate nondiscrimination certification form to the awarding Department prior to contract execution.

III. PROGRAM INFORMATION

■ A. DEPARTMENT OVERVIEW

The Department of Social Services provides a broad range of services to the elderly, persons with disabilities, families, and individuals who need assistance in maintaining or achieving their full potential for self-direction, self-reliance and independent living. It administers over 90 legislatively authorized programs and one third of the state budget. By statute it is the state agency responsible for administering a number of programs under federal legislation, including the Rehabilitation Act, the Food Stamp Act, the Older Americans Act, and the Social Security Act. The Department is also designated as a public housing agency for the purpose of administering the Section 8 program under the federal Housing Act.

The Department is headed by the Commissioner of Social Services and there are deputy commissioners for Administration and Programs. There is a regional administrator responsible for each of the three service regions. By statute there is a statewide advisory council to the Commissioner and each region must have a regional advisory council.

The Department administers most of its programs through offices located throughout the state. Within the Department, the Bureau of Rehabilitation Services provides vocational rehabilitation services for eligible individuals with physical and mental disabilities at 23 offices throughout the state. For the other programs, services are available through 11 offices located in the three regions with central office support located in Hartford. In addition, many services funded by the Department are available through community based agencies including the 156 senior centers throughout Connecticut. The Department has out-stationed employees at hospitals to expedite Medicaid applications and funds healthy start sites, which can accept applications for Medicaid for pregnant women and young children. Many of the services provided by the Department are available via mail or telephone call.

There are four entities attached to the Department for administrative purposes only. They are the Commission on Aging, Commission on Deaf and Hearing Impaired, the Board of Education and Services for the Blind, and the Child Day Care Council

Department Mission

The Connecticut Department of Social Services provides a continuum of core services to:

- Meet basic needs of food, shelter, economic support and health care
- Promote and support the choice to live with dignity in one's own home and community
- Promote and support the achievement of economic viability in the workforce

We gain strength from our diverse environment to promote equal access to all Department programs and services.

Department Vision

The Connecticut Department of Social Services is people working together to support individuals and families to reach their full potential and live better lives. We do this with humanity and integrity.

■ B. PROGRAM OVERVIEW:

Program Title: Balance of State – Housing Opportunities for Persons with AIDS (HOPWA)

The Housing Opportunities for Persons With AIDS (HOPWA) program is funded by the U.S. Department of Housing and Urban Development (HUD). The HOPWA program was authorized by the National Affordable Housing Act of 1990 and revised under the Housing and Community Development Act of 1992, to provide states and localities with the resources and incentives to devise and implement long-term comprehensive strategies for meeting the housing needs of low-income persons with acquired immunodeficiency syndrome (AIDS) and related diseases, and their families.

Eligible proposers are 501(c)3 nonprofit organizations with experience and focus on serving persons living with HIV/AIDS in the Balance-of-State Eligible Metropolitan Service Area (EMSA). The geographic areas that comprise the Balance-of-State EMSA are New London County, Litchfield County, Windham County and Middlesex County.

Contractors shall administer HOPWA assistance to eligible persons with HIV/AIDS and their families, supporting HUD's HOPWA program goals and the State's Consolidated and Annual Action Plan goals and objectives, primarily:

- HOPWA-assisted households will establish or better maintain a stable living environment;
- HOPWA-assisted households will have improved access to care and support; and
- HOPWA-assisted households will have a reduced risk of homelessness.

Proposers may request HOPWA funds for the following eligible activities, per HUD regulations 24 CFR 574:

- TBRA (Tenant-Based Rental Assistance): A housing subsidy provided for use on the open rental market. The tenant holds a lease with a private landlord for a unit that is rented at or under Fair Market Rent and that meets Housing Quality/Habitability Standards. Costs include rent, utility costs and security deposits.
- STRMU (Short-Term Rent, Mortgage and Utilities): A housing subsidy provided to prevent homelessness of mortgagors or renters in their current place of residence. Contractors may provide assistance for rent, mortgage, or utilities for a period of up to 21 weeks in any 52-week period. Ongoing assessment of need is required and individual service plans must address housing stability.
- Facility-Based Housing Assistance: Expenditures to support housing facilities, including community residences, single-room occupancy dwellings, project-based units, master-leased units.

- **Supportive Services:** Expenditures for services that improve the health and well-being of eligible persons and their family members. Services may be provided in conjunction with housing assistance or separately. Examples include case management, meals and nutritional services, adult day care, education, employment assistance, alcohol and drug abuse services, mental health services, transportation assistance.
- **Resource Identification/Technical Assistance:** Activities to establish, coordinate, and develop housing assistance resources for eligible persons. Assistance with establishing and operating a community residence as well as costs related to community outreach and education activities.
- **Administrative Costs:** For general management, oversight, coordination, evaluation, and reporting on eligible activities. Cannot exceed 7 percent of the total allocation.

Priority will be given to cost-effective TBRA and Facility-Based Housing Assistance Programs and related Supportive Services.

An eligible client is a person with acquired immunodeficiency syndrome (AIDS) or tested to be seropositive for human immunodeficiency virus (HIV) who is also an individual with low income (not earning in excess of 80 percent of the median income for the area, as defined in Title 24 Code of Federal Regulations Section 574.3). The family of an eligible client is also eligible for assistance. Residence within the Balance-of-State EMSA also applies.

■ C. MAIN PROPOSAL COMPONENTS

1. Organizational Requirements

A responsive proposal must include a summary of the proposer's overall qualifications to manage the Balance of State – HOPWA. At a minimum, the proposer must include the following specific details regarding the proposer's organization:

- Purpose/Mission:** Describe how your proposed HOPWA program fits within your organization's mission and current programs configuration. Summarize the services you currently provide within the geographical area for which you are seeking funding. Organizational chart shall be included in Section IV.H, Appendices.
- Entity Type/Years of Operation:** Give a brief overview of your organization. Demonstrate current experience providing supportive housing for persons living with HIV/AIDS for at least two years, or equivalent, and the provision of case management services in conjunction with your housing. Detail current number of clients being served, client-to-staff ratio, funding source(s), and successes.
- Qualifications, Relevant Experience and References:** Summarize your ability to administer city, state and/or federal grants. Describe any potential risks to the Department and risks that could be encountered by acting as a Department contractor; propose solutions or approaches for managing those risks that show the proposer's familiarity and sensitivity with managing the program described in this RFP. Provide three specific programmatic references. References must be persons able to comment on the proposer's capability to perform the services specified in this RFP. The contact person must be an individual familiar with the organization and its day-to-day performance. References must include the organization's name, address,

telephone number, and a specific contract person. If the proposer has been a State contractor within the last five years, the proposer must include a State of Connecticut reference.

2. Service Requirements

A responsive proposal shall thoroughly address each of the following:

(a) Eligible Activities: Eligible activities shall include one or more of the following:

- ❖ Short-Term Rent, Mortgage and Utilities Assistance - (project number of clients to be assisted);
- ❖ Tenant Based-Rental Assistance - (project number of clients to be assisted);
- ❖ Facility-Based Housing Assistance (number of units in housing facility);
- ❖ Supportive Services - (capped at \$3,500.00 per client/unit in TBRA or Facility-Based Housing programs);
- ❖ Resource Identification – (Provide workplan to support activity); and
- ❖ Administrative Expenses (7% maximum).

Priority will be given to cost-effective TBRA and Facility-Based Housing Assistance Programs and related Support Services.

(b) Service / Catchment Area: CARC requests submission of proposals to the target population residing in the Balance of the State – EMSA. Identify the proposed service area for this program, that is, cities and towns where the participants reside.

(c) Service Area: Proposals must identify the proposed number of beds/units with corresponding level of support services; who will receive the services; and include special populations, if any (for example, women with children, single men, single women, etc.)

(d) Service Capacity/ Delivery Plan/ Systems/ Processes / Protocols: Describe your proposed supportive housing program(s) for persons living with AIDS including:

- ❖ the mechanisms you will use to determine that clients served are low- and moderate-income;
- ❖ your screening process and how applicants will be accepted on a first-come, first-served basis;
- ❖ how supportive services will be made available to households receiving HOPWA housing assistance (households shall be defined as a unit of one (1) or more individuals living together in one dwelling);
- ❖ for TBRA programs, assist with locating apartment that meets housing quality standards;
- ❖ how client services and resources will be coordinated with other service providers to improve service delivery and reduce barriers to effectively keep clients in stable housing;
- ❖ if applicable, your proposed mechanisms for providing housing subsidy directly to landlord;
- ❖ how federal HOPWA requirements will be met including rent calculations, housing quality standard inspections, lead-based paint inspections, conflict of interest, confidentiality and all other regulations under Title 24 Part 574 http://www.access.gpo.gov/nara/cfr/waisidx_05/24cfr574_05.html;

- ❖ how you will create and implement a supportive housing care plan with each individual/family that meets CARC's "Standards of Care";
 - ❖ whether the program maintains a waiting list, and how it is administered;
 - ❖ other sources of assistance the program receives (for example, DSS, DMHAS) and how these funds are used to complement HOPWA services;
 - ❖ Hours of operation.
- (e) Culturally Competent Services: Ability to ensure a culturally responsive delivery of services that recognizes and affirms diversity.
- (f) Client eligibility: The process for client eligibility for housing and supportive services including enrollment into Medicaid and other entitlements.
- (g) Goals: Since permanent housing and/or stable living environment is the ultimate goal and expected outcome, describe the procedures that are in place to monitor progress of clients from entrance into the program to permanent placement and beyond.

3. Staffing Requirements

- (a) Key Personnel: Provide the names or titles of proposed personnel and the hours and percentages of time dedicated to this project; how this staffing pattern will successfully meet this RFP's requirements in light of any other similar obligations for any other entity; summarize your procedures to secure and retain professional staff and your method to evaluate personnel performance.
- (b) Job Descriptions: Attach job descriptions in Section IV.H, Appendices, for proposed funded positions and resumes if position hours are to be filled by percentage of FTE of existing staff members.

4. Data and Technology Requirements

(a) Data Reporting and Technology Capacity

Describe your capacity to collect client level data using one of the Homeless Management Information Systems (HMIS) used in CT (Bowman's *ServicePoint* or Groupware Technologies' *Provide Case Management*), or your ability to implement such data collection no later than three months after contract start date.

(b) Program Outcome Requirements

HUD's Office of HIV/AIDS Housing identified three national performance measures related to client outcomes: (1) HOPWA-assisted households will establish or better maintain a stable living environment; (2) HOPWA-assisted households will have improved access to care and support; and (3) HOPWA-assisted households will have a reduced risk of homelessness. Each proposer must identify a specific and quantifiable performance measure(s) for its funded activities. Examples of such are as follows:

- ❖ *20 clients will receive TBRA subsidies, enabling them to meet their rent payment, reducing their risk of homelessness. Clients will be tracked for eligibility and the amount of rental assistance provided through annual income re-certifications and resident rent payment determination.*

- ❖ *35 clients will meet with a case manager and establish a comprehensive service plan to improve their access to care and support. Clients will be re-assessed at least every six month, with progress and communications documented.*
- ❖ *10 residents of the agency's supportive living program will receive supportive services and rental assistance, allowing them to maintain a stable living environment. A plan will be developed for clients that recognizes resident's short- and long-term needs with specific dates, time frames and plan for future housing as appropriate.*

(c) Quality Assurance Requirements

- i. Internal Quality Assurance Process: Describe your organization's internal quality assurance process.
- ii. External Quality Assurance Process: Indicate your score and any recommendations from your 2009 and 2010 CARC Quality Assurance Review Process (also known as the CARC audit). If proposer has not participated in the CARC audit, please indicate in what type of Quality Assurance process the proposer has participated and the results.
- iii. Consumer Satisfaction Process: Describe your consumer satisfaction process (surveys, etc.). Summarize feedback (number and percent of returned surveys, summary of concerns expressed by clients, etc.). Give a brief narrative of organization follow-up actions or plans regarding concerns raised by consumer.
- iv. Audit Compliance: State your experience being in compliance with past contracts and/or directives. State any deficiencies identified in recent annual program audits and, if applicable, detail what steps you have taken on completing any recommendations.

D. COST PROPOSAL COMPONENT

1. Financial Requirements

- (a) Audited Financial Statements: The proposer shall provide the two (2) most recent annual financial statements prepared by an independent Certified Public Accountant, and reviewed or audited in accordance with Generally Accepted Accounting Principles (USA). One copy only shall be included with the original proposal in Section IV.H, Appendices.
- (b) Form 990. A copy of the most recent IRS Form 990 submitted to the Internal Revenue Service. One copy only shall be included with the original proposal in Section IV.H, Appendices.
- (c) Financial Management Procedures. Attach a copy of the proposer's written financial management procedures that include policies/procedures for: (i) managing and tracking cash receipts/disbursements; (ii) budgeting; (iii) procurement; and (iv) payroll. Document shall be included in Section IV.H, Appendices.
- (d) Financial Capacity: Describe the organization's financial capacity to properly isolate HOPWA-related income and expenditures. Discuss the internal controls used to ensure the safeguarding of funds to ensure that a thorough record of expenditures can be provided for purposes of an audit.
- (e) Leveraged Funds: Describe the proposer's long term strategy to sustain funding for the program and explain how HOPWA funds may be used to leverage other funding.

2. Budget Requirements

- (a) Budget: The proposer shall utilize the Budget identified in Section V, Attachments, to prepare a line item budget that depicts the allowable costs associated with the program.
- (b) Budget Narrative: The proposer shall detail how expenses listed in the line item budget were calculated.
- ❖ Tenant Based Rental Assistance should detail number of units requested x approximate subsidy per unit per month x 12 months.
 - ❖ Supportive Services: May include both personnel and program costs. Personnel narratives must include number and/or percent of case manager positions (use FTE) funded by DSS; administrative salaries cannot be funded under the Supportive Services line item but may be included in the Administrative line item. Program costs that support the operation of this program are allowed and must be itemized and justified in the narrative. Total Supportive Services (comprised of both personnel and program costs) allowed per subsidy is \$3,500.
 - ❖ Administrative/Indirect costs cannot exceed 7% of total request.
 - ❖ DSS reserves the right to fund portions of a proposed budget and/or require adjustments.

IV. PROPOSAL OUTLINE

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 - c. Consulting Agreement Affidavit (OPM Ethics Form 5) ¹

¹ Attached when the contract resulting from this RFP has an anticipated value of \$50,000 or more in a calendar or fiscal year. The proposer must submit this certification to the Department with the proposal.

V. ATTACHMENTS

- State of Connecticut, CHRO Contract Compliance Package, Parts I – III
- Certification Regarding Lobbying
- Consulting Agreement Affidavit (OPM Ethics Form 5)
- Notice to Executive Branch State Contractors of Campaign Contribution and Solicitation Ban (SEEC) Form
- Cover Page
- Line Item Budget

APPENDIX 1

This form is **MANDATORY** and must be completed, signed, and returned with the vendor's bid.

**ACKNOWLEDGMENT OF CONTRACT COMPLIANCE
NOTIFICATION TO BIDDERS**

INSTRUCTION: Bidder must sign acknowledgment below, and return this form to the awarding agency with the bid proposal.

The undersigned duly authorized representative of the bidding vendor acknowledges receiving and reading a copy of the **NOTIFICATION TO BIDDERS**. *(Please print name under signature line.)*

Signature

_____ Title _____

Date

On behalf of:

Vendor Name

Street Address

City

State

Zip

Federal Employee Identification Number
(FEIN/SSN)

This form is **MANDATORY** and must be completed, signed, and returned with the vendor's bid.

COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
CONTRACT COMPLIANCE REGULATIONS
NOTIFICATION TO BIDDERS

(Revised 09/17/07)

The contract to be awarded is subject to contract compliance requirements mandated by Sections 4a-60 and 4a-60a of the Connecticut General Statutes; and, when the awarding agency is the State, Sections 46a-71(d) and 46a-81i(d) of the Connecticut General Statutes. There are Contract Compliance Regulations codified at Section 46a-68j-21 through 43 of the Regulations of Connecticut State Agencies, which establish a procedure for awarding all contracts covered by Sections 4a-60 and 46a-71(d) of the Connecticut General Statutes.

According to Section 46a-68j-30(9) of the Contract Compliance Regulations, every agency awarding a contract subject to the contract compliance requirements has an obligation to “aggressively solicit the participation of legitimate minority business enterprises as bidders, contractors, subcontractors and suppliers of materials.” “Minority business enterprise” is defined in Section 4a-60 of the Connecticut General Statutes as a business wherein fifty-one percent or more of the capital stock, or assets belong to a person or persons: “(1) Who are active in daily affairs of the enterprise; (2) who have the power to direct the management and policies of the enterprise; and (3) who are members of a minority, as such term is defined in subsection (a) of Section 32-9n.” “Minority” groups are defined in Section 32-9n of the Connecticut General Statutes as “(1) Black Americans . . . (2) Hispanic Americans . . . (3) persons who have origins in the Iberian Peninsula . . . (4) Women . . . (5) Asian Pacific Americans and Pacific Islanders; (6) American Indians . . .” An individual with a disability is also a minority business enterprise as provided by Section 4a-60g of the Connecticut General Statutes. The above definitions apply to the contract compliance requirements by virtue of Section 46a-68j-21(11) of the Contract Compliance Regulations.

The awarding agency will consider the following factors when reviewing the bidder’s qualifications under the contract compliance requirements:

- (a) the bidder’s success in implementing an affirmative action plan;
- (b) the bidder’s success in developing an apprenticeship program complying with Sections 46a-68-1 to 46a-68-17 of the Administrative Regulations of Connecticut State Agencies, inclusive;
- (c) the bidder’s promise to develop and implement a successful affirmative action plan;
- (d) the bidder’s submission of employment statistics contained in the “Employment Information Form”, indicating that the composition of its workforce is at or near parity when compared to the racial and sexual composition of the workforce in the relevant labor market area; and
- (e) the bidder’s promise to set aside a portion of the contract for legitimate minority business enterprises. See Section 46a-68j-30(10)(E) of the Contract Compliance Regulations.

INSTRUCTIONS AND OTHER INFORMATION

The following BIDDER CONTRACT COMPLIANCE MONITORING REPORT must be completed in full, signed, and submitted with the bid for this contract. The contract awarding agency and the Commission on Human Rights and Opportunities will use the information contained thereon to determine the bidders compliance to Sections 4a-60 and 4a-60a CONN. GEN. STAT., and Sections 46a-68j-23 of the Regulations of Connecticut State Agencies regarding equal employment opportunity, and the bidder’s □good faith efforts to include minority business enterprises as subcontractors and suppliers for the work of the contract.

1) Definition of Small Contractor

Section 4a-60g CONN. GEN. STAT. defines a small contractor as a company that has been doing business under the same management and control and has maintained its principal place of business in Connecticut for a one year period immediately prior to its application for certification under this section, had gross revenues not exceeding ten million dollars in the most recently completed fiscal year, and at least fifty-one percent of the ownership of which is held by a person or persons who are active in the daily affairs of the company, and have the power to direct the management and policies of the company, except that a nonprofit corporation shall be construed to be a small contractor if such nonprofit corporation meets the requirements of subparagraphs (A) and (B) of subdivision 4a-60g CONN. GEN. STAT.

MANAGEMENT: Managers plan, organize, direct, and control the major functions of an organization through subordinates who are at the managerial or supervisory level. They make policy decisions and set objectives for the company or departments. They are not usually directly involved in production or providing services. Examples include top executives, public relations managers, managers of operations specialties (such as financial, human resources, or purchasing managers), and construction and engineering managers.

BUSINESS AND FINANCIAL OPERATIONS: These occupations include managers and professionals who work with the financial aspects of the business. These occupations include accountants and auditors, purchasing agents, management analysts, labor relations specialists, and budget, credit, and financial analysts.

MARKETING AND SALES: Occupations related to the act or process of buying and selling products and/or services such as sales engineer, retail sales workers and sales representatives including wholesale.

LEGAL OCCUPATIONS: In-House Counsel who is charged with providing legal advice and services in regards to legal issues that may arise during the course of standard business practices. This category also includes assistive legal occupations such as paralegals, legal assistants.

COMPUTER SPECIALISTS: Professionals responsible for the computer operations within a company are grouped in this category. Examples of job titles in this category include computer programmers, software engineers, database administrators, computer scientists, systems analysts, and computer support specialists

ARCHITECTURE AND ENGINEERING: Occupations related to architecture, surveying, engineering, and drafting are included in this category. Some of the job titles in this category include electrical and electronic engineers, surveyors, architects, drafters, mechanical engineers, materials engineers, mapping technicians, and civil engineers.

OFFICE AND ADMINISTRATIVE SUPPORT: All clerical-type work is included in this category. These jobs involve the preparing, transcribing, and preserving of written communications and records; collecting accounts; gathering and distributing information; operating office machines and electronic data processing equipment; and distributing mail. Job titles listed in this category include telephone operators, bill and account collectors, customer service representatives, dispatchers, secretaries and administrative assistants, computer operators and clerks (such as payroll, shipping, stock, mail and file).

BUILDING AND GROUNDS CLEANING AND MAINTENANCE: This category includes occupations involving landscaping, housekeeping, and janitorial services. Job titles found in this category include supervisors of landscaping or housekeeping, janitors, maids, grounds maintenance workers, and pest control workers.

CONSTRUCTION AND EXTRACTION: This category includes construction trades and related occupations. Job titles found in this category include boilermakers, masons (all types), carpenters, construction laborers, electricians, plumbers (and related trades), roofers, sheet metal workers, elevator installers, hazardous materials removal workers, paperhangers, and painters. Paving, surfacing, and tamping equipment operators; drywall and ceiling tile installers; and carpet, floor and tile installers and finishers are also included in this category. First line supervisors, foremen, and helpers in these trades are also grouped in this category..

INSTALLATION, MAINTENANCE AND REPAIR: Occupations involving the installation, maintenance, and repair of equipment are included in this group. Examples of job titles found here are heating, ac, and refrigeration mechanics and installers; telecommunication line installers and repairers; heavy vehicle and mobile equipment service technicians and mechanics; small engine mechanics; security and fire alarm systems installers; electric/electronic repair, industrial, utility and transportation equipment; millwrights; riggers; and manufactured building and mobile home installers. First line supervisors, foremen, and helpers for these jobs are also included in the category.

MATERIAL MOVING WORKERS: The job titles included in this group are Crane and tower operators; dredge, excavating, and lading machine operators; hoist and winch operators; industrial truck and tractor operators; cleaners of vehicles and equipment; laborers and freight, stock, and material movers, hand; machine feeders and offbearers; packers and packagers, hand; pumping station operators; refuse and recyclable material collectors; and miscellaneous material moving workers.

PRODUCTION WORKERS: The job titles included in this category are chemical production machine setters, operators and tenders; crushing/grinding workers; cutting workers; inspectors, testers sorters, samplers, weighers; precious stone/metal workers; painting workers; cementing/gluing machine operators and tenders; etchers/engravers; molders, shapers and casters except for metal and plastic; and production workers.

3) Definition of Racial and Ethnic Terms (as used in Part IV Bidder Employment Information) (Page 3)

<p><u>White</u> (not of Hispanic Origin)- All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.</p> <p><u>Black</u>(not of Hispanic Origin)- All persons having origins in any of the Black racial groups of Africa.</p> <p><u>Hispanic</u>- All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.</p>	<p><u>Asian or Pacific Islander</u>- All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes China, India, Japan, Korea, the Philippine Islands, and Samoa.</p> <p><u>American Indian or Alaskan Native</u>- All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.</p>
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BIDDER CONTRACT COMPLIANCE MONITORING REPORT

PART I - Bidder Information

Company Name Street Address City & State Chief Executive	Bidder Federal Employer Identification Number _____ Or Social Security Number _____
Major Business Activity (brief description)	Bidder Identification (response optional/definitions on page 1) -Bidder is a small contractor. Yes ___ No ___ -Bidder is a minority business enterprise Yes ___ No ___ (If yes, check ownership category) Black ___ Hispanic ___ Asian American ___ American Indian/Alaskan Native ___ Iberian Peninsula ___ Individual(s) with a Physical Disability ___ Female ___
Bidder Parent Company (If any)	- Bidder is certified as above by State of CT Yes ___ No ___
Other Locations in Ct. (If any)	- DAS Certification Number _____

PART II - Bidder Nondiscrimination Policies and Procedures

1. Does your company have a written Affirmative Action/Equal Employment Opportunity statement posted on company bulletin boards? Yes ___ No ___	7. Do all of your company contracts and purchase orders contain non-discrimination statements as required by Sections 4a-60 & 4a-60a Conn. Gen. Stat.? Yes ___ No ___
2. Does your company have the state-mandated sexual harassment prevention in the workplace policy posted on company bulletin boards? Yes ___ No ___	8. Do you, upon request, provide reasonable accommodation to employees, or applicants for employment, who have physical or mental disability? Yes ___ No ___
3. Do you notify all recruitment sources in writing of your company's Affirmative Action/Equal Employment Opportunity employment policy? Yes ___ No ___	9. Does your company have a mandatory retirement age for all employees? Yes ___ No ___
4. Do your company advertisements contain a written statement that you are an Affirmative Action/Equal Opportunity Employer? Yes ___ No ___	10. If your company has 50 or more employees, have you provided at least two (2) hours of sexual harassment training to all of your supervisors? Yes ___ No ___ NA ___
5. Do you notify the Ct. State Employment Service of all employment openings with your company? Yes ___ No ___	11. If your company has apprenticeship programs, do they meet the Affirmative Action/Equal Employment Opportunity requirements of the apprenticeship standards of the Ct. Dept. of Labor? Yes ___ No ___ NA ___
6. Does your company have a collective bargaining agreement with workers? Yes ___ No ___ 6a. If yes, do the collective bargaining agreements contain non-discrimination clauses covering all workers? Yes ___ No ___ 6b. Have you notified each union in writing of your commitments under the nondiscrimination requirements of contracts with the state of Ct? Yes ___ No ___	12. Does your company have a written affirmative action Plan? Yes ___ No ___ If no, please explain. 13. Is there a person in your company who is responsible for equal employment opportunity? Yes ___ No ___ If yes, give name and phone number. _____ _____

1. Will the work of this contract include subcontractors or suppliers? Yes__ No__

1a. If yes, please list all subcontractors and suppliers and report if they are a small contractor and/or a minority business enterprise. (defined on page 1 / use additional sheet if necessary)

1b. Will the work of this contract require additional subcontractors or suppliers other than those identified in 1a. above?

Yes__ No__

PART IV - Bidder Employment Information

Date:

JOB CATEGORY *	OVERALL TOTALS	WHITE (not of Hispanic origin)		BLACK (not of Hispanic origin)		HISPANIC		ASIAN or PACIFIC ISLANDER		AMERICAN INDIAN or ALASKAN NATIVE	
		Male	Female	Male	Female	Male	Female	Male	Female	male	female
Management											
Business & Financial Ops											
Marketing & Sales											
Legal Occupations											
Computer Specialists											
Architecture/Engineering											
Office & Admin Support											
Bldg/ Grounds Cleaning/Maintenance											
Construction & Extraction											
Installation , Maintenance & Repair											
Material Moving Workers											
Production Occupations											
TOTALS ABOVE											
Total One Year Ago											
FORMAL ON THE JOB TRAINEES (ENTER FIGURES FOR THE SAME CATEGORIES AS ARE SHOWN ABOVE)											
Apprentices											
Trainees											

*NOTE: JOB CATEGORIES CAN BE CHANGED OR ADDED TO (EX. SALES CAN BE ADDED OR REPLACE A CATEGORY NOT USED IN YOUR COMPANY)

1. Which of the following recruitment sources are used by you? (Check yes or no, and report percent used)				2. Check (X) any of the below listed requirements that you use as a hiring qualification (X)		3. Describe below any other practices or actions that you take which show that you hire, train, and promote employees without discrimination
SOURCE	YES	NO	% of applicants provided by source			
State Employment Service					Work Experience	
Private Employment Agencies					Ability to Speak or Write English	
Schools and Colleges					Written Tests	
Newspaper Advertisement					High School Diploma	
Walk Ins					College Degree	
Present Employees					Union Membership	
Labor Organizations					Personal Recommendation	
Minority/Community Organizations					Height or Weight	
Others (please identify)					Car Ownership	
					Arrest Record	
					Wage Garnishments	

Certification (Read this form and check your statements on it CAREFULLY before signing). I certify that the statements made by me on this BIDDER CONTRACT COMPLIANCE MONITORING REPORT are complete and true to the best of my knowledge and belief, and are made in good faith. I understand that if I knowingly make any misstatements of facts, I am subject to be declared in non-compliance with Section 4a-60, 4a-60a, and related sections of the CONN. GEN. STAT.

(Signature)	(Title)	(Date Signed)	(Telephone)
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STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

CONTRACT COMPLIANCE PACKAGE

May 2009

CONTENTS

I. CONTRACTOR/GRANTEE CONTRACT COMPLIANCE REQUIREMENTS

II. BIDDER'S PACKET

- The following forms are **MANDATORY** and must be completed and returned to this agency with the response to the Request for Proposal or the Grant Application.
 1. Notification to Bidders Form
 2. Bidder Contract Compliance Monitoring Report
- Definitions and descriptions to assist in completing the Bidder Contract Compliance Monitoring Report

III. PERTINENT STATUTES AND REGULATIONS OF THE STATE OF CONNECTICUT

- Non-Discrimination and Affirmative Action Provisions in State Contracts, C.G.S. Section 4a-60 through 4a-60a
- Department of Administrative Services, C.G.S. Section 4a-60g through 4a-60j
- Department of Economic and Community Development, C.G.S. Section 32-9n
- Commission on Human Rights and Opportunities, C.G.S. Sections 46a-56 and 46a-68
- Commission on Human Rights and Opportunities Administrative Regulations Sections 46a-68j-21 through 46a-68j-43 and Sections 46a-68k-1 through 46a-68k-8.

I.

**CONTRACTOR/GRANTEE
CONTRACT COMPLIANCE REQUIREMENTS**

OFFICE OF POLICY AND MANAGEMENT

CONTRACTOR/GRANTEE COMPLIANCE REQUIREMENTS

NOTE: - THESE REQUIREMENTS APPLY TO ALL CONTRACTORS - INCLUDING GRANTEES AND INDIVIDUALS

Connecticut General Statute Section 4a-60 was adopted to insure that State agencies do not enter into contracts with organizations or businesses that discriminate against protected class persons. To carry out the provisions of the Statute, the Commission on Human Rights and Opportunities developed Regulations concerning Contract Compliance and approval of Contract Compliance Programs which impose certain obligations on State agencies as well as contractors doing business with the State of Connecticut.

These regulations require that as an awarding agency, in this instance, the Office of Policy and Management (OPM), must consider the following factors in its selection of any contractor:

- The bidder's success in implementing an affirmative action plan;
- If the bidder does not have a written affirmative action plan, the bidder's promise to develop and implement a successful affirmative action plan;
- The bidder's success in developing an apprenticeship program complying with Sections 46a-68-1 to 46a-68-17 of the Administrative Regulations of Connecticut State Agencies, inclusive;
- The bidder's submission of employment statistics contained in the "Employment Information Form", indicating that the composition of its workforce is at or near parity when compared to the racial and sexual composition of the workforce in the relevant labor market area; and
- The bidder's promise to set aside a portion of the contract for legitimate minority business enterprises.

In order to assess the factors above, contractors are required to provide OPM with information about their organizations.

A package of information (see Section II. Bidder's Packet) is provided with forms (and instructions) that must be completed, signed by responsible parties and returned to OPM with the response to the Request for Proposal or with the Grant Application.

PLEASE NOTE: If you indicate that you will be sub-contracting a portion of this contract, you will be sent further forms for completion as required in the contract compliance regulations. Thank you for your cooperation.

II.

BIDDER'S PACKET

OFFICE OF POLICY AND MANAGEMENT

**COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
CONTRACT COMPLIANCE REGULATIONS
NOTIFICATION TO BIDDERS**

The contract to be awarded is subject to contract compliance requirements mandated by Sections 4a-60 and 4a-60a of the Connecticut General Statutes; and, when the awarding agency is the State, Sections 46a-71(d) and 46a-81i(d) of the Connecticut General Statutes. There are Contract Compliance Regulations codified at Section 46a-68j-21 through 43 of the Regulations of Connecticut State Agencies, which establish a procedure for awarding all contracts covered by Sections 4a-60 and 46a-71(d) of the Connecticut General Statutes.

According to Section 46a-68j-30(9) of the Contract Compliance Regulations, every agency awarding a contract subject to the contract compliance requirements has an obligation to “aggressively solicit the participation of legitimate minority business enterprises as bidders, contractors, subcontractors and suppliers of materials.” “Minority business enterprise” is defined in Section 4a-60 of the Connecticut General Statutes as a business wherein fifty-one percent or more of the capital stock, or assets belong to a person or persons: “(1) Who are active in daily affairs of the enterprise; (2) who have the power to direct the management and policies of the enterprise; and (3) who are members of a minority, as such term is defined in subsection (a) of Section 32-9n.” “Minority” groups are defined in Section 32-9n of the Connecticut General Statutes as “(1) Black Americans . . . (2) Hispanic Americans . . . (3) persons who have origins in the Iberian Peninsula . . . (4) Women . . . (5) Asian Pacific Americans and Pacific Islanders; (6) American Indians . . .” An individual with a disability is also a minority business enterprise as provided by Section 4a-60g of the Connecticut General Statutes. The above definitions apply to the contract compliance requirements by virtue of Section 46a-68j-21(11) of the Contract Compliance Regulations.

The awarding agency will consider the following factors when reviewing the bidder’s qualifications under the contract compliance requirements:

- (a) the bidder’s success in implementing an affirmative action plan;
- (b) the bidder’s success in developing an apprenticeship program complying with Sections 46a-68-1 to 46a-68-17 of the Administrative Regulations of Connecticut State Agencies, inclusive;
- (c) the bidder’s promise to develop and implement a successful affirmative action plan;
- (d) the bidder’s submission of employment statistics contained in the “Employment Information Form”, indicating that the composition of its workforce is at or near parity when compared to the racial and sexual composition of the workforce in the relevant labor market area; and
- (e) the bidder’s promise to set aside a portion of the contract for legitimate minority business enterprises. See Section 46a-68j-30(10)(E) of the Contract Compliance Regulations.

III.

**PERTINENT STATUTES
AND REGULATIONS**

OF THE

STATE OF CONNECTICUT

CONNECTICUT GENERAL STATUTES
*Current through Gen. St., Rev. to 1-1-09***

NONDISCRIMINATION AND AFFIRMATIVE ACTION PROVISIONS IN CONTRACTS	
Statute Hyperlink	Description
§ 4a-60.	Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions other than municipalities.
§ 4a-60a.	Contracts of the state and political subdivisions, other than municipalities, to contain provisions re nondiscrimination on the basis of sexual orientation.
DEPARTMENT OF ADMINISTRATIVE SERVICES	
Statute Hyperlink	Description
§ 4a-60g	(Formerly § 32-9e) Set-aside program for small contractors, minority business enterprises, individuals with a disability and nonprofit corporations.
§ 4a-60h	(Formerly § 32-9f) Administration of set-aside program. Regulations. Access to competitive contracts outside of program guaranteed.
§4a-60i	(Formerly § 32-9g) Responsibilities of agency heads to negotiate and approve contracts not affected.
§4a-60j	(Formerly § 32-9h) Time for payment of contractors.
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
Statute Hyperlink	Description
§32-9n	Office of Small Business Affairs.
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES	
Statute Hyperlink	Description
§ 46a-56	Commission duties.
§ 46a-68c	Contractors required to file affirmative action plan. Certificate of compliance issued by commission. Revocation.

*** There may have been changes made to these statutes or regulations which are not reflected in this packet. Please consult your nearest library for the most recent version.*

Statute Hyperlink	Description
§ 46a-68d	Public works contracts subject to affirmative action requirements. Conditional acceptance by commission. Advance filing of plan.
§ 46a-68e	Contractors and subcontractors required to file compliance reports.
§ 46a-68f.	Compliance reports to include labor union practices.
§ 46a-68g.	Prohibition re: contractors who have not satisfactorily complied with affirmative action requirements.
§ 46a-68h.	Hearing re: noncompliance.
§ 46a-68i.	Right of appeal.
§ 46a-68j	Regulations.

and

REGULATIONS OF CONNECTICUT STATE AGENCIES
TITLE 46A. HUMAN RIGHTS
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
CONTRACT COMPLIANCE

§ 46a-68j-21 -- § 46a-68j-43 and § 46a-68k-1 -- § 46a-68k-8.

For an electronic version of these regulations go to:
<http://www.ct.gov/chro/cwp/view.asp?a=2525&Q=326596&chroPNavCtr=|#46078>

**** There may have been changes made to these statutes or regulations which are not reflected in this packet. Please consult your nearest library for the most recent version.**

**** There may have been changes made to these statutes or regulations which are not reflected in this packet. Please consult your nearest library for the most recent version.**

APPENDIX 2 - CERTIFICATION REGARDING LOBBYING

Contractor: _____

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federally appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award document for sub-awards at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C.1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Typed Name and Title

Firm/Organization

Date



STATE OF CONNECTICUT
CONSULTING AGREEMENT AFFIDAVIT

Affidavit to accompany a State contract for the purchase of goods and services with a value of \$50,000 or more in a calendar or fiscal year, pursuant to Connecticut General Statutes §§ 4a-81(a) and 4a-81(b)

INSTRUCTIONS:

If the bidder or vendor has entered into a consulting agreement, as defined by Connecticut General Statutes § 4a-81(b)(1): Complete all sections of the form. If the bidder or vendor has entered into more than one such consulting agreement, use a separate form for each agreement. Sign and date the form in the presence of a Commissioner of the Superior Court or Notary Public. If the bidder or vendor has not entered into a consulting agreement, as defined by Connecticut General Statutes § 4a-81(b)(1): Complete only the shaded section of the form. Sign and date the form in the presence of a Commissioner of the Superior Court or Notary Public.

Submit completed form to the awarding State agency with bid or proposal. For a sole source award, submit completed form to the awarding State agency at the time of contract execution.

This affidavit must be amended if the contractor enters into any new consulting agreement(s) during the term of the State contract.

AFFIDAVIT: [Number of Affidavits Sworn and Subscribed On This Day: _____]

I, the undersigned, hereby swear that I am the chief official of the bidder or vendor awarded a contract, as described in Connecticut General Statutes § 4a-81(a), or that I am the individual awarded such a contract who is authorized to execute such contract. I further swear that I have not entered into any consulting agreement in connection with such contract, except for the agreement listed below:

Consultant's Name and Title Name of Firm (if applicable)

Start Date End Date Cost

Description of Services Provided:

Is the consultant a former State employee or former public official? [] YES [] NO

If YES: Name of Former State Agency Termination Date of Employment

Sworn as true to the best of my knowledge and belief, subject to the penalties of false statement.

Printed Name of Bidder or Vendor Signature of Chief Official or Individual Date
Printed Name (of above) Awarding State Agency

Sworn and subscribed before me on this _____ day of _____, 20__.

Commissioner of the Superior Court or Notary Public



APPENDIX 4 - STATE OF CONNECTICUT STATE ELECTIONS ENFORCEMENT COMMISSION 20 Trinity Street Hartford, Connecticut 06106 – 1628

SEEC FORM 11

NOTICE TO EXECUTIVE BRANCH STATE CONTRACTORS AND PROSPECTIVE STATE CONTRACTORS OF CAMPAIGN CONTRIBUTION AND SOLICITATION BAN

This notice is provided under the authority of Connecticut General Statutes 9-612(g)(2), as amended by P.A. 07-1, and is for the purpose of informing state contractors and prospective state contractors of the following law (italicized words are defined below):

Campaign Contribution and Solicitation Ban

No *state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor*, with regard to a *state contract* or *state contract solicitation* with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder of a valid prequalification certificate, shall make a contribution to, or *solicit* contributions on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee;

In addition, no holder or principal of a holder of a valid prequalification certificate, shall make a contribution to, or solicit contributions on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of State senator or State representative, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee.

Duty to Inform

State contractors and prospective state contractors are required to inform their principals of the above prohibitions, as applicable, and the possible penalties and other consequences of any violation thereof.

Penalties for Violations

Contributions or solicitations of contributions made in violation of the above prohibitions may result in the following civil and criminal penalties:

Civil penalties--\$2000 or twice the amount of the prohibited contribution, whichever is greater, against a principal or a contractor. Any state contractor or prospective state contractor which fails to make reasonable efforts to comply with the provisions requiring notice to its principals of these prohibitions and the possible consequences of their violations may also be subject to civil penalties of \$2000 or twice the amount of the prohibited contributions made by their principals.

Criminal penalties—Any knowing and willful violation of the prohibition is a Class D felony, which may subject the violator to imprisonment of not more than 5 years, or \$5000 in fines, or both.

Contract Consequences

Contributions made or solicited in violation of the above prohibitions may result, in the case of a state contractor, in the contract being voided.

Contributions made or solicited in violation of the above prohibitions, in the case of a prospective state contractor, shall result in the contract described in the state contract solicitation not being awarded to the prospective state contractor, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

The State will not award any other state contract to anyone found in violation of the above prohibitions for a period of one year after the election for which such contribution is made or solicited, unless the State Elections Enforcement Commission determines that mitigating circumstances exist concerning such violation.

Additional information and the entire text of P.A 07-1 may be found on the website of the State Elections Enforcement Commission, www.ct.gov/seec. Click on the link to "State Contractor Contribution Ban."

Definitions:

"State contractor" means a person, business entity or nonprofit organization that enters into a state contract. Such person, business entity or nonprofit organization shall be deemed to be a state contractor until December thirty-first of the year in which such contract terminates. "State contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Prospective state contractor" means a person, business entity or nonprofit organization that (i) submits a response to a state contract solicitation by the state, a state agency or a quasi-public agency, or a proposal in response to a request for proposals by the state, a state agency or a quasi-public agency, until the contract has been entered into, or (ii) holds a valid prequalification certificate issued by the Commissioner of Administrative Services under section 4a-100. "Prospective state contractor" does not include a municipality or any other political subdivision of the state, including any entities or associations duly created by the municipality or political subdivision exclusively amongst themselves to further any purpose authorized by statute or charter, or an employee in the executive or legislative branch of state government or a quasi-public agency, whether in the classified or unclassified service and full or part-time, and only in such person's capacity as a state or quasi-public agency employee.

"Principal of a state contractor or prospective state contractor" means (i) any individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in, a state contractor or prospective state contractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, (ii) an individual who is employed by a state contractor or prospective state contractor, which is a business entity, as president, treasurer or executive vice president, (iii) an individual who is the chief executive officer of a state contractor or prospective state contractor, which is not a business entity, or if a state contractor or prospective state contractor has no such officer, then the officer who duly possesses comparable powers and duties, (iv) an officer or an employee of any state contractor or prospective state contractor who has *managerial or discretionary responsibilities with respect to a state contract*, (v) the spouse or a *dependent child* who is eighteen years of age or older of an individual described in this subparagraph, or (vi) a political committee established or controlled by an individual described in this subparagraph or the business entity or nonprofit organization that is the state contractor or prospective state contractor.

"State contract" means an agreement or contract with the state or any state agency or any quasi-public agency, let through a procurement process or otherwise, having a value of fifty thousand dollars or more, or a combination or series of such agreements or contracts having a value of one hundred thousand dollars or more in a calendar year, for (i) the rendition of services, (ii) the furnishing of any goods, material, supplies, equipment or any items of any kind, (iii) the construction, alteration or repair of any public building or public work, (iv) the acquisition, sale or lease of any land or building, (v) a licensing arrangement, or (vi) a grant, loan or loan guarantee. "State contract" does not include any agreement or contract with the state, any state agency or any quasi-public agency that is exclusively federally funded, an education loan or a loan to an individual for other than commercial purposes.

"State contract solicitation" means a request by a state agency or quasi-public agency, in whatever form issued, including, but not limited to, an invitation to bid, request for proposals, request for information or request for quotes, inviting bids, quotes or other types of submittals, through a competitive procurement process or another process authorized by law waiving competitive procurement.

"Managerial or discretionary responsibilities with respect to a state contract" means having direct, extensive and substantive responsibilities with respect to the negotiation of the state contract and not peripheral, clerical or ministerial responsibilities.

"Dependent child" means a child residing in an individual's household who may legally be claimed as a dependent on the federal income tax of such individual.

"Solicit" means (A) requesting that a contribution be made, (B) participating in any fund-raising activities for a candidate committee, exploratory committee, political committee or party committee, including, but not limited to, forwarding tickets to potential contributors, receiving contributions for transmission to any such committee or bundling contributions, (C) serving as chairperson, treasurer or deputy treasurer of any such committee, or (D) establishing a political committee for the sole purpose of soliciting or receiving contributions for any committee. Solicit does not include: (i) making a contribution that is otherwise permitted by Chapter 155 of the Connecticut General Statutes; (ii) informing any person of a position taken by a candidate for public office or a public official, (iii) notifying the person of any activities of, or contact information for, any candidate for public office; or (iv) serving as a member in any party committee or as an officer of such committee that is not otherwise prohibited in this section.

**APPENDIX 5 -- Balance of State Housing Opportunities for Persons with AIDS (HOPWA) 3-30-2010
Request For Proposals – Cover Sheet
July 1, 2010 – June 30, 2012**

Send Proposal to:
John Merz, Executive Director
Connecticut AIDS Resource Coalition
110 Bartholomew Ave, Suite 4000, Hartford, CT 06106
DUE DATE: Tuesday, May 18, 2010 - NOT LATER THAN 3:00 P.M.

Proposer's Legal Name:

Program Title, if any:

Program Site Address:

Tel: _____ EXT: _____

Proposer's Mailing Address:

Street _____

City _____ State _____ Zip _____

Person Authorized To Sign Contract:

Name: _____

Title: _____

Tel: _____ EXT.: _____

Email: _____

Person Responsible for Project:

Name: _____

Title: _____

Tel: _____ EXT.: _____

Email: _____

Funding Request: \$ _____**EMSA Geographic Area:** _____

If the amount of the DSS assistance is less than the amount requested, will the proposer accept the lesser amount and implement the project/program with an adjusted scope of service? Yes No

Signature of Authorized Person to Sign:

_____, Date: _____

Time/Date Stamp (CARC use only)

APPENDIX 6
BALANCE OF STATE – HOUSING OPPORTUNITIES
FOR PERSON WITH AIDS (HOPWA) _ 3_25_2010

LINE ITEM BUDGET

Expenses Line Item and Justification	Year #1	Year #2
Administrative (<i>not to exceed 7%</i>)	\$	\$
Tenant-Based Rental Assistance (subsidies)		
# of units x adjusted Fair Market Rent x 12 months =	\$	\$
Short-term Rent, Mortgage and Utilities Assistance		
Estimated expenses Per Category, # of units provided	\$	\$
Facility-based Housing Assistance (number of units in housing facility.		
Provide Details (use as many lines as necessary)	\$	\$
Supportive Services (<i>Total may not exceed # of units x \$3,500</i>)		
Personnel Costs: # or % of FTE x Annual Salary + Benefits =	\$	\$
Program Costs: List of expenses (use multiple lines) and annual amounts =	\$	\$
Resource Identification:		
Program Costs: List of Expenses (use multiple lines) and annual amounts =	\$	\$
Grand Total	\$	\$

Proposers are free to replicate this format or one similar within their own spreadsheet software.