2023

**Proposal Forms**

**And Instructions**

# INTEGRATED CARE NETWORK PARTNER SERVICES

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ADMINISTRATIVE REQUIREMENTS AND SUPPORTIVE DOCUMENTS

# PROPOSAL COVER SHEET

|  |
| --- |
| **DATE:**  |

**TO: Aging and Adult Services Department**

 **Mid-America Regional Council**

 **600 Broadway, Suite 200**

 **Kansas City, Missouri 64105-1659**

|  |
| --- |
| **SERVICE:**  |

**PERIOD: July 1, 202\_\_ through June 30, 202\_\_**

A. The undersigned, in compliance with your invitation for proposals, having examined the proposal instructions and specifications, hereby proposes to perform the service in accordance with the MARC requirements, specifications and standards at the price stated on the attached proposal form.

B. The undersigned further agrees as follows:

1. Upon receiving official MARC notification of approval, respondent shall, as of January 1st, begin work and carry on regularly and expeditiously thereafter (unless MARC specifically directs otherwise in writing) with such force as to insure the full completion within the time specified in the Agreement guaranteeing the faithful performance of the services.

 2. That MARC has the right to reject any and all proposals.

|  |  |  |
| --- | --- | --- |
|   |  |  |
|  |  |  |
| (Signature of Authorized Individual) |  | (Date) |
|  |  |  |
| (Typed Name and Title) |  | (Telephone Number) |
| (Email Address) |  |  |
|  |  |  |
| (Agency) |  | (Address) |
|  |  |  |
| (City, State) |  | (Zip Code) |
|  |  |  |
| (Contact Person) |  | (Telephone Number) |
| (Email Address) |  |  |
| (Board Chair – nonprofit entities) |  | (Email Address) |
|  |  |
| **Federal Employer Identification Number:** |  | **DUNS Number:** |  |

**ASSURANCE OF CIVIL RIGHTS COMPLIANCE**

**ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF**

**HEALTH AND HUMAN SERVICES REGULATIONS UNDER**

**TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

|  |  |
| --- | --- |
|  | (hereinafter called the "subgrantee") |
| (Name of Subgrantee or Secondary Recipient “Subgrantee”) |  |

HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (HHS) (45 CFR, Part 80) issued pursuant to that title, to the end that, in accordance with Title VI of that Act and the Regulation, no persons in the United States shall, on the grounds of race, color or national origin be excluded from participation in, be denied by benefits of, or be otherwise subjected to discrimination under any program or activity for which the Subgrantee receives Federal financial assistance from Mid-America Regional Council (hereinafter called "Grantor"), a recipient of Federal financial assistance from the US Department of Health and Senior Services through the Missouri Department of HHS and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the Subgrantee by the Grantor, this assurance shall obligate the Subgrantee, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Subgrantee for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Subgrantee for the period during which the federal financial assistance is extended to it by the Grantor.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Subgrantee by the Grantor, including installment payments after such date on account of applications for federal financial assistance which were approved before such date. The Subgrantee recognizes and agrees that such federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the Grantor or the United States or both shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Subgrantee, its successors, transferees, and assignees, and the person(s) whose signatures appear below are authorized to sign this assurance on behalf of the Subgrantee.

|  |  |  |
| --- | --- | --- |
| By:  |  | Title:  |
| (Authorized Signature) | (President, Chairman of Board, or comparable authorized official) |
|  |  |
| (Recipient’s Street Address) |  |
|  |  |
| Date:  |  |

**ASSURANCE OF ADA COMPLIANCE**

**ASSURANCE OF COMPLIANCE WITH THE REQUIREMENTS OF**

**THE AMERICANS WITH DISABILITIES ACT OF 1990**

|  |  |
| --- | --- |
|  | (hereinafter called the "subrecipient" |
| (name of subrecipient or subcontractor) |  |

"sub-contractor") HEREBY AGREES THAT it will comply with the provisions of the Americans with Disabilities Act (ADA) of 1990. The ADA makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also outlaws discrimination against individuals with disabilities in state and local government services, public accommodations, transportation and communications.

The subrecipient assures that a self-assessment will be/has been made of employment/personnel procedures, facilities, and services to determine ADA compliance and, if needed, corrective actions will be/has been taken.

|  |
| --- |
| Date: |
| By:  |
| (Chief executive officer, President, Chairman of the Board, or comparable authorized official) |

**ASSURANCE OF COMPLIANCE REGARDING CRIMINAL BACKGROUND CHECKS**

Subrecipient/contractor shall maintain documentation in its files that verifies the adoption, implementation and enforcement of the following policies in recruiting, hiring and employing in-home direct care staff and volunteers, and to require the same of all subcontractors with respect to the provision of in-home and/or transportation services:

1. All service providers who contract with MARC to provide homemaker/personal care, site transportation-meals, mental health services, and/or family caregiver programs shall require a completed employment application prior to direct client contact.

2. The application shall contain a question requiring disclosure of all criminal convictions, findings of guilt, pleas of guilty, and pleas of nolo contendere. Minor traffic offenses will be viewed as an exception to this rule.

3. Documentation, including copies of all screening information conducted in compliance with sections 210.900 – 210.936, 192.2490 and 192.2495.1 RSMo, shall be maintained by the subrecipient/contractor or their subcontractor.

4. Subrecipient/contractor, or its subcontractor, shall require disclosure of all aliases and social security numbers used by any person who provides or applies to provide direct in-home care. Family Care Safety Registry and Employee Disqualification List (EDL) checks shall be performed for all direct care workers and shall include all aliases and social security numbers utilized by each person. If the subrecipient/contractor, or its subcontractor, utilizes a private investigatory agency to conduct background screenings, the subrecipient/contractor, or its subcontractor, will utilize only those private investigatory agencies that are able to comply with the provisions of this Assurance and the requirements set forth in sections 210.900 – 210.936, 192.2490.1 and 43.530 – 43.540, RSMo. Subrecipient/contractor will maintain in its files copies of all documents provided to the private investigatory agency, all documents evidencing the screening that was conducted, including a copy of the request and search made by the private investigatory agency, and all documents received from the private investigatory agency.

5. In the event the subrecipient/contractor, or its subcontractor, decides to employ any direct in-home care worker whose criminal record violates this provision, subrecipient/contractor promises, agrees, and understands that such a worker may not provide any services to a client funded by any MARC funding, program income, or funds used to satisfy any MARC matching requirements. In the event such a worker does provide services funded by any of the aforementioned sources, it shall constitute a material breach of the contract between MARC and subrecipient/contractor. Payment for any services provided in breach of this provision, from any of the aforementioned sources, shall be considered an unallowable cost and shall be repaid to MARC.

6. No person shall be employed by subrecipient/contractor, or its subcontractor, in any capacity related to the provision of in-home services funded by MARC, who is, at the time of his/her employment, listed on the EDL maintained by the Missouri Department of Health and Senior Services pursuant to Chapter 192, RSMo, and subrecipient/contractor agrees to verify, and ensure all subcontractors verify, that all staff are not so listed at any time during their employment. The subrecipient/contractor, or its subcontractor, will maintain in its files verification of the EDL checks. Employment of an individual, or retaining an employee, who is listed on the EDL shall constitute a material breach of the contract between MARC and subrecipient/contractor. Any direct care services provided in breach of this provision shall be considered an unallowable cost, and any payment for such services, from any of the sources listed in paragraph 5, shall be repaid to MARC.

7. The term “person” as used in the paragraphs above includes employees, volunteers, interns, contact personnel and any other individual who may have contact with clients.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| (Authorized Representative) | (Name of Organization) | (Date) |

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

The respondent to this RFP certifies to the best of its knowledge and belief that it and its principals:

A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department agency;

B. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery falsification or destruction of records, making false statements, or receiving stolen property;

C. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph B of this certification; and

D. Have not within a three-year period preceding this proposal had one or more public transaction (Federal, State or local) terminated for cause or default.

Where the respondent is unable to certify to any of the statements in this certification, he/she shall attach an explanation this proposal.

|  |
| --- |
|  |
| Typed Name & Title of Authorized Representative |
|  |  |  |
| Signature of Authorized Representative | Date |

**SINGLE AUDIT CERTIFICATION**

|  |
| --- |
|  |
|  |
|  |

 **(Organization’s Mailing Address)**

**Organization’s Fiscal Year:**

|  |  |  |
| --- | --- | --- |
|  | **to** |  |

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Authorized Representative), hereby certify that the total expended from all federal awards from all funding sources during this agency’s preceding fiscal year was $\_\_\_\_\_\_\_\_\_\_\_. Amounts exceeding $750,000 require a single audit.

**THEREFORE,**

|  |  |
| --- | --- |
|  | We are required to have a single audit ($750,000 or more). |
|  |  |
|  | We are not required to have a single audit (less than $750,000). However, we have included a copy of our independent auditor report and management letter with this certification. |

|  |  |
| --- | --- |
|  | We are not required to have a single audit (for-profit organization). However, we have included a copy of our independent auditor report and management letter with this certification. |

We understand that if we are required to have a single audit in accordance with Subpart F Audit Guidance – 2 CFR Part 200.501, we must submit the following information to MARC:

1. A copy of the reporting package as defined in OMB Single Audit Requirements (2 CFR Part 200.501);
2. Any management letter issued by the auditor; and
3. Our corrective action plan addressing all findings and questioned costs pertaining to funding received from MARC.

We further understand this information must be submitted to MARC within thirty (30) days of receiving the Single Audit Report or nine months after the end of the audit period, whichever occurs earlier. We expect to complete the audit and have copies of the report(s) available by \_\_\_\_\_\_\_\_\_\_\_\_\_.

 (Date)

|  |  |  |
| --- | --- | --- |
|  |  |  |
| (Signature of Authorized Representative) | (Title of Authorized Representative) |
|  |  |  |
| (Typed or Printed Name of Authorized Representative) | (Date) |

**Intent to Perform as a Women and/or Minority Owned Business (MBE/WBE)**

Project Title and Description:

The undersigned intends to perform work in connection with the above project as (check one):

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Prime Subrecipient/Contractor |   | Subcontractor |  | Joint Venture |
|  | Other: (please specify) |  |
| If applicable, name of prime subrecipient or joint venture partner: |  |

The MBE/WBE status of the undersigned is confirmed by a Certification from one or all of the following (please provide copy of current certification certificate):

|  |  |
| --- | --- |
|  | MRCC (Missouri Regional Certification Committee)\***\*MARC will accept certified Disadvantage Business Enterprise (DBE) firms as certified WBE/MBE.** |
|  |
|  | KDOT |
|  |  |
|  | MoDOT |
|  |  |
|  | City of Kansas City, Missouri |
|  |  |
|  | Kansas City Area Transportation Agency (KCATA |
|  |  |
|  | Other (please specify): |  |
|  | (MARC may require additional certification documentation) |

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Date | Name of MBE/WBE Firm |
|  |  |
|  | By: |
|  | Signature of Firm’s Authorized Representative |
|  |  |
|  | Print Name and Title |

**REQUEST FOR WAIVER**

1. State precisely the requirement for which a waiver is needed and cite the proposal packet page and section.

1. Provide a narrative justification in support of the waiver request.

 3. Provide the alternative procedures that will be used to meet the intent of the requirement and ensure compliance.

**PART B**

1. **ADMINISTRATIVE REQUIREMENTS AND SUPPORTIVE DOCUMENTATION**

**All tentatively selected providers must be able to meet the following administrative requirements:**

 Refer to the MARC/Commission on Aging Policies and Procedures Manual for additional information regarding:

 **A**. Fictitious name registration (Part II, Section 4, Subpart 4.10)

 **B.** Subcontracts & minimum requirements of a subrecipient/contractor (Part II, Section 4, Subpart 4.9)

 **C.** Insurance (Part II, Section 8)

 **D.** E-Verify (Part I, Section 5)

 **E.** Reports and Records (Part III, Section 5 & 6)

 **F.** Training of Staff and Volunteers (Part II, Section 10)

 **G.** Project Income/Contributions (Part II, Section 1)

 **H.** Audits (Part II, Section 6)

 **I.** Disaster Plan/Emergency Assistance/Inclement Weather (Part II, Section 2, Subpart 2.5)

 **J.** Lobbying Certification (Part I, Section 5, Subpart 5.11)

 **K.** Clean Air/Clean Water Acts/EPA Regulations (Part I, Section 5, Subpart 5.15)

 **L.** Patent and Copyrights Rights (Part I, Section 5, Subpart 5.16)

 **M.** Tax-Exempt Organizations and the filing of Form 990 (Part I, Section 5, Subpart 5.18)

 **N.** United States v. Windsor, 133 S.Ct. 2675 (June 26, 2013); section 3 of the Defense of Marriage Act, codified at 1 USC § 7(Part I, Section 5, Subpart 5.21)

1. **All tentatively selected providers must adhere to the following**
2. **AMERICANS WITH DISABILITIES ACT OF 1990**

 ADA makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also outlaws discrimination against individual with disabilities in state and local government services, public accommodations, transportation and communications. All respondents must include with their proposal a **signed** Assurance of ADA Compliance form.

 Refer to Part I, Section 5, Subpart 5.13 of the MARC/Commission on Aging Policies and Procedures Manual for details regarding the specifications and standards regulating a subrecipient's/contractor’s compliance with these regulations.

1. **E-VERIFY**

Pursuant to the State of Missouri’s RSMO 285.530 (1), no business entity or employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri. As a condition of the award of any contract or grant in excess of five thousand dollars ($5,000.00) by the State or a political subdivision of the State (e.g., MARC) to a business entity, the business entity (Company) shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Every such business shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services (RSMo 285.530 (2)).

Those respondents awarded a contract providing services to MARC in an amount over $5,000 shall comply with Sections 285.525 through 285.550 R.S.Mo.:

1. Enroll and participate in the E-Verify federal work authorization program.
2. Provide to MARC a notarized Affidavit of Work Authorization affirming said company’s/individual’s enrollment and participation in the E-Verify federal work authorization program.
3. Provide documentation evidencing current enrollment and participation in a federal work authorization program (e.g., electronic signature age from E Verify program’s Memorandum of Understanding (MOU).

For respondents that are not already enrolled and participating in a federal work authorization program, E-Verify is available through <http://www.sam.gov>.

1. **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)**

Transportation services provided to 18-59 year old disabled participants require a statement from the participant’s physician. This form must be received and filed to determine the eligibility of the participant. This required form is made available to all successful respondents for special transportation-reserved and special transportation-lift/ramp services. As required in the Health Insurance Portability and Accountability Act of 1996, all such records of clients must be kept in strict confidence.

All responses to the RFP must demonstrate the contractor’s ability to ensure clients’ confidentiality.

1. **Upon tentative recommendation to the MARC Board, the respondent must submit the following supportive documentation regarding all proposed services.**

1. The respondent is required to provide a current, complete listing of the members of the Board of Directors. Municipalities are exempted from this requirement.

1. **The respondent is required to, if a tax-exempt organization, submit its most recent IRS Form 990. Any new not-for profit organizations to the MARC system will be required to also include its most recent A-133 audit report.**
2. **Annual Registration Report and Fictitious Name Registration** - Each respondent, except a governmental entity, must submit with the proposal a copy of its most recent Annual Registration Report filed with the Secretary of State, and each respondent must submit with the proposal evidence of any and all Fictitious Name Registration(s) that the respondent currently has on file with Secretary of State. **A Certificate of Good Standing will not suffice.**

1. **Civil Rights Compliance** - All respondents are required to provide assurance of compliance with the Civil Rights Act of 1990, as amended.

 The funds that will be contracted as a result of this solicitation are public funds and are therefore subject to the restrictions and conditions contained in Federal and State law and regulations.

1. **Equal Access to Services** - All respondents shall comply with Title VI of the Civil Rights Act of 1990, as amended. The respondents will not discriminate on the ground of race, color or national origin in their performance. All respondents must include with their proposal a **signed** Assurance of Civil Rights Compliance form.
2. **Equal Employment Opportunity and Affirmative Action Plans** - Each subrecipient/contractor, with 50 or more employees that is awarded contracts for $50,000 or more, must submit documentation of an approved Affirmative Action Plan for the implementation of the goals of Title VII of the Civil Rights Act of 1964, as amended. Recipients of federal funds are prohibited from employment discrimination on the basis of race, sex, color, national origin and religion.

 Refer to Part I, Section 5, Subpart 5.14 of the MARC/Commission on Aging Policies and Procedures Manual for details regarding the specifications and standards regulating a subrecipient's/contractor’s compliance with civil rights regulations.

1. **Suspension and Debarment Certification** - All respondents are required to certify that their organizations and its principals are not suspended, debarred or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

All respondents must include with their proposal a **signed** Certification Regarding Debarment and Suspension. MARC, as a non-federal entity utilizing federal funds, is prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended, debarred or otherwise excluded from, or ineligible for, participation in Federal assistance programs or activities, or whose principals are suspended, debarred or otherwise excluded from, or ineligible for, participation in Federal assistance programs or activities. Covered transactions include procurement contracts for goods or services equal to or in excess of $25,000 (e.g., sub-awards to sub-recipients).

1. **Single Audit Certification -** All governmental and non-profit respondents are required to certify to MARC the total federal awards expended from all funding sources during the respondent’s most recently completed fiscal year.

 Successful governmental and non-profit organizations receiving a contract from the Mid-America Regional Council as a result of submitting a proposal to this solicitation, that expend $750,000 or more annually in federal financial assistance, must have a single audit performed in accordance with Subpart F Audit Requirements, of the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal, dated December 26, 2013. Successful organizations that expend less than $750,000 annually are exempt from federal audit requirements for that year.

 For audit purposes, all project income (voluntary contributions from service recipients) collected through the provision of this service will be considered federal funds and subject to the $750,000 threshold mentioned above.

1. **ADA Assurance** - All respondents are required to provide assurance of compliance with the Americans with Disabilities Act of 1990.

1. **Assurance of Compliance Regarding Criminal Background Checks for All Drivers**

All respondents are required to provide assurance of compliance with regulations regarding criminal background checks for all drivers.

Refer to Part II, Section 2, Subparts 2.7 & 2.8 of the MARC/Commission on Aging Policies and Procedures Manual for compliance details.

1. **Drug-Free Policy Statement and Program** - Each respondent must submit a copy of its Drug-Free Workplace Statement and documentation of a Drug-Free Workplace Programfor all employees in compliance with the Drug-Free Workplace Act of 1988.

Each subrecipient/contractor must submit documentation of a Drug-Free Workplace Program for all employees that comply with the Drug-Free Workplace Act of 1988.

Refer to Part I, Section 5, Subpart 5.8 of the MARC/Commission on Aging Policies and Procedures Manual for details regarding the specifications and standards regarding a subrecipient’s/contractor’s compliance with the Drug-Free Workplace Act of 1988.

1. **Intent to Perform as a MBE/WBE Firm –** To confirm the intent to perform as a primary contractor, subcontractor, in a joint venture or any other specified situation, this form must be completed and submitted in the proposal. A copy of the organization’s current certification certificate must be included as well.
2. **Proposals containing sub-contractual arrangements** must include certification forms of compliance, completed by the proposed sub-contractor.
3. **Equal Employment Opportunity and Affirmative Action Plans** - Each subrecipient/contractor, with 50 or more employees that is awarded contracts for $50,000 or more, must submit documentation of an approved Affirmative Action Plan for the implementation of the goals of Title VII of the Civil Rights Act of 1964, as amended. Recipients of federal funds are prohibited from employment discrimination on the basis of race, sex, religion, color or national origin.
4. **Anti-Discrimination Against Israel Act Certification** - Section 34.600, RSMo, precludes entering into a contract with a company to acquire products and/or services “unless the contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel.”
5. **Request for Waivers** - If, in the respondent's opinion, some requirements contained in this proposal packet are impossible, impractical, or uneconomical to uphold, a request for waiver may be included with the proposal. **Only one waiver request should be contained on a page. There is no limit to the number of waiver requests that may be submitted.**

Each waiver request will be reviewed on its own merits. No waiver will be granted for state mandated requirements. Each request must include the alternative procedure that the respondent will implement to meet the intent of the procedure, process or compliance requirement.