

REQUEST FOR APPLICATIONS FOR

Statewide Civil Legal Services Program

ISSUING OFFICE

**Commonwealth of Pennsylvania
Department of Human Services
Bureau of Procurement and Contract Management
Room 832 Health and Welfare Building
625 Forster Street
Harrisburg, PA 17120**

RFA NUMBER

36-21

DATE OF ISSUANCE

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**REQUEST FOR APPLICATIONS FOR
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CALENDAR OF EVENTS

The Commonwealth will make every effort to adhere to the following schedule:

Activity	Responsibility	Date
Deadline to submit questions via email to RA-PWRFAQUESTIONS@PA.GOV	Potential Applicants	December 13, 2022 5:00 PM EST
Pre-Application Conference Webinar. Please register at: https://attendee.gotowebinar.com/register/2575306248532439051 After registering, you will receive a confirmation email.	DHS/Potential Applicants	December 13, 2022 2:00 PM EST
Answers to Potential Applicant questions posted to the Department of General Services (“DGS”) website at http://www.emarketplace.state.pa.us/Search.aspx no later than this date.	DHS	December 22, 2022
Please monitor this website for all communications regarding this Request for Applications.	Potential Applicants	Ongoing
Application and references must be received by the Issuing Office at RA-PWRFAQUESTIONS@PA.GOV as provided in Part I, Section I-13.A.	Applicants	January 30, 2023 12:00 PM EST

PART I

GENERAL INFORMATION

- I-1. Purpose.** This Request for Applications (“RFA”) provides to those interested in submitting applications for the subject procurement (“Applicants”) sufficient information to enable them to prepare and submit applications for the Department of Human Services’ (“Department” or “DHS”) consideration on behalf of the Commonwealth of Pennsylvania (“Commonwealth”) to satisfy a need for **Statewide Civil Legal Services Program** (“Project”). This RFA contains instructions governing the requested applications, including the requirements for the information and material to be included; a description of the service to be provided; requirements that Applicants must meet to be eligible for consideration; general evaluation criteria; and other requirements specific to this RFA.
- I-2. Issuing Office.** The Department’s Office of Administration, Bureau of Procurement and Contract Management (“Issuing Office”) has issued this RFA on behalf of the Commonwealth. The sole point of contact in the Commonwealth for this RFA shall be Karen Kern, RA-PWRFAQUESTIONS@PA.GOV, the Issuing Officer for this RFA. Please refer all inquiries to the Issuing Officer.
- I-3. Overview of Project.** The Department’s Civil Legal Services Program is a statewide program established in 1973 that provides civil legal assistance to low-income individuals and families.

DHS seeks to partner with a legal services organization to provide legal services across the 67 counties in Pennsylvania. The selected Applicant shall utilize lawyers and paralegals under attorney supervision to resolve or prevent the civil legal problems of an eligible individual or eligible individuals sharing the same legal problem or circumstances

The selected Applicant shall provide individualized civil legal services to an estimated minimum of 16,500 individuals per State Fiscal Year (“SFY”). Individuals in need of these services may request the services from the selected Applicant or may be referred to receive services from the selected Applicant. Individuals are financially eligible for services if they are:

- Current recipients of Temporary Assistance for Needy Families (“TANF”);
- Current recipients of Supplemental Security Income (“SSI”);
- Current recipients of protective services under the Protection from Abuse Act, 23 Pa. C.S. §§ 6101-6122;
- Current recipients of Medical Assistance (“MA”); and
- Persons not described under this section whose family’s monthly gross income does not exceed 125 percent of the Federal Poverty Income Guidelines (“FPIG”) adjusted according to family size.

Individuals must also meet one of the two categories of need: (1) emergency situations, and (2) termination of employment and unemployment compensation; custody and other family law matters; health care or health insurance; income and income supports; discrimination due to age, race, sex, gender, sexual orientation, or disability; wage and pension claims; housing; wills and estates; social security benefit; disability; and debtor-creditor issues.

Legal Services are not provided in fee-generating cases or in cases in which the Commonwealth of Pennsylvania or political subdivisions of the Commonwealth have an obligation to provide counsel to low-income individuals. Legal Services are not provided in criminal matters or in matters which, in the professional judgment of an attorney, are of little merit or which, under all circumstances presented by the

person, are of no benefit to the person. A fee-generating case means any case or matter which, if undertaken on behalf of an eligible recipient by an attorney in private practice, reasonably may be expected to result in a fee for legal services to be paid from a monetary award made by a court or an administrative agency. The term "fee generating case" does not include cases in which representation is permitted by 45 CFR § 1609.3.

I-4. Objectives.

A. General. The objective of this RFA is to secure a legal services organization, which will provide direct legal services to individuals requiring civil legal assistance in all 67 counties in Pennsylvania.

Civil legal services meet one or more of the following five Title XX goals:

- Achieve or maintain economic self-support to prevent, reduce, or eliminate dependency.
- Achieve or maintain self-sufficiency, including reduction or prevention of dependency.
- Prevent or remedy neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserve, rehabilitate, or reunite families.
- Prevent or reduce inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care.
- Secure referral or admission for institutional care when other forms of care are not appropriate or provide services to individuals in institutions.

B. Specific. The Department's specific objective is to work with an entity that shall provide individualized civil legal services to an estimated minimum of 16,500 individuals per SFY.

The selected Applicant shall provide service activities to include:

- Consultation and advice; and
- Representation of individuals, including, but not limited to, legal assessment; negotiation; research; and representation before district judges, courts, and administrative agencies.

The selected Applicant shall provide civil legal services to include, but not limited to, these core areas:

- Termination of employment and unemployment compensation;
- Custody and other family law matters;
- Health care or health insurance;
- Income and income supports;
- Discrimination due to race, age, sex, gender, sexual orientation, or disability;
- Wage and pension claims;
- Housing;
- Wills and estates;
- Social security benefit;
- Disability;
- Debtor-creditor issues; and
- Protective services under the Pennsylvania Protection from Abuse Act, 23 Pa. C.S. §§ 6101-6122

I-5. Type of Agreement. If the Department enters into a grant agreement as a result of this RFA, it will be a cost-reimbursement agreement containing the Standard Terms and Conditions, DHS Addendum to Standard Terms and Conditions, and Audit Clause as shown in **Appendix N**. The Department, in its sole

discretion, may undertake negotiations with Applicants whose applications, in the judgment of the Department, show them to be qualified, responsible, and capable of performing the Project.

- I-6. Rejection of Applications.** The Department may, in its sole and complete discretion, reject any application received as a result of this RFA.
- I-7. Incurring Costs.** The Commonwealth and the Department are not liable for any costs an Applicant incurs in the preparation and submission of its application, in participating in the RFA process, or in anticipation of agreement award.
- I-8. Pre-Application Conference.** The Department will hold a Pre-Application conference as specified in the Calendar of Events. The purpose of this conference is to provide opportunity for clarification of the RFA. Applicants should forward all questions to the Issuing Officer in accordance with **Part I, Section I-9** of this RFA to provide adequate time for analysis before the Department provides an answer. Applicants may also ask questions at the conference. The Pre-Application conference is for information only. Any answers furnished during the conference will not be official until they have been verified, in writing, by the Department. **Attendance at the Pre-Application Conference is optional, but strongly encouraged.**
- I-9. Questions & Answers.** If an Applicant has questions regarding this RFA, the Applicant must submit the questions by email (**with the subject line “RFA 36-21 Question”**) to the Issuing Officer named in **Part I, Section I-2** of this RFA. If the Applicant has questions, they must be submitted as they arise via email but **no later than** the date and time stated in the Calendar of Events. The Applicant shall not attempt to contact the Issuing Officer by any other means.

When questions are submitted after the date specified in the Calendar of Events, the Issuing Officer *may* respond to questions of an administrative nature by directing the questioning Applicant to specific provisions in the RFA. If the Department decides to respond to a non-administrative question *after* the date for receipt of questions, DHS will provide the answer to all Applicants through an addendum.

All questions and responses will be posted on the Department of General Services (“DGS”) website and are considered as an addendum to, and part of, this RFA in accordance with RFA **Part I, Section I-10** of this RFA.

- I-10. Addenda to the RFA.** If the Department deems it necessary to revise any part of this RFA before the application response date, the Department will post an addendum to eMarketplace at <http://www.emarketplace.state.pa.us/Search.aspx>. It is the Applicant’s responsibility to periodically check the website for any new information or addenda to the RFA. The Department shall not be bound by any verbal information nor shall it be bound by any written information that is not either contained within the RFA or formally issues as an addendum.
- I-11. Small Diverse Business (“SDB”) and Veteran Business Enterprise (“VBE”) Participation.** The DGS Bureau of Diversity, Inclusion and Small Business Opportunities (“BDISBO”) has developed a goal setting policy based upon recommendations from its 2018 Disparity Study. The goal setting policy requires BDISBO and agencies to identify contract-specific participation goals for SDBs (which include Minority Business Enterprises (“MBE”), Women Business Enterprises (“WBE”), LGBT Business Enterprises (“LGBTBE”), Disability-Owned Business Enterprises (“DOBE”), and Service-Disabled Veteran-Owned Small Business (“SDVBE”)) and VBEs (which include Veteran-Owned Small Businesses and Service-Disabled Veteran-Owned Small Businesses). Applicants must either agree to meet the participation goals in full or must request and obtain a full or partial Good Faith Efforts waiver from one

or both of the participation goals. DHS will reject as unresponsive any application that fails to meet either participation goal or to establish its Good Faith Efforts to meet the participation goals in full or in part.

The established goals for this Project are set forth below:

SDB Participation: 10%

VBE Participation: 3%.

Further information can be found in **Part V** of this RFA. For assistance in determining whether a firm meets these requirements, you may contact BDISBO at (717) 783-3119 or RA-BDISBOVerification@pa.gov.

I-12. Response Date. To be considered for selection, Applicants must submit electronic copies of their applications to the Issuing Office no later than the date and time specified in the Calendar of Events. Applicants must submit the electronic copies of applications and reference contacts must submit the completed reference questionnaires to RA-PWRFAQUESTIONS@PA.GOV. Hard copy applications will not be accepted. The Department will reject late applications and reference questionnaires.

I-13. Application Requirements.

A. Application Submission: To be considered, Applicants should submit a complete response to this RFA to the Issuing Office, using the format provided in **Part I, Section I-13.B**, providing **one copy of the Technical Submittal, one copy of the Cost Submittal, one copy of the Contractor Partnership Program (“CPP”) Submittal, one copy of the Small Diverse Business (“SDB”) Participation Submittal (which must include either the SDB Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both), and one copy of the Veteran Business Enterprise (“VBE”) Participation Submittal (which must include either the VBE Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both)** via email to RA-PWRFAQUESTIONS@PA.GOV. The subject line of the email must specify “RFA #36-21 Application”. Email attachments are limited to 10 MB, cumulatively, per email, and files may not be sent in any compressed format. Any part of the application or its attachments over that limit must be sent via separate emails, with each labeled “RFA #36-21 Application Part X of Y” (total number of emails).

Contacts for the Corporate and Key Personnel References must submit the completed questionnaires as provided in **Part III, Section III-3** by email to RA-PWRFAQUESTIONS@PA.GOV. The Contacts should include “Corporate Reference Questionnaire for RFA 36-21” in the subject line of the email and the body should specify the name of the Applicant for whom the questionnaire is being submitted. Questionnaires submitted after the due date and time will be rejected

The electronic response must be in Microsoft Office or Microsoft Office-compatible format; and any spreadsheets must be in Microsoft Excel. If an Applicant designates information as confidential or proprietary or trade secret protected in accordance with **Part I, Section I-19**, the Applicant must also include one redacted version of the Technical Submittal, also excluding financial capability information. Applicants may not lock or protect any cells or tabs.

Applicants shall make no other distribution of its application to any other Applicant or Commonwealth official or Commonwealth consultant. Each application page should be numbered for ease of reference. An official authorized to bind the Applicant to its provisions must sign the application. If the official signs the **Application Cover Sheet (Appendix A** to this RFA) and the Application Cover

Sheet is attached to the Applicant's application, the requirement will be met. For this RFA, the application must remain valid for 120 days or until an agreement is fully executed. If the Department selects the Applicant's application for award, the contents of the selected Applicant's application will become, except to the extent the contents are changed through Best and Final Offers or negotiations, grant obligations.

Each Applicant submitting an application specifically waives the ability to withdraw or modify it, except that the Applicant may withdraw its application by written notice received at the Issuing Office's email address specified in **Part I, Section I-2** for application delivery prior to the exact hour and date specified for application receipt. An Applicant may modify its submitted application prior to the exact hour and date set for application receipt only by submitting a new sealed application or sealed modification that complies with the RFA requirements.

B. Application Format: Applicants should submit their applications in the format, including heading descriptions, outlined below. To be considered, the application should respond to all application requirements. Applicants should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to the application. **All cost data relating to this application and all SDB and VBE cost data must be kept separate from and not included in the Technical Submittal.** Applicants should not reiterate technical information in the Cost Submittal. Each application shall consist of the following five separately sealed submittals:

1. Technical Submittal:

Applicants should format their responses as outlined below. **Do not include cost data in the Technical Submittal.** The Technical Submittal shall include the following sections:

- Application Cover Sheet
- Table of Contents
- Statement of the Project
- Management Summary
- Qualifications
- Financial Capability
- Work Plan
- Requirements
- Reports & Project Control
- Performance Standards

Corporate and Key Personnel Reference Questionnaires are to be submitted in accordance with **Part III, Section III-3.A and III-3.C.**

- a. Complete, sign and include **Appendix J - Lobbying Certification** and if applicable, the **Disclosure of Lobbying Activities.**
- b. Complete, and include **Appendix K, Federal Funding Accountability and Transparency Act Sub-Recipient Data Sheet.**
- c. Complete and include **Appendix M, Worker Protection and Investment Certification Form.**

2. Cost Submittal, in response to **Part IV;**

3. SDB Participation Submittal (which must include the SDB Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both), in response to **Part V;**

4. VBE Participation Submittal (which must include the VBE Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both), in response to **Part V**; and
5. CPP Submittal, in response to **Part VI**.

Applications must adhere to the following format:

- a. Pages must be 8.5 by 11 inches with right and left margins of one inch, single-spaced.
- b. Must use Arial or Times New Roman font with a type size of 12.
- c. Section headings, shown in this **Part I, Section I-13.B.1**, **MUST** be used.
- d. Each page must include a page number and identification of the Applicant in the page footer.
- e. Materials provided in any appendix must be specifically referenced by page numbers in the body of the application.
- f. Exceptions for paper and font size are permissible for project schedule (Microsoft Project) or for graphical exhibits and material in appendices.

The Department may request additional information which, in the Department's opinion, is necessary to verify that the Applicant's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFA.

The Department may make investigations as deemed necessary to determine the ability of the Applicant to perform the Project, and the Applicant shall furnish to the Issuing Office all requested information and data. The Department may reject any application if the evidence submitted by, or investigation of, such Applicant fails to satisfy the Department that such Applicant is properly qualified to carry out the obligations of the RFA and to complete the Project as specified.

- I-14. Economy of Preparation.** Applicants should prepare applications simply and economically, providing a straightforward, concise description of the Applicant's ability to meet the requirements of the RFA.
- I-15. Alternate Applications.** The Department has identified the basic approach to meeting its requirements, allowing Applicants to be creative and propose their best solution to meeting these requirements. The Department will not accept alternate applications.
- I-16. Discussions for Clarifications and Negotiations.** Applicants may be required to make an oral or written clarification of their applications, or both, to the Department to ensure thorough mutual understanding and Applicant responsiveness to the solicitation requirements. The Department will initiate requests for clarifications. Clarifications may occur at any stage of the evaluation and selection process prior to the award of an agreement.

The Department, in its sole discretion, may undertake negotiations with Applicants whose applications, show them to be qualified, responsible, and capable of performing the Project. Negotiations may occur at any stage of the evaluation and selection process prior to the award of an agreement.

- I-17. Oral or Written Presentations.** Applicants may be required to make an oral or written presentation of their applications to the Department to demonstrate an Applicant's capabilities and ability to provide the services required in the RFA. The Department will initiate requests for presentations; and for oral presentations, may include a request that key personnel be present. The oral presentation will be held in Harrisburg, Pennsylvania. Presentations may be requested at any stage of the evaluation and selection process prior to the award of the grant agreement.

I-18. Prime Applicant Responsibilities. The selected Applicant must perform services valued at least at 50% of the total agreement cost. Nevertheless, the Department will require the Applicant assume responsibility for all services offered in its application whether it produces them itself or by sub-contract. The Department will consider the selected Applicant to be the sole point of contact for all agreement matters.

I-19. Application Contents.

- A. Confidential Information. The Commonwealth is not requesting, and does not require, confidential proprietary information or trade secrets be included as part of Applicants' submissions. Except as provided, Applicants should not label applications as confidential or proprietary or trade secret protected. Any Applicant who determines that it must divulge such information as part of its application must submit the signed written statement described in Subsection C below and must provide a redacted version of its application in accordance with **Part I, Section I-13.A**, which removes only the confidential proprietary information and trade secrets, for required public disclosure purposes.
- B. Commonwealth Use. All material submitted with the application shall be the property of the Commonwealth. The Commonwealth has the right to use any or all ideas not protected by intellectual property rights that are presented in any application regardless of whether the application becomes part of an agreement. Notwithstanding any Applicant copyright designations contained on applications, the Commonwealth shall have the right to make copies and distribute applications internally and to comply with public record or other disclosure requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.
- C. Public Disclosure. After the award of a grant, all applications are subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law, 65 P.S. § 67.101, et seq. If an application contains confidential proprietary information or trade secrets, the Applicant must provide a signed written statement to this effect with the submission in accordance with 65 P.S. § 67.707(b) for the information to be considered exempt under 65 P.S. § 67.708(b)(11) from public records requests. Refer to **Appendix B** of the RFA for a **Trade Secret Confidential Proprietary Information Notice Form** that may be utilized as the signed written statement. If financial capability information is submitted in response to **Part III, Section III-4** such financial capability information is exempt from public records disclosure under 65 P.S. § 67.708(b)(26).

I-20. Best and Final Offers ("BAFO").

- A. While not required, the Department may conduct discussions with Applicants for the purpose of obtaining BAFOs. To obtain BAFOs, the Department may do one or more of the following, in any combination and order:
 - 1. Schedule oral presentations;
 - 2. Request revised applications; and
 - 3. Enter into pre-selection negotiations.
- B. The following Applicants will **not** be invited by the Department to submit a BAFO:

1. Those Applicants, which the Department has determined to be not responsible in accordance with **Part II, Section II-5** of this RFA or whose applications the Department has determined to be not responsive in accordance with **Part II, Section II-1** of this RFA.
2. Those Applicants, which the Department has determined from the submitted and gathered financial and other information, do not possess the financial capability, experience, or qualifications to ensure good faith performance of the grant agreement.
3. Those Applicants whose raw score for their Technical Submittal is less than 75% of the total amount of raw technical points allotted to the technical criterion.
4. The Department may further limit participation in the BAFO process to those remaining responsible Applicants that the Department has, within its discretion, determined to be within the top competitive range of responsive applications.

C. The Evaluation Criteria found in **Part II, Section II-4**, shall also be used to evaluate the BAFOs.

D. Price reductions offered shall have no effect upon the Applicant's Technical Submittal.

E. The Department, in its sole discretion, also may undertake negotiations with Applicants whose applications, in the judgement of DHS, show them to be qualified, responsible, and capable of performing the Project.

I-21. News Releases. Applicants shall not issue news releases, Internet postings, advertisements or any other public communications pertaining to this Project without prior written approval of the Department, and then only in coordination with the Department.

I-22. Restriction of Contact. From the issue date of this RFA until the Department selects an Applicant for negotiations, the Issuing Officer is the sole point of contact concerning this RFA. Any violation of this condition may be cause for the Department to reject the offending Applicant's application. If the Department later discovers that the Applicant has engaged in any violations of this condition, the Department may reject the offending Applicant's application or rescind its grant agreement. Applicants shall not distribute any part of their applications beyond the Issuing Office. An Applicant who shares information contained in its application with other Commonwealth personnel or consultants or competing Applicant personnel may be disqualified.

I-23. Department Participation. The selected Applicant shall provide all services, supplies, facilities, and other support necessary to complete the identified work, except as otherwise provided in **Part I, Section I-23**. The Department will assign a Grant Administrator to manage the administration and monitoring of the agreement resulting from this RFA. The Grant Administrator will be the selected Applicant's primary contact and resource for issues and questions related to the Project as it pertains to the services and scope of work described in this RFA.

I-24. Term of Agreement. The term of the agreement will commence on the Effective Date, anticipated to be July 1, 2023, and will be for a period of three years after the Effective Date. Subject to the performance of the Applicant and other considerations, the Department may extend the agreement on the same terms and conditions for up to two additional one-year periods. The Department will fix the Effective Date after a grant agreement has been fully executed by the selected Applicant and by the Commonwealth and all approvals required by the Commonwealth have been obtained. The selected Applicant shall not start the performance of any work prior to the Effective Date of the agreement and the Commonwealth shall not

be liable to pay the selected Applicant for any service or work performed or expenses incurred before the Effective Date of the agreement.

I-25. Applicant's Representations and Authorizations. By submitting its application, each Applicant understands, represents, and acknowledges that:

- A. All Applicant's information and representations in the application are material and important, and the Department will rely upon its contents in awarding the agreement. The Commonwealth may treat any misstatement, omission or misrepresentation as fraudulent concealment of the true facts relating to the application, punishable pursuant to 18 Pa. C.S. § 4904.
- B. The Applicant has arrived at the price(s) and amounts in its application independently and without consultation, communication, or agreement with any other Applicant or potential Applicant.
- C. The Applicant has not disclosed the price(s), the amount of the application, nor the approximate price(s) or amount(s) of its application to any other firm or person who is an Applicant or potential applicant for this RFA, and the Applicant shall not disclose any of these items on or before the application submission deadline specified in the Calendar of Events of this RFA.
- D. The Applicant has not attempted, nor will it attempt, to induce any firm or person to refrain from submitting an application, or to submit an application higher than its application, or to submit any intentionally high or noncompetitive application or other form of complementary application.
- E. The Applicant makes its application in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive application.
- F. To the best knowledge of the person signing the application for the Applicant, the Applicant, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last **four** years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as the Applicant has disclosed in its application.
- G. To the best of the knowledge of the person signing the application for the Applicant and except as the Applicant has otherwise disclosed in its application, the Applicant has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal.
- H. The Applicant is not currently under suspension or debarment by the Commonwealth, any other state, or the federal government, and if the Applicant cannot so certify, then it shall submit along with its application a written explanation of why it cannot make such certification.
- I. The Applicant has not made, under separate agreement with the Department, any recommendations to the Department concerning the need for the services or the specifications for the services described in the application.
- J. Each Applicant, by submitting its application, authorizes Commonwealth agencies to release to the Department information concerning the Applicant's Pennsylvania taxes, unemployment compensation and workers' compensation liabilities.

- K.** Until the selected Applicant receives a fully executed and approved written agreement from the Issuing Office, no legal and valid agreement exists, in law or in equity, and the Applicant shall not begin to perform.
- L.** The Applicant is not currently engaged and will not, during the duration of the agreement engage, in a boycott of a person or an entity based in or doing business with a jurisdiction which the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce.

I-26. Notification of Selection for Negotiations and Award.

- A. Negotiations.** The Department will notify all Applicants in writing of the Applicant selected for negotiations after the Department has determined, taking into consideration all evaluation factors, the application that is the most advantageous to the Department.
- B. Award.** Applicants whose applications are not selected will be notified when negotiations have been successfully completed and the Department has received the final negotiated agreement signed by the selected Applicant.

I-27. Use of Electronic Versions of this RFA. This RFA is being made available by electronic means. If an Applicant electronically accepts the RFA, the Applicant accepts full responsibility to ensure that no changes are made to the RFA. If a conflict arises between a version of the RFA in the Applicant's possession and the Issuing Office's version of the RFA, the Issuing Office's version shall govern.

PART II

CRITERIA FOR SELECTION

- II-1. Mandatory Responsiveness Requirements.** To be eligible for selection, an application must:
- A. Be timely received from an Applicant (see **Part I, Section I-12**);
 - B. Be properly signed by the Applicant (see **Part I, Section I-13.A**);
 - C. Contain an SDB Participation Submittal (SDB-2) (which must include the SDB Utilization Schedule (SDB-3), Good Faith Efforts Documentation to Support Waiver Request (SDB-4 and SDB-5), or both); **and** (a) agree to meet the SDB participation goal in full or (b) receive an approved waiver from any unmet portion of the SDB participation goal; and
 - D. Contain an VBE Participation Submittal (VBE-2) (which must include the VBE Utilization Schedule (VBE-3), Good Faith Efforts Documentation to Support Waiver Request (VBE-4 and VBE-5), or both); **and** (a) agree to meet the VBE participation goal in full or (b) receive an approved waiver from any unmet portion of the VBE participation goal.
- II-2. Technical Nonconforming Applications.** The four Mandatory Responsiveness Requirements set forth in **Part II, Section II-1** are the only RFA requirements that the Commonwealth will consider to be *non-waivable*. The Department may, in its sole discretion, (1) waive any other technical or immaterial nonconformities in an Applicant's application, (2) allow the Applicant to cure the nonconformity, or (3) consider the nonconformity in the scoring of the application.
- II-3. Evaluation.** The Department has selected a committee of qualified personnel to review and evaluate the Technical Submittals of the timely submitted applications that are eligible for selection. The Department will provide written notice of its selection for negotiations to the responsible Applicant whose application is determined to be the most advantageous to the Commonwealth after taking into consideration all evaluation factors.
- The Commonwealth will not score the SDB and VBE Participation Submittals. Rather, Applicants must commit to meeting the SDB and VBE participation goals or make good faith efforts to meet the SDB and VBE participation goals as more fully explained in **Part V**. Although the SDB and VBE Participation Submittals will not be scored, the Department, in conjunction with the Department of General Services Bureau of Diversity, Inclusion and Small Business Opportunities ("BDISBO"), will evaluate the SDB Participation Submittal, the VBE Participation Submittal, and additional required documentation to determine whether they have been completed in accordance with **Part V** and in a manner that demonstrates the Applicant is responsive and responsible. If an Applicant fails to satisfy the SDB or VBE requirements described in **Part II, Section II-1**, the Department will reject the application.
- DHS will not review or score the CPP Submittal prior to entering into negotiations. Once an Applicant has been selected for negotiations, DHS will review the CPP Submittal of the selected Applicant and may request changes to the selected Applicant's CPP Submittal during grant agreement negotiations.
- II-4. Evaluation Criteria.** The following criteria will be used in evaluating each application:
- A. **Technical:** The Department has established the weight for the Technical criterion as **65%** of the total points. Evaluation will be based upon the following:

- **Soundness of Approach.** This includes the Applicant's technical approach for completion of all services by this RFA, if it is responsive to all requirements of the RFA, and if it meets the Project's objectives.
- **Applicant Qualifications.** This includes the ability of the Applicant to meet the terms of the RFA, including the time constraints involved with the Project and the quality, relevancy, and recentness of projects completed. This also includes the Applicant's ability to undertake a Project of this size.
- **Personnel Qualifications.** This includes the competence and sufficiency of the personnel and staff who would be assigned to the Project by the Applicant.
- **Understanding the Project.** This includes the Applicant's understanding of Commonwealth's needs that generated the RFA, the objectives of the RFA, and of the nature and scope of the work involved.

The final Technical scores are determined by giving the maximum number of technical points available to the application with the highest raw technical score. The remaining applications are rated by applying the formula located at:

https://www.dgs.pa.gov/Materials-Services-Procurement/Procurement-Resources/Pages/RFP_SCORING_FORMULA.aspx

- B. Cost:** The Department has established the weight for the Cost criterion for this RFA as **35%** of the total points. The cost criterion is rated by giving the application with the lowest total cost the maximum number of Cost points available. The remaining applications are rated by applying the formula located at:

https://www.dgs.pa.gov/Materials-Services-Procurement/Procurement-Resources/Pages/RFP_SCORING_FORMULA.aspx

- II-5. Applicant Responsibility.** To be responsible, an Applicant must submit a responsive application and possess the capability to fully perform the agreement requirements in all respects and the integrity and reliability for the good faith performance of the agreement.

For an Applicant to be considered responsible for this RFA and therefore eligible for selection for BAFO and selection for negotiations:

- A.** The total score for the Technical Submittal of the application must be greater than or equal to **75%** of the **available raw technical points**; and
- B.** The Applicant's financial information must demonstrate that the Applicant possesses the financial capability for the good faith performance of the agreement. The Commonwealth will review the Applicant's previous three financial statements, any additional information received from the Applicant, and any other publicly-available financial information concerning the Applicant, and assess each Applicant's financial capacity based on calculating and analyzing various financial ratios, and comparison with industry standards and trends.

An Applicant that fails to demonstrate sufficient financial capability to ensure good faith performance of the agreement, as specified herein, may be considered by the Department, in its sole discretion, for BAFO or negotiation contingent upon such Applicant providing performance security for the first agreement year cost proposed by the Applicant in a form acceptable to the Department. Based on the financial condition of the Applicant, the Department may require a certified or bank (cashier's) check, letter of credit, or a performance bond conditioned upon the faithful performance of the agreement by the Applicant. The required performance security must be issued or executed by a bank or surety company authorized to do business in the Commonwealth. The cost of the required performance security will be the sole responsibility of the Applicant and cannot increase the Applicant's cost application or the agreement cost to the Commonwealth.

Further, the Department will award an agreement only to an Applicant determined to be responsible in accordance with the most current version of Commonwealth Management Directive 215.9, Contractor Responsibility Program.

II-6. Final Ranking and Award.

- A.** After any BAFO process is conducted, the Issuing Office will combine the evaluation committee's final technical scores and the final cost scores, in accordance with the relative weights assigned to these areas as set forth in this **Part II**.
- B.** The Issuing Office will rank responsible Applicants according to the total overall score assigned to each, in descending order.
- C.** Except as provided in **Part II, Section II-6.D**, the Department must select for negotiations the Applicant with the highest overall score.
- D.** The Department has the discretion to reject all applications or cancel the RFA, at any time prior to the time an agreement is fully executed, when it is in the best interests of the Commonwealth. The reasons for the rejection or cancellation shall be made part of the RFA file.

PART III

TECHNICAL SUBMITTAL

III-1. Statement of the Project. State in succinct terms your understanding of the Project presented, and the services required by this RFA. The Applicant's response should demonstrate that the Applicant fully understands the scope of services to be provided, the Applicant's responsibilities, and how the Applicant will effectively manage the grant agreement.

Applicant Response

III-2. Management Summary. Include a narrative description of the proposed effort and a list of the items to be delivered and services to be provided. The Applicant should condense and highlight the contents of the Technical Submittal in a manner that allows a broad understanding of the entire Technical Submittal.

Applicant Response

III-3. Qualifications.

A. Company Overview. The Applicant should describe the corporate history and relevant experience of the Applicant. This section must detail information on the ownership of the company (names and percent of ownership), the date the company was established, the date the company commenced operations, the physical location of the company, and the current size of the company.

The Applicant should describe its corporate identity, legal status, and form, including the name, address, telephone number, and email address for the legal entity that is submitting the application. In addition, the Applicant should provide the name of the principal officers, a description of its major services, and any specific licenses and accreditations held by the Applicant.

Applicants should provide organizational background information on any significant subcontractor for services. A "significant subcontractor" is defined as an organization undertaking more than 10% on the total cost basis of the work associated with this RFA.

If an Applicant is proposing to use the services or products of a subsidiary or affiliated firm, the Applicant should describe the business arrangement with that entity and the scope of the services the entity will provide.

If the experience of any proposed subcontractor or subgrantee is being used to meet the qualifications and requirements of this RFA, the Applicant should provide the same information as listed above for the subcontractor. This information must be presented separately within this section, clearly identifying the subcontractor experience and name of the subcontractor.

References. The Applicant should provide a list of at least three relevant contacts within the past three years to serve as corporate references. The references must be outside clients (non-DHS). This list shall include the following for each reference:

1. Name of customer
2. Type of contract
3. Contract description, including type of services provided

4. Total contract value
5. Contracting officer's name and telephone number
6. Role of subcontractors or subgrantees (if any)
7. Time period in which services were provided

The Applicant must submit **Appendix C, Corporate Reference Questionnaire**, directly to the contacts listed. The contacts should complete the questionnaire and submit it electronically to the Issuing Officer identified in **Part I, Section I-2** of this RFP. The contacts for the Corporate references should submit the completed questionnaires, as attachments, to RA-PWRFAQUESTIONS@PA.GOV by the due date and time indicated in the Calendar of Events. The contacts should include "Corporate Reference Questionnaire for RFA 36-21" in the subject line of the email and the body should specify the name of the Applicant for whom the questionnaire is being submitted. Questionnaires submitted after the due date and time will be rejected.

Disclosure of cancellations or terminations. The Applicant must disclose any contract or agreement cancellations or terminations within five years preceding the issuance of this RFA, excluding any contract or agreement for client representation. If a contract or agreement was canceled or terminated for lack of performance, the Applicant must provide details on the customer's allegations, the Applicant's position relevant to the allegations, and the final resolution of the cancellation or the termination. The Applicant must include each customer's Company or entity name, address, contact name, phone number, and email address.

The Department may disqualify an Applicant based on a failure to disclose such cancelled or terminated contract or agreement. If the Department learns about a failure to disclose after an agreement is awarded, the Department may terminate the agreement.

Applicant Response

- B. Prior Experience.** The selected Applicant and any subcontracted legal services organizations should specialize in civil legal aid and must have prior experience providing civil legal services. Applicants should describe the prior experience for itself and all subcontracted legal services organizations.

Each Applicant should demonstrate awareness of the unique demographics, needs, and political and social climates of each area of the Commonwealth in which it is providing legal representation to reduce barriers in referred individuals being able to access and utilize the legal assistance. In addition, Applicants should:

1. Describe the organization and its mission. Explain how Applicant's vision statement aligns with those of the organizations, including any subcontractors, that Applicant proposes will assist in performing the services described in this RFA. Provide some examples of Applicant and any subcontracted legal service organizations' involvement in the communities.
2. Provide the office locations for the organization and any subcontracted organizations being utilized. For each office location, state the counties for which residents will be provided legal representation.
3. Describe any prior and current experience or similar types of experience in providing the services required by this RFA. Be as specific as possible as to the services that were provided, the volume, and the locations.

4. Describe your organization's participation in efforts to promote systemic changes that allow for economic self-support, self-sufficiency, prevention of abuse and neglect of vulnerable populations, and preventing or reducing institutional care.
5. Describe the Applicant and any subcontracted legal service organizations' relationship, if any, with local community partners and County Assistance Offices in each organization's respective locations and how that relationship would be developed or strengthened.

Experience should be work done by individuals who will be assigned to this Project as well as that of the company. Studies or projects referred to should be identified and the name of the customer shown, including the name, address, and telephone number of the responsible official of the customer, company, or agency who may be contacted.

Applicant Response

- C. Personnel.** All personnel performing representation services must be in good standing and be licensed to practice law in Pennsylvania. The selected Applicant shall verify that the qualifications of the personnel providing legal representation services meet both the professional and Department requirements. Include the number of executive and professional personnel, analysts, auditors, researchers, programmers, consultants, etc., who will be engaged in the work. Show where these personnel will be physically located during the time they are engaged in the Project. For "Key Personnel", defined as Chief Executive Officer or Executive Director, Grants or Program Manager, and Controller or Financial Manager, include the employee's name and, through a resume or similar document, the education and experience in similar size and scope projects. Key Personnel may be a member of the Applicant's organization, or any subcontractor included in the Applicant's application. Indicate the responsibilities each individual will have in this Project and how long each has been with the company. For non-Key Personnel, include position descriptions and minimum qualifications.

Submitted responses are not to include personal information that will, or will be likely to, require redaction to release of the application under the Pennsylvania Right-to-Know Law, including but not limited to home addresses and phone numbers, social security numbers, driver's license numbers or numbers from state identification cards issued in lieu of a driver's license, and financial account numbers. If the Commonwealth requires any of this information for security validation or other purposes, the information will be requested separately and as necessary.

Include organizational charts outlining the staffing, reporting relationships, and staff members in its description. Show the total number of staff proposed and indicate the Full Time Equivalents ("FTE") to account for any additional staff (non-Key Personnel) that are not assigned on a full-time basis. Provide similar information for any subcontractors that are proposed. The organizational chart must illustrate the lines of authority, designate the positions responsible and accountable for the completion of each component in the RFA, indicate the names, job title, and number of personnel that will be assigned to each role, including the number of hours per week each person is projected to work on the Project. The organizational chart must clearly indicate any functions that are subcontracted along with the name of the subcontracting entities and the services they will perform.

Applicants should identify at least one client references for each Key Personnel. All client references for Key Personnel must be outside clients (non-DHS) who can give information on the individual's experience and competence to perform tasks similar to those requested in this RFA.

The Applicant must submit **Appendix D, Key Personnel Reference Questionnaire**, directly to the references listed. The references should complete the questionnaire and return it electronically to the Issuing Officer identified in **Part I, Section I-2** of this RFP. The Key Personnel references should submit the completed questionnaires, as attachments to, RA-PWRFAQUESTIONS@PA.GOV by the due date and time specified in the Calendar of Events. The Key Personnel references should include “Key Personnel Reference Questionnaire for RFA 36-21” in the subject line of the email and the body should specify the name of the Applicant and the name of the Key Personnel for whom the questionnaire is being submitted. Questionnaires submitted after the due date and time will be rejected.

Key Personnel Diversions or Replacement. Once Key Personnel are approved by the Department, the selected Applicant may not divert or replace personnel without prior approval of the Department’s Grant Administrator. The selected Applicant must provide notice of a proposed diversion or replacement to the Department’s Grant Administrator at least 30 calendar days in advance and provide the name, qualifications, and background check (if required) of the person who will replace the diverted personnel. The Department’s Grant Administrator will notify the selected Applicant within ten business days of the diversion notice whether the proposed diversion is acceptable and if the replacement was approved.

“Divert” or “diversion” is defined as the transfer of personnel by the selected Applicant or its subcontractor to another assignment within the control of either the Applicant or subcontractor. Advance notification and approval does not include changes in Key Personnel due to resignations, death, disability, dismissal for cause or dismissal as a result of the termination of a subcontract or any other causes that are beyond the control of the selected Applicant or its subcontractor. The Department’s Grant Administrator must approve the replacement personnel.

The Department’s Grant Administrator may request that the selected Applicant remove a person from this Project at any time. For vacancies other than those caused by diversions and unless otherwise approved by the Grant Administrator, the selected Applicant will have ten business days to interim fill and 60 calendar days to permanently fill the vacancy with a person acceptable in terms of experience and skills, subject to the Department Grant Administrator’s approval.

Applicant Response

D. Subcontractors and Subgrantees. Provide a subcontracting plan for all subgrantees and subcontractors, including SDBs and VBEs, who will be assigned to the Project. If the selected Applicant and its subcontractors choose to utilize paralegals to assist with representation services, the selected Applicant and its subcontractors shall use paralegals within the scope of their practice and under the supervision of attorneys. The selected Applicant is prohibited from subcontracting or outsourcing any part of this Project without the express written approval of the Commonwealth. Upon award of the grant agreement, subgrantees and subcontractors included in the application submission are approved. For each position included in your subcontracting plan provide:

1. Name of subgrantee or subcontractor;
2. Address of subgrantee or subcontractor;
3. Primary contact name, email address, and phone number;
4. Type of organization;
5. Date of formation;
6. Status of charter and corporate charter number;

7. Federal Employer Identification Number;
8. SAP/SRM Vendor Number;
9. Number of years worked with the subgrantee or subcontractor;
10. Number of employees by job category to work on this Project;
11. Description of services to be performed;
12. What percentage of time the staff will be dedicated to this Project;
13. Geographical location of staff; and
14. Resumes (if appropriate and available).

If applicable, the Applicant's subcontractor information should include the employees' names, education, and experience in the services outlined in this RFA. Information provided should also include the responsibilities each individual will have in this Project and how long each has been with subcontractor's company.

Applicant Response

III-4. Financial Capability. Describe your company's financial stability and economic capability to perform the agreement requirements. Provide your company's financial statements (audited, if available) for the past three fiscal years. Financial statements must include the company's Balance Sheet and Income Statement or Profit/Loss Statements. Also include a Dun & Bradstreet comprehensive report, if available. If your company is a publicly traded company, please provide a link to your financial records on your company website. The Commonwealth may request additional information it deems necessary to evaluate an Applicant's financial capability.

Applicant Response

III-5. Work Plan. Describe in narrative form your technical plan for accomplishing the work with the Project tasks and the major milestones and deliverables provided below as a reference point. Modifications of tasks are permitted; however, reasons for changes should be fully explained. Include a Program Evaluation and Review Technique ("PERT") or similar presentation, showing each event in a time-related manner. If more than one approach to a task or tasks is apparent, provide an explanation for why the chosen approach was used. Also include the relationship between Key Personnel and the specific tasks, assignments, and deliverables proposed to accomplish the scope of work.

The Applicant should describe its management approach and how it will implement its proposed work plan. Where applicable, the Applicant should provide specific examples of methodologies or approaches, including monitoring and evaluation approaches, it will use to fulfill the RFA requirements. The Applicant should include examples of similar experience and approach on comparable projects. The Applicant should describe the management and monitoring controls it will use to achieve the required quality of services and all performance requirements.

The Applicant should include in the work plan its planned approach and process for establishing and maintaining communication between all parties as well as a technical approach that is aligned with all written specifications and requirements contained in the RFA.

Tasks:

A. Transition Plan. Transition is a process that includes activities and tasks that must take place between the Effective Date of the grant agreement and the date the selected Applicant is fully responsible for all Project activities. The selected Applicant shall have up to a three-month transition period to

develop and ramp up services. The transition plan should describe how the following requirements shall be met:

1. Knowledge Acquisition. The selected Applicant shall:

- a. Acquire and demonstrate knowledge of Pennsylvania's Human Services System, with expertise in civil legal affairs.
- b. Effectuate knowledge transfer in a manner which enables its staff to confidently assume ownership and independently manage the in-scope activities without disrupting operations or timely delivery of services.
- c. Coordinate and work with designated stakeholders, the incumbent, and third-party vendors, if applicable, during the transition phase to perform and manage all tasks without a gap in services.
- d. Identify the transition team, including their roles and responsibilities, and provide an organizational chart.
- e. Conduct transition activities in a manner such that a smooth transition of the ongoing business and operational activities occur and which results in the knowledge necessary to perform all the tasks required in this RFA.

2. Transition Quality Management. Applicants should describe their approach for the quality management of the transition phase, including processes, procedures, assessments, and accountability controls.

3. Transition Progress. During the transition, the selected Applicant shall provide transition progress assessments and status updates. The selected Applicant shall coordinate with DHS regarding transition tasks, prioritization issues, and conflicting activities interfering with maintaining operations.

4. Transition Results. At the end of the transition phase, the selected Applicant shall prepare a Transition Results Report. This report shall document the completion of transition activities and will provide a status of each high-level task and activity that took place during the transition period. The selected Applicant shall highlight how each of the objectives stated in the Transition Plan have been achieved and the resolution of issues identified and prioritized during the turnover process.

Applicants should describe how these requirements will be met.

B. Milestones and Deliverables. The selected Applicant must arrange for the provision of direct services, statewide, to clients requiring civil legal services. The selected Applicant shall serve an estimated minimum of 16,500 eligible persons during each SFY. By March 31st of each SFY, the selected Applicant shall provide estimates for the subsequent SFY to the Department. The selected Applicant shall provide service activities to include:

- Consultation and advice. This consists of legal assistance that is limited to the review of information relevant to the client's legal problem(s) and counseling the client on the relevant law or suggested course of action. It does not encompass drafting of documents or making third-party contacts on behalf of the client.
- Representation of individuals. This includes, but is not limited to, legal assessment; negotiation; research; and representation before district judges, courts, and administrative agencies. This may also include drafting of documents and third-party contacts on behalf of the client.

The selected Applicant must also provide civil legal services to include, but not limited to, these core areas:

- Termination of employment and unemployment compensation;
- Custody and other family law matters;
- Health care/insurance;
- Income and income supports;
- Discrimination due to race, age, sex, gender, sexual orientation, or disability;
- Wage and pension claims;
- Housing;
- Wills and estates;
- Social security benefit;
- Disability;
- Debtor-creditor issues; and
- Protective services under the Pennsylvania Protection from Abuse Act, 23 Pa. C.S. §§ 6101-6122.

Applicants should describe how these requirements will be met.

- C. The selected Applicant must develop and maintain or maintain an existing caseload and management information system to be used for compliance reporting, monitoring, internal caseload management, and other appropriate management purposes.
- D. The selected Applicant must develop a screening process and application based on the eligibility requirements provided in **Part I, Section I-3** and detailed in Title XX Regulations for all individuals seeking services (referred or self-referred). Applications must be easily accessible and allow for multiple modes of completion including by phone, in-person, and mail.
- E. The selected Applicant must be able to determine eligibility within 30 days of receiving an application for services and track the basis of eligibility per individual as well as the number of individuals determined not eligible or denied services.
- F. The selected Applicant must maintain program records at its office. These program records must include, at a minimum:
 - 1. The reports of program and facilities reviews;
 - 2. Meeting minutes of the selected Applicant's Board of Directors and meetings with subgrant agencies and consumers;
 - 3. Service records including computer-generated information;
 - 4. Service policies and procedures including related correspondence;
 - 5. Organizational chart(s) and job descriptions;
 - 6. Personnel policies and procedures;
 - 7. Personal services contract of the selected Applicant's Executive Director; and
 - 8. Any other material relating to the provision of services.

Subcontractors are responsible for maintaining these same documents on their premises.

- G. The selected Applicant must cooperate and participate with the Department in periodic monitoring activities for the purpose of verifying that all Project requirements are met. This includes, but is not limited to, verification of client eligibility, sound fiscal and administrative conduct reports, and program and service delivery goals.

- H.** The selected Applicant has primary responsibility for monitoring the work and inspecting the files of its subgrantees. The selected Applicant must submit documentation of such monitoring and inspections, along with its findings, to the Department on a quarterly basis as detailed in **Part III, Section III-7**. Within 10 business days of a monitoring or inspection visit, the selected Applicant shall submit a brief written notification to the Department of those subgrantees whose non-compliance could adversely impact the Project or payments under the Project, or have media, legal, or legislative impact.
- I.** The selected Applicant must provide training and technical assistance throughout each SFY. The selected Applicant is responsible for developing training and technical assistance materials. Training and technical assistance opportunities must be offered quarterly to subgrantees (if applicable), stakeholders, and community partners. For increased access, in-person and virtual options must be available for training and technical assistance provided by the selected Applicant. Training topics should include, but are not limited to, information related to civil legal aid including trauma-informed practices. The selected Applicant must also provide training opportunities that offer continuing legal education credits. If subgrantees are being utilized, training and technical assistance should also include, but not limited to, topics related to compliance, eligibility and intake, managing grant funds, how to use the caseload and management information system, and grant goals.
- J.** The selected Applicant must develop resources, training, and outreach strategies aimed at bolstering community awareness of civil legal aid and the importance of civil legal aid. These resources must include the development and operation of a website for those individuals seeking civil legal aid in Pennsylvania. Resources and training must be made available to subgrantees (if applicable), stakeholders, and community partners.
- K. Turnover.** Upon expiration or termination of the Project, the selected Applicant shall provide for a smooth and timely turnover of its services to the Department and its designees, as applicable. In addition, the selected Applicant must:
1. Provide a final detailed description of the turnover plan for approval by DHS, initiated three months prior to the termination or expiration of the agreement. The turnover plan must be a comprehensive document detailing the proposed schedule, activities, and resource requirements associated with the turnover tasks. The turnover plan must include copies of all relevant data, documentation, or other pertinent information necessary for DHS or its designee to take over and successfully assume operational activities;
 2. Execute the approved turnover plan in cooperation with the Department and any incoming vendor's transition plan;
 3. Provide a lessons learned report to DHS. The lessons learned report must be a comprehensive document detailing the lessons learned from the turnover plan and process. This report must be submitted for approval three months prior to the end of the agreement term or within one month of a request by DHS.
 4. Provide DHS with a turnover results report within 90 days of the conclusion of Project, documenting the completion and outcomes of each step of the turnover plan approved by DHS. Turnover will not be considered complete and final payment will not be made until the turnover results report is received and approved by DHS.
 5. Turn over the operation and management of all service delivery functions to DHS or its designee. This turnover must be planned and managed in an orderly fashion so that there is no disruption of service to users;
 6. Work closely with DHS to accomplish the completion of turnover of responsibilities and the necessary knowledge transfer contract period; and

7. Cooperate with DHS and supply DHS or its designee with all information required by DHS or its designee during the turnover process, in the timeframe defined by DHS at the time of the request.

Applicant Response

III-6. Requirements.

- A. Partnership and Presence.** As part of its application, Applicants should provide a Letter of Commitment that shows there is an established partnership or an ability to establish such partnerships and an established physical presence or an ability to establish a physical presence in all 67 counties in Pennsylvania.

Applicant Response

- B. Record Retention.** The selected Applicant must establish and maintain all files in an accurate, secure, and confidential manner and for the required period of time, as mandated by applicable federal, state, and local laws, rules, and regulations. Client information that is not in active use, must be stored in a secure manner. Stored hard copy files must be kept in a dry, secure location and marked such that client information can be easily retrieved if necessary. Unless otherwise directed, selected Applicant must store all referral related materials for a minimum of five years from when services were rendered to the individual. When disposing of client-related information, the documents must be destroyed properly. Applicants shall provide a copy of, or a detailed description of, their record retention policy.

Applicant Response

- C. Outside Employment.** The attorneys employed full-time by the selected Applicant or by any subgrantee shall not engage in any outside practice of law except as permitted by 45 CFR Part 1604 or specifically approved by the Executive Director of the Legal Services Provider that employs the attorney. In the event such approval is granted, it may only be in accordance with a policy of the organization which governs such approval, as adopted by the Board of Directors of the organization. The approval requires, at a minimum, that the Executive Director and the Board determine that representation in such case or matter is consistent with the attorney's responsibilities to the organization's clients and is not in conflict with the best interests of the organization or its clients. Applicants shall provide a copy of, or a detailed description of, their policy regarding outside practice of law.

Applicant Response

- D. Limited English Proficiency:** The selected Applicant must prepare a proposed plan to meet the service needs of clients with limited English proficiency. The selected Applicant must submit this plan to the Department no more than 45 days after the Effective Date of this Project.

Applicant Response

- E. Emergency Preparedness.**

To support continuity of operations during an emergency, including a pandemic, the Commonwealth needs a strategy for maintaining operations for an extended period of time. One part of this strategy is to ensure that essential agreements that provide critical business services to the Commonwealth have planned for such an emergency and put contingencies in place to provide needed goods and services.

1. Describe how you anticipate such a crisis will impact your operations.
2. Describe your emergency response continuity of operations plan. Please attach a copy of your plan, or, at a minimum, summarize how your plan addresses the following aspects of preparedness:
 - a. Employee training (describe your organization's training plan and how frequently your plan will be shared with employees).
 - b. Identify essential business functions and key employees necessary to carry them out.
 - c. Contingency plans for:
 - i. How your organization will handle staffing issues when a portion of key employees are incapacitated due to illness.
 - ii. How employees in your organization will carry out the essential functions if measures prevent them from coming to the primary workplace.
 - d. How your organization will communicate with staff and suppliers when primary communications systems are overloaded or otherwise fail, including key contacts, chain of communications (including suppliers), etc.
 - e. How and when your emergency plan will be tested, and if the plan will be tested by a third-party.

Applicant Response

- F. Compliance with Law.** The selected Applicant must comply with all applicable federal, state, and local statutes, regulations, ordinances, policies, and rules in providing services pursuant to the grant agreement. In addition, the selected Applicant must provide the required services in compliance with Pennsylvania Rules of Professional Conduct. The selected Applicant must comply with all applicable DHS-specific regulations, policies, and directives. Applicants shall provide a detailed description of how they will comply with this requirement.

Applicant Response

- G. Location.** The selected Applicant must have legal representation available in all of the Commonwealth's 67 counties. The selected Applicant may subcontract with local and county legal service organizations and law firms specializing in civil legal services to provide this legal representation. Applicants should provide a detailed plan describing how they will provide legal representation services on a statewide basis.

The Department has a strong preference that any office locations to which the referred individuals would need to travel for legal representation services be accessible via public transportation. The Department will, however, consider extenuating circumstances.

Applicant Response

H. Confidentiality of Information and the Health Insurance Portability and Accountability Act (“HIPAA”) of 1996, Pub. L. 104-191, and accompanying regulations. The selected Applicant shall comply with all federal and state laws, regulations, and requirements related to the use and disclosure of information, including information that constitutes Protected Health Information (“PHI”) as defined by HIPAA. The selected Applicant shall comply with the Business Associate Addendum, **Appendix L**.

Applicant Response

I. Document Security. The nature of this Project requires the handling of confidential and sensitive information. The selected Applicant must establish a process to provide for the protection and confidentiality of all results, records, and other related information.

1. Confidential and sensitive information may need to be transferred from other agencies or shared with the Commonwealth during the term of the agreement and turned over to a successor Applicant or Commonwealth staff at the conclusion of the agreement. The selected Applicant must follow Commonwealth procedures for information handling and sharing.
2. The selected Applicant must demonstrate an understanding of and ability to comply with applicable federal and state laws, regulations, and rules regarding the security and confidentiality of information pertaining to the Medical Assistance program and other public assistance programs.
3. All individuals with access to confidential and sensitive information must sign a confidentiality agreement, provided by the selected Applicant or its subcontracted legal service providers. Personnel policies must address disciplinary procedures relevant to violation of the signed confidentiality agreement.
4. The selected Applicant must implement and maintain measures to prevent unauthorized access, copying, and distribution of information during work on this Project.
5. The selected Applicant must properly dispose (i.e., shred, surrender) of both hard and electronic working copies of such sensitive information created or obtained during work on this Project, as well as any other remaining information upon the completion of the Project.

Applicants shall provide a detailed description of their disposal procedures, or a copy of their policy related to handling and disposing of confidential and sensitive information.

Applicant Response

J. Lobbying Certification and Disclosure of Lobbying Activities. This Project will be funded, in whole or in part, with federal monies. Public Law 101-121, Section 319, prohibits federal funds from being expended by the recipient or by any lower tier sub-recipients of a federal contract, grant, loan, or a cooperative agreement to pay any person for influencing, or attempting to influence a federal agency or Congress in connection with the awarding of any federal contract, the making of any federal grant or loan, or entering into any cooperative agreement. All Applicants must sign the **Lobbying Certification Form**, attached as **Appendix J** and, if applicable, complete the **Disclosure of Lobbying Activities Form**, also attached as **Appendix J**.

Applicant Response

K. Worker Protection and Investment. Pursuant to Executive Order 2021-06, *Worker Protection and Investment* (October 21, 2021), the Commonwealth is responsible for ensuring that every Pennsylvania worker has a safe and healthy work environment and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance with all applicable Pennsylvania state labor and workforce safety laws. Such certification shall be made through the **Worker Protection and Investment Certification Form (BOP-2201)** and submitted with the bid, proposal, or quote. This form is attached as **Appendix M**.

Applicant Response

III-7. Reports and Project Control. The selected Applicant must timely and accurately submit all required reports to document each client's activities. The Department may consider the failure to submit this information within the required timeframes or failure to provide additional information as required as a default of the agreement, which may result in the termination of a selected Applicant's grant agreement, non-payment for the reports or both. The selected Applicant shall collect the required information and reports from all subcontractors and verify their accuracy. The selected Applicant shall compile the information received from the subcontractors into one comprehensive report and submit it to DHS.

A. Monitoring Instrument and Plan. The selected Applicant shall develop a monitoring instrument and plan for submission and approval by the Department. The selected Applicant shall submit its monitoring instrument and plan to the Department by August 31 of each SFY and include as part of the instrument and plan, but not to be limited to, the following:

1. The issues to be addressed by the subgrantees and verified by the Grantee.
2. The scope of the monitoring responsibilities of the Grantee.
3. The frequency and dates of the monitoring reviews of subgrantees which assures that at least one-third of the subgrantees are monitored on-site at least once every three years.
4. The documentation of monitoring activities, which shall be maintained by the Grantee.

Using the information above, Applicants shall provide a detailed description of their Monitoring Instrument and Plan.

Applicant Response

B. Quarterly Meetings. On a quarterly basis, the selected Applicant and the designated DHS Grant Administrator will meet either in person or virtually to discuss current projects and activities and upcoming projects and activities, and to share information. The selected Applicant must schedule and conduct the meeting. This meeting will focus on the quarterly status reports. Applicants shall provide their proposed plan for quarterly meetings.

Applicant Response

C. Quarterly Status Report. The selected Applicant must submit four administrative and statistical quarterly reports, each SFY, to the Department. These reports should follow the following schedule:

1. Quarter 1 (July – September) due November 15
2. Quarter 2 (October – December) due February 15
3. Quarter 3 (January – March) due May 15
4. Quarter 4 (April – June) due August 15

The selected Applicant must include, at a minimum, in its quarterly administrative report information on the following activities:

1. Monitoring activities completed;
2. Monitoring report findings for each site monitored and subsequent corrective actions taken, if necessary;
3. Technical assistance provided;
4. Follow-up on auditor findings for subgrantees, if applicable;
5. Direct service activities such as information/services provided or referrals made;
6. Significant Project(s) Status Report(s) including a brief narrative of projects described in the Work Plan, and any other significant projects or activities; and
7. Total DHS grant funds expended on Grantee administrative activities.

The selected Applicant must include, at a minimum, in its quarterly statistical report a total accounting of the following activities, per funding source, provided through the Project:

1. The number of cases served quarterly and in total;
2. The number of cases served cumulatively, by major case type, and in total;
3. The unduplicated number of cases served and in total;
4. The basis of financial eligibility of the clients served and in total;
5. The number of cases closed in the quarter and in total;
6. The number of cases opened for group clients during the quarter and in total;
7. The number of clients who attained employment and in total; and
8. The number of successful cases in the quarter and in total.

Applicant Response

- D. Final Report.** The selected Applicant must submit a State Fiscal Annual Summary, each SFY, to the Department. This report is due following the conclusion of each SFY on September 15. The selected Applicant must include, at a minimum, the following information by county of residence and gender:
1. Adults served, children served, and case type with Grant funds;
 2. Adults served, children served, and case type with non-Grant funds;
 3. Cases handled by program by funding source; and
 4. Grant funds by county.

Applicant Response

- E. Ad Hoc Reports.** The selected Applicant must provide additional reports, to include but not limited to, other status reports and reporting metrics when requested and directed by DHS.

Applicant Response

- III-8. Performance Standards.** The Commonwealth has developed a set of minimum performance standards defined below, which the selected Applicant must meet or exceed. The selected Applicant's performance will be reviewed and assessed on a quarterly basis. The DHS Grant Administrator will give notice of each failure to meet a performance standard to the selected Applicant. The selected Applicant must complete a corrective action plan following a notice of deficiency.

Applicants must describe their ability to meet or exceed these minimum performance standards.

Category	Performance Standard Action	Measure and Validation Method
Reporting	The selected Applicant shall deliver the quarterly reports to the designated DHS Grants Administrator by the designated due dates at the end of every quarter in the SFY, as outlined in Part III, Section III-7.C.	Quarterly reports must be timely submitted to the DHS Grants Administrator.
Reporting	The selected Applicant shall deliver the final reports to the designated DHS Grants Administrator by the designated due date following the end of the SFY, as outlined in Part III, Section III-7.D.	Final Reports must be timely submitted to the DHS Grants Administrator.
Communication	The selected Applicant shall attend quarterly meetings or calls with the designated DHS Grants Administrator.	Quarterly meetings and calls must be scheduled in coordination with the DHS Grants Administrator and attended by at least one representative of the selected Applicant.
Communication	The selected Applicant shall respond to the designated DHS Grants Administrator, or other DHS Staff associated with the grant, within three business days of receiving an email or call.	The selected Applicant must timely respond to emails and calls from the DHS Grants Administrator and other DHS Staff associated with the grant.
Tasks	The selected Applicant shall make the services described in the Project available to all 67 counties in Pennsylvania.	All 67 counties have access to the services described in the Project provided either directly by the selected Applicant or through subgrantees. County data must be represented in the final report.
Requests	The selected Applicant shall provide any requested information pertaining to the Project within three business days of receiving any email or call from the designated DHS Grants Administrator.	The selected Applicant must timely respond to requests from the DHS Grants Administrator regarding additional data or ad hoc reports related to the Project.

- A. The selected Applicant must expeditiously prepare and submit a corrective action plan for any observation or finding contained in a notice of deficiency. The selected Applicant must submit the corrective action plan to the Department within 10 business days of notification of the deficiency. In its discretion, the Department may extend the time for the submission of a corrective action plan.
- B. The corrective action plan must include, but is not limited to:
1. Brief description of the findings;
 2. Specific steps the selected Applicant will take to correct the situation or reasons why it believes corrective action is not necessary;
 3. Name(s) and title(s) of responsible staff person(s);

4. Timetable for performance of the corrective action steps;
 5. Monitoring that will be performed to implement corrective action;
 6. Signature of the selected Applicant's Program Manager or a senior executive.
- C. The selected Applicant must implement the corrective action plan within the timeframe agreed to by the parties for that particular corrective action plan. Failure to implement a corrective action plan, in the manner agreed to, may result in further action by the Department, including, but not limited to, a finding of default.
- D. In the event the Department, in its sole discretion, determines a deficiency to be a serious non-compliance with the selected Applicant's obligations under the agreement, the Department may find the selected Applicant in default.

Applicant Response

PART IV

COST SUBMITTAL

IV-1. Cost Submittal. The information requested in this **Part IV** shall constitute the Cost Submittal. The Cost Submittal shall be submitted as a separate attachment and shall not be submitted as part of the Technical Submittal. The total proposed cost should be broken down into the components set forth in **Appendix E – Cost Submittal Worksheet**. The percentage of commitment to SDBs and VBEs should not be stated in the Cost Submittal. Applicants should **not** include any assumptions in their cost submittals. If the Applicant includes assumptions in its Cost Submittal, the Department may reject the application. Applicants should direct in writing to the Issuing Officer pursuant to **Part I, Section I-9** any questions about whether a cost or other component is included or applies. All Applicants will then have the benefit of the Department’s written answer so that all applications are submitted on the same basis.

The Department will reimburse the selected Applicant for work satisfactorily performed after execution of a written agreement and the Effective Date of the grant agreement, in accordance with agreement requirements.

PART V

SMALL DIVERSE BUSINESS AND VETERAN BUSINESS ENTERPRISE PARTICIPATION INFORMATION

- V-1. SDB and VBE Participation Goals.** The Issuing Office and BDISBO have set the SDB Participation Goal and a VBE Participation Goal for this RFA, which are listed in **Part I, Section I-11** of this RFA and on the SDB and VBE Participation Summary Sheet. The SDB and VBE Participation Goals were calculated based upon the market availability of SDBs and VBEs for work scopes identified for this solicitation. See **Appendix G, Small Diverse Business Participation Packet** and **Appendix H, Veteran Business Enterprise Participation Packet** for additional information.

An Applicant's failure to meet the SDB and VBE Participation Goals in full or the failure to receive an approved Good Faith waiver for any unmet portion of the SDB or VBE participation goal will result in the rejection of the application as nonresponsive.

- V-2. SDB Participation Submittal, Appendix G.** Applicants should submit the SDB Participation Submittal and associated required documentation in accordance with the Instructions for Completing SDB Participation Submittal and SDB Utilization Schedule and with the submission requirements of **Part I, Section I-13.A**.
- V-3. VBE Participation Submittal, Appendix H.** Applicants should submit the VBE Participation Submittal and associated required documentation in accordance with the Instructions for Completing VBE Participation Submittal and VBE Utilization Schedule and with the submission requirements of **Part I, Section I-13.A**.

NOTE: Equal employment opportunity and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices do not constitute proof of SDB or VBE Status or entitle an Applicant to receive credit towards the SDB or VBE participation goals.

- V-4. Contract Requirements—SDB and VBE Participation.**

A. SDB and VBE Participation Documents. All documents completed and submitted by the selected Applicant in connection with its SDB Participation Submittal (including the SDB Participation Submittal, SDB Utilization Schedule, and any Good Faith Efforts Documentation to Support Waiver Request of SDB Participation Goal) and its VBE Participation Submittal (including the VBE Participation Submittal, VBE Utilization Schedule, and any Good Faith Efforts Documentation to Support Waiver Request of VBE Participation Goal) shall be incorporated into the Agreement by reference.

B. Required contract terms. All agreements containing SDB and VBE participation must contain the following provisions to be maintained through the initial term and any subsequent options or renewals:

1. Each SDB participation commitment and each VBE participation commitment which was credited and the total percentage of the SDB participation commitments and VBE participation commitments made at the time of application submittal or agreement negotiations, as applicable, become contractual obligations of the selected Applicant upon execution of its agreement with the Commonwealth.

2. For purposes of monitoring compliance with the selected Applicant's SDB and VBE participation commitments, the Agreement cost is the total amount paid to the selected Applicant throughout the initial Agreement term and all renewal terms.
3. The selected Applicant cannot alter its overall SDB or VBE commitments or commitments made to individual SDB or VBE subcontractors without written approval from the Department and BDISBO.
4. Both the overall percentage of SDB and VBE commitments, and individual SDB and VBE commitments must be maintained if the Agreement is assigned to another prime contractor.

C. Subcontract requirements.

1. The selected Applicant must enter into a final, definitive subcontract with each SDB listed on the SDB Utilization Schedule and each VBE listed on the VBE Utilization Schedule signed by the selected Applicant and the SDB or VBE within 30 calendar days of the final approval date of the Commonwealth agreement. A Model Form of Small Diverse Business/Veteran Business Enterprise Subcontractor Agreement which may be used to satisfy this requirement – is available as **Appendix I**.
2. In addition to any requirements in the selected Applicant's contract documents, the subcontract must contain:
 - a. The specific work, supplies or services the SDB or VBE will perform; location for work performed; how the work, supplies or services relate to the contract; and the specific timeframe during the initial term and any extensions, when the work, supplies or services will be provided or performed;
 - b. The fixed percentage commitment and/or associated estimated dollar value that each SDB or VBE will receive based on the final negotiated cost for the initial term of the prime contract and any renewal option terms;
 - c. Payment terms specifying that the SDB or VBE will be paid for work satisfactorily completed within 14 calendar days of the selected Applicant's receipt of payment from the Commonwealth for such work. Subcontractors are encouraged to utilize electronic payment methods;
 - d. Commercially reasonable terms for the applicable business or industry that are no less favorable than the terms of the selected Applicant's agreement with the Commonwealth and that do not place disproportionate risk on the SDB or VBE relative to the nature and level of the SDB's or VBE's participation in the agreement; and
 - e. The requirement that the SDB or VBE submit utilization reports to BDISBO.
3. If a subcontract is required by the RFA and the subcontract terms omit any of the information required in subparagraph 2 but that information is otherwise reflected within the selected Applicant's SDB Participation Submittal, VBE Participation Submittal, or associated documents (SDB Utilization Schedule, VBE Utilization Schedule, and Letters of Commitment), the information listed in the SDB Participation Submittal, VBE Participation Submittal, or associated

documents is incorporated into the subcontract agreement. If any subcontract terms conflict with the requirements of subparagraph (2) or information contained within the selected Applicant's SDB Participation Submittal or VBE Participation Submittal and associated documents, the order of precedence is as follows: 1) the requirements of subparagraph 2, 2) the selected Applicant's SDB Participation Submittal, VBE Participation Submittal and associated documents; and 3) the terms of the subcontract.

4. If the selected Applicant and a SDB listed on the SDB Utilization Schedule or VBE listed on the VBE Utilization Schedule cannot agree upon a definitive subcontract within 30 calendar days of the final execution date of the Commonwealth agreement, the selected Applicant must provide written notification to the Department and BDISBO.
5. The selected Applicant must provide a copy of any required subcontract with an SDB or VBE to BDISBO or the Department within ten business days of receiving such a request.

D. Utilization Reports.

1. The selected Applicant must submit a Monthly Utilization Report to BDISBO and the DHS Grant Administrator in the format required by BDISBO and within ten business days of the end of each month of the agreement term and any subsequent extensions. In the Monthly Utilization Report, the selected Applicant must list payments made to each SDB or VBE subcontractor and any unpaid invoices over 30 calendar days old received from an SDB or VBE subcontractor, and the reason payment has not been made. This information will be used to track and confirm the actual dollar amount paid to SDB or VBE subcontractors and will serve as a record of fulfillment of the contractual commitment(s). If there was no activity, the selected Applicant must complete the form by stating "No activity". A late fee of \$100.00 per day may be assessed against the selected Applicant if the Utilization Report is not submitted in accordance with the schedule above.
2. The selected Applicant must include in its subcontracts with its SDB and VBE subcontractors a requirement that the SDB and VBE subcontractors submit to BDISBO, within the time frame set forth within the solicitation document, a report identifying the prime contract, and listing:
 - a. Payments received from the selected Applicant within the time frame covered by the report, and
 - b. Invoices for which the subcontractor has not been paid.

E. Noncompliance with SDB or VBE commitments.

1. Upon BDISBO notifying the Department that a selected Applicant did not comply with the SDB commitments or VBE commitments, the Department shall notify the selected Applicant in writing of BDISBO's findings and shall specify the corrective actions to be taken. The selected Applicant must initiate the corrective actions within ten business days and complete them within the time specified by DHS.
2. If DHS determines that material noncompliance with SDB or VBE provisions exists and that the selected Applicant refuses or fails to take the corrective action required by DHS, DHS, in consultation with BDISBO, may impose any and all remedies available under the Agreement as it deems appropriate. Such remedies include, but are not limited to, withholding of payments; termination of the agreement along with consequential damages; revocation of the selected

Applicant's SDB, and/or VBE status; a determination that the selected Applicant's SDB or VBE participation submittal be deemed non-responsible in future procurements; and/or any actions under the Commonwealth's Contractor Responsibility Program, up to and including suspension or debarment from future contracting opportunities with the Commonwealth.

PART VI

CONTRACTOR PARTNERSHIP PROGRAM

VI-1. General Information – Contractor Partnership Program. The CPP was created by the Department to address workforce needs by connecting beneficiaries of Temporary Assistance for Needy Families (“TANF”) to jobs while simultaneously helping to fill the hiring needs of employers. The program is a collaborative effort between DHS and its contractors and grantees to lift families out of poverty.

CPP requires entities who are awarded a contract or agreement with DHS to establish a hiring target that supports TANF beneficiaries in obtaining employment with the contractor, grantee, or their subcontractors for jobs within their organizations. The Department encourages selected Applicants to consider TANF beneficiaries not only for employment opportunities that will be created through the award of an Agreement but also for general employment opportunities within the organization. DHS staff will work cooperatively with selected Applicants to assist in meeting their hiring targets by assisting with the identification of qualified job applicants through the Department’s employment and training programs and providing technical assistance as needed. Participating Applicants may also be eligible to receive hiring incentives, such as the Work Opportunity Tax Credit.

Through CPP, DHS expects not only to increase the employment rate for individuals receiving TANF cash assistance, but to continue to contribute to the economic growth of the Commonwealth.

For more information about the Contractor Partnership Program, please contact: RA-BETPCPP@pa.gov or 1-866-840-7214.

VI-2. Participation Requirements. Entities who are awarded a contract or agreement valued at a minimum of \$5 million through a competitive procurement process are automatically included in CPP. To receive credit towards meeting the CPP requirements and maintain good standing, these entities must hire or make good faith efforts to hire individuals currently receiving TANF cash assistance. This includes but is not limited to individuals receiving TANF who are currently participating in Department employment and training programs as well as TANF beneficiaries outside of these programs.

The Department’s vision for CPP is that selected Applicants are able to obtain employment for TANF beneficiaries in a number equal to 10% of the average of the annual number of a selected Applicant’s new hires in Pennsylvania over each of the prior three years.

VI-3. RFA Requirements. Applicants must provide a written narrative that addresses the following and must include the information in the CPP Submittal of their application.

- A. Applicant’s name, telephone number and mailing address.
- B. Type of business entity (i.e., not-for-profit, government entity, public corporation, university).
- C. Address of the company’s headquarters; if located in Pennsylvania, include county.
- D. The name, title, phone number, mailing address, and email of the Applicant’s point of contact for the CPP.
- E. Address of all satellite offices located in Pennsylvania, including the county.
- F. A list of the subcontractors’ names, address, and phone number; if located in Pennsylvania, include the county.
- G. Type of services being provided under the Agreement.
- H. Type of services provided by Applicant.

- I. Based on the calculation below, the anticipated number of positions that will be established as the hiring target.

For each of the prior three years, provide the number of new hires at your organization’s Pennsylvania offices. The hiring targets will be 10% of the average of the annual number of new hires in Pennsylvania over each of the last three years. Hiring targets can be discussed with the Office of Income Maintenance CPP staff to determine if a waiver or reduction of this requirement is warranted.

- J. Type of positions anticipated to be available during Agreement term.
- K. Describe the strategies that will be used to identify and recruit TANF individuals.
- L. Describe the methods that will be used to retain the individuals once they are employed, including opportunities for professional development.
- M. Identify the staff and processes that will be used to meet the CPP requirement, including the reporting requirements.
- N. Provide a brief explanation of any additional efforts that will be made to meet and maintain TANF hiring commitments.

The Department will not evaluate the CPP Submittal. After an Applicant is selected for negotiations, the Department’s Office of Income Maintenance Bureau of Employment Programs will review the CPP Submittal and may request changes or clarifications during negotiations. All information submitted is subject to approval by DHS.

VI-4. Agreement Requirements. The approved hiring target will become a performance target, included as part of the Agreement. Hiring targets will apply to the full term of the Agreement, including any extensions. After an Agreement has become effective, selected Applicants must establish a login for the DHS data tracking system, the Commonwealth Workforce Development System (“CWDS”), create a business folder, and complete and submit all required forms to the CPP staff. The selected Applicant must complete the Quarterly Employment Report on a quarterly basis to document the number of TANF beneficiaries hired for that quarter. OIM will monitor the submission of the Quarterly Employment Report in CWDS and will share the information with the Program Office responsible for the agreement.

Quarters	Begin Date	End Date	Reports Due*
1 – First	July 1	September 30	October 15
2 – Second	October 1	December 31	January 15
3 – Third	January 1	March 31	April 15
4 – Fourth	April 1	June 30	July 15

**If the 15th falls on a weekend or state holiday, the report is due the next business day.*

The selected Applicant, regardless of the Effective Date of the Agreement must complete the Quarterly Employment Report based on the schedule above. If an Agreement begins in the middle of a quarter, the information reported will be based on activity that occurred from the Effective Date through the end of the quarter. If no activity occurred, an entry reporting zero hires must still be submitted via CWDS.

In addition, selected Applicants must report information documenting the use and outcomes of their hiring strategies and demonstrating their good faith efforts to hire TANF beneficiaries on a quarterly basis. The Department will work with the selected Applicants to develop a form and submission requirements for this reporting.

Verification Process

Data entered in CWDS will be cross referenced with the Client Information System (“CIS”) to confirm TANF eligibility; CIS will automatically credit the selected Applicant whenever a TANF hire is submitted. The CPP staff and the Project Manager will work together to ensure that selected Applicants are meeting their hiring goals.