

REQUEST FOR APPLICATIONS FOR

Legal Representation Services for the CAO Disability Advocacy 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

32-22

DATE OF ISSUANCE

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TABLE OF CONTENTS

CALENDAR OF EVENTS	4
PART I – GENERAL INFORMATION	5
PART II – CRITERIA FOR SELECTION	14
PART III – TECHNICAL SUBMITTAL	17
PART IV- COST SUBMITTAL	32

APPENDICES

APPENDIX A, APPLICATION COVER SHEET

APPENDIX B, TRADE SECRET CONFIDENTIAL PROPRIETARY INFORMATION NOTICE FORM

APPENDIX C, COST SUBMITTAL

APPENDIX D, CM 585-ATTORNEY LETTER

APPENDIX E, GRANT AGREEMENT, including:

RIDER 1	PAYMENT PROVISIONS
RIDER 2	WORK STATEMENT
RIDER 3	BUDGET
RIDER 4	STANDARD GRANT TERMS AND CONDITIONS
RIDER 5	DHS ADDENDUM TO STANDARD TERMS AND CONDITIONS, ATTACHMENT A, AUDIT CLAUSE A AND B, ATTACHMENT L, LOBBYING CERTIFICATION FORM AND DISCLOSURE OF LOBBYING ACTIVITIES, AND ATTACHMENT W, WORKER PROTECTION FORM
RIDER 6	BUSINESS ASSOCIATE ADDENDUM

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	March 28, 2023 at 12:00:00 PM
Answers to Potential Applicant questions posted to the Department of General Services (“DGS”) website (http://www.emarketplace.state.pa.us) no later than this date.	DHS	April 5, 2023
Please monitor this website for all communications regarding this RFA.	Potential Applicants	On-going
Applications must be received by the Issuing Office at: RA-PWRFAQUESTIONS@PA.GOV	Applicants	April 24, 2023 at 12:00:00 PM

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’ (“DHS” or “Department”) consideration on behalf of the Commonwealth of Pennsylvania (“Commonwealth”) to satisfy a need for **Legal Representation Services for the CAO Disability Advocacy Program** (“Project”). This RFA contains instructions governing the requested applications, including the requirements for the information to be included; a description of the services 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 Eric McCoy, 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 Disability Advocacy Program (“DAP”) is a statewide program established in 1985 that assists presumptively disabled public assistance recipients in their pursuit of Supplemental Security Income (“SSI”), Social Security Disability Insurance (“SSDI”), or both. Designated County Assistance Office (“CAO”) workers monitor and track the Social Security Administration (“SSA”) applications and appeals of individuals who are part of DAP. DAP also assists these individuals in filing initial SSI/SSDI applications and Requests for Reconsideration, as needed, and refers them for legal representation services in their further pursuit of SSI/SSDI benefits.

DHS seeks to partner with a legal services provider that specializes in disability law to provide legal representation to individuals referred to them by the CAOs across the 67 counties in Pennsylvania. At times, individuals may also self-refer for legal representation services for their SSI/SSDI application. The selected Applicant must provide legal services including, but not limited to, the investigation of medical impairments and gathering of medical evidence and the preparation for and representation at the various SSI/SSDI application and appeal stages, including, but not limited to, Administrative Law Judge (“ALJ”) hearings. By receiving these services, individuals will have a much higher chance of receiving a favorable outcome at an ALJ hearing and decreasing the need for public assistance benefits.

- I-4. Objectives.**
- A. General.** The objective of this RFA is to secure a legal services organization that will provide legal representation services to referred individuals in their pursuit of SSI/SSDI benefits across the 67 counties of Pennsylvania so that they have the best

chance of being awarded SSI/SSDI benefits, leading them to the path of self-sufficiency with less or no need at all for public assistance benefits.

B. Specific. The Department’s specific objective is to work with an entity that shall provide individualized legal representation services to an estimated minimum goal of 4,080 individuals per year. In addition, the selected Applicant shall work collaboratively with CAOs with respect to mutual clients. The selected Applicant shall provide services which include, but are not limited to, screening and interviewing CAO-referred and self-referred individuals. The services will include assisting these individuals with completing SSA forms. Services will also include researching medical impairments and assisting in gathering medical evidence which may require additional testing, which includes medical, vocational, and psychological testing. The selected applicant will also conduct legal research, making determinations on obtaining witness testimony, and ultimately preparing for and representing these individuals at ALJ hearings for colorable claims.

Please refer to **Part III** of this RFA for a more detailed description of requirements and tasks for this Project.

- I-5. Type of Agreement.** The Department intends to award one grant agreement as the result of this RFA. If the Department enters into an agreement, it will be a cost reimbursement agreement consisting of the Grant Agreement attached to this RFA as **Appendix E**, and its attached Payment Provisions (**Rider 1**), Standard Grant Terms and Conditions (**Rider 4**), the DHS Addendum to the Standard Grant Terms and Conditions (**Rider 5**) and its attachments (**Attachments A, L, and W**), and the Business Associate Addendum (**Rider 6**). **Rider 2**, Work Statement, will consist of **Part III** of this RFA and the selected application, and **Rider 3**, Budget, will consist of the selected Applicant’s Cost Submittal (**Appendix C**).
- I-6. Rejection of Applications.** DHS may, in its sole and complete discretion, reject any application received as a result of this RFA.
- I-7. Incurring Costs.** The Department is not liable for any costs incurred by the Applicant in the preparation and submission of its application, in participating in the RFA process, in anticipation of agreement award, or for any service or work performed or expenses incurred prior to the effective date of a fully executed Grant Agreement.
- I-8. Questions & Answers.** If an Applicant has any questions regarding this RFA, the Applicant must submit the questions by email (**with the subject line “RFA 32-22 Question”**) to the Issuing Officer named in **Part I, Section I-2** of this RFA. The Applicant may not contact the RFA 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 this RFA. If DHS decides to respond to a non-administrative question *after* the date for receipt of questions specified in the

Calendar of Events, the answer will be provided to all Applicants through an addendum to this RFA.

All questions and responses as posted on the DGS website are considered as an addendum to, and part of, this RFA in accordance with RFA **Part I, Section I-9**.

- I-9. Addenda to this 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 the DGS website at <http://www.emarketplace.state.pa.us>. Each Applicant shall be responsible for monitoring the DGS website for new or revised RFA information. DHS shall not be bound by any verbal information, nor shall it be bound by any written information that is not either contained within this RFA or formally issued as an addendum to it.
- I-10. Response Date.** To be considered for selection, Applicants must submit electronic copies of their applications to the Issuing Office and the Issuing Office must receive the applications **no later than** the date and time specified in the Calendar of Events. Electronic copies of applications must be submitted to RA-PWRFAQUESTIONS@PA.GOV. Applicants should allow sufficient time for electronic submission and receipt of their applications. The Department will **not** accept hard copy applications or applications via facsimile transmission. **The Department will reject late applications or portions of applications.** “Late” includes, but is not limited to, applications which are received within a minute or less after the due date and time, as well as, applications that are received several hours or days after the due date and time.
- I-11. Application Requirements.**
- A.** To be considered, Applicants must submit a complete electronic response to this RFA to the Issuing Office, using the format provided in **Part I-11.B**, providing **one complete copy of the Technical Submittal (along with all requested documents) and one copy of the Cost Submittal, via email to RA-PWRFAQUESTIONS@PA.GOV**. The subject line of the email must specify “RFA 32-22 Application.” Email attachments are limited to 10 MB, cumulatively, per email, and files may not be sent in any compressed format. Any attachments exceeding that limit must be sent via separate emails, with each labeled as follows: RFA 32-22 Application Part X of Y (total number of emails).

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-17**, 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, contractual 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 and submitting it to RA-PWRFAQUESTIONS@PA.GOV prior to the date and time specified in the Calendar of Events of when applications are due. An Applicant may modify its submitted application prior to the exact hour and date set for application receipt only by submitting a new application or 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. Each Applicant should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to its application. **All cost data relating to this application should 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 two separate submittals.

1. Technical Submittal:

a. Applicants should format their responses as outlined below. The Technical Submittal should include the following:

- i. Application Cover Sheet (**Appendix A**)
- ii. Statement of Project
- iii. Requirements
- iv. Applicant Qualifications
- v. Personnel Qualifications
- vi. Work Plan
- vii. Reports and Project Control
- viii. Performance Standards

- b. Complete, sign, and include **Attachment L – Lobbying Certification Form** and, if needed, the **Disclosure of Lobbying Activities; and**
- c. Complete, sign and include **Attachment W, Worker Protection and Investment Certification Form.**

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

Technical Submittals should adhere to the following format:

- a. Pages should be 8.5 by 11 inches with right and left margins of one inch.
- b. Should use Arial or Times New Roman font with a type size of 12.
- c. Tab and Section headings, shown in this **Part I, Section I-11**, should be used.
- d. Include a page number and identification of the Applicant in the page footer of each page.
- e. Specifically reference materials provided in any appendix 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 this 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 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 the Applicant is properly qualified to carry out the obligations of this RFA and to complete the Project as specified.

- I-12. Economy of Preparation.** Applicants should prepare applications simply and economically, providing a straightforward, concise description of the Applicant's ability to meet requirements of this RFA.
- I-13. 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-14. 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 requirements of this RFA. 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-15. 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-16. Prime Applicant Responsibilities. 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-17. Application Contents.

A. Confidential Information. The Commonwealth does not require, and is not requesting, that Applicants include confidential proprietary information or trade secrets as part of their applications. Accordingly, except as provided, Applicants should not label applications as confidential or proprietary or trade secret protected. Any Applicant who determines that its application cannot be evaluated properly without including such information must submit a signed written statement as described in Subsection C below, and must provide a redacted version of its application in accordance with **Part I, Section I-11.A** of this RFA, 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 and may be returned only at the Department's option. Regardless of whether any particular application becomes part of a grant, the Commonwealth has the right to use any or all ideas not protected by intellectual property rights that are presented in any application. Notwithstanding any Applicant's copyright designations, the Commonwealth shall have the right to make copies, to 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.

I-18. Best and Final Offers ("BAFOs").

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 or whose applications the Department has determined to be not responsive.
 2. 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.
- 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** of this RFA, 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-19. 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 DHS, and then only in coordination with DHS.

I-20. Restriction of Contact. From the issue date of this RFA until the Department selects an application for award, 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-21. 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 this **Part I, Section I-21** of this RFA. 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-22. Term of Agreement.** The term of the grant agreement will commence on the Effective Date, anticipated to be October 1, 2023, and will be for a period of three years from the Effective Date. The anticipated Effective Date is subject to change. Subject to the performance of selected Applicant and other considerations, DHS may extend the agreement on the same terms and conditions for up to two one-year periods. 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.
- I-23. Applicant's Representations and Authorizations.** By submitting its application, each Applicant understands, represents, and acknowledges that:
- A.** All Applicant information and representations in its application are material and important, and the Department will rely upon the contents of the application in awarding the agreement. The Commonwealth may treat any misstatement, omission, or misrepresentation as fraudulent concealment of the true facts relating to the application submission, punishable pursuant to 18 Pa. C.S. § 4904.
 - B.** The Applicant has arrived at the price(s) and amount(s) 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, the amount of its application, nor the approximate price or amount of its application to any other firm or person who is an Applicant or potential applicant, and the Applicant shall not disclose any of these items on or before the application submission deadline specified in the Calendar of Events.
 - D.** The Applicant has not attempted, nor will it attempt, to induce any firm or person to refrain from submitting an application for this agreement, 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 agreement, 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. 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 contract with the Department, any recommendations to the Department concerning the need for the services or the specifications for the services described in its 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 selected 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-24. Notification of Selection for Negotiations.

- A. Selection for 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.

I-25. 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-10**);
 - B.** Be properly signed by the Applicant (see **Part I, Section I-11.A**).
- II-2. Technical Nonconforming Applications.** The two Mandatory Responsiveness Requirements set forth in **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.
- 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 100% of the total points. Evaluation will be based upon the following criteria:
 - **Soundness of Approach.** This includes, but is not limited to, the degree to which the Applicant's technical approach provides for completion of all RFA tasks, is responsive to all requirements of this RFA, and meets the Project's objectives.
 - **Applicant Qualifications.** This includes, but is not limited to, the ability of the Applicant, as demonstrated through its application, to meet the terms of this RFA based on its experience or similar experience in providing services required by this RFA. Considerations include, but are not limited to, the quality, relevancy, and recentness of projects completed by the Applicant, as well as the degree to which the Applicant's application demonstrates its ability to undertake a Project of this size and to serve all locations specified in this RFA.
 - **Personnel Qualifications.** This includes, but is not limited to, the competence and sufficiency of Applicant's personnel who would be assigned to the Project. Qualifications of personnel will be measured by education and experience, particularly with respect to providing services similar to those described in this RFA.

- **Understanding the Project.** This includes, but is not limited to, the Applicant's understanding of the Commonwealth's needs that generated the RFA, the objectives of the RFA, and the nature and scope of the work involved.
- **Cost.** This refers to the feasibility of the Applicant's Cost Submittal, and whether the proposed grant activities are commensurate with the budget

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

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

For an Applicant to be considered responsible and eligible for selection for BAFOs and selection for award:

- A. The total raw score of the Technical Submittal of the application must be greater than or equal to **75%** of the **available raw technical points**; and
- B. As determined by the Department in its sole discretion, the Applicant must have the ability to provide legal representation services on a statewide basis either directly or through the use of subcontractors.

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 score and final cost scores, in accordance with the relative weights assigned to those 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 **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 this 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. Nature and Scope. At a minimum, CAO DAP advocates will refer to the selected Applicant for legal representation at their ALJ hearing clients who are denied at the Reconsideration level. Clients can also be referred to selected Applicant at any time during the DAP process if it would benefit the client and may also self-refer. Based on this referral (CAO or self), the referred and self-referred individuals will contact the selected Applicant requesting representation. The selected Applicant shall then screen the individual to determine if the individual has a colorable claim in the pursuit of SSI/SSDI benefits, based on a holistic view of that individual's situation. The selected Applicant shall document these determinations to DHS as part of its quarterly reporting. Based on this screening and its determination that a colorable claim exists; the selected Applicant shall determine if it will accept the case. By accepting the case, the selected Applicant shall tailor the representation services and activities to be provided to the needs of the individual.

The selected Applicant shall provide legal representation services to an anticipated minimum of 4,080 referred and self-referred individuals a year, which includes gathering and developing medical evidence, legal research, and providing representation at the ALJ hearing.

For referred and self-referred individuals who receive a favorable determination by SSA and are awarded federal disability benefits, the Department's expenditure of state funds can be substantially reduced through reimbursement, cost avoidance, and the maximization of an enhanced Federal Medical Assistance Percentage rate. Therefore, high-quality representation is of critical importance to the Department.

III-2. Statement of the Project. State in succinct terms your understanding of the Project and the service 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.

Applicant Response

III-3. Requirements.

A. 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 also comply with all applicable, DHS-specific regulations, policies, and directives.

- B. 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 disability law to provide this legal representation. The Applicant should provide a detailed plan describing how it 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.

- C. 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 easily be 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 appropriately destroyed. See **Attachment A, Audit Clause, to Rider 5** of the Grant Agreement (**Appendix E**) for additional information on record retention.

- D. Lobbying Certification and Disclosure of Lobbying Activities.** This Project may be funded 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 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 parties who submit applications in response to this RFA must sign the "Lobbying Certification Form," (attached as **Attachment L to Appendix E**), and if applicable, complete the "Disclosure of Lobbying Activities" form (attached as **Attachment L**). The signed form(s) must be included in the Technical Submittal.

- E. 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.

F. 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 relating 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, **Rider 6 to Appendix E, Grant Agreement**. The selected Applicant shall comply with all federal and state confidentiality laws, regulations, and requirements pertaining the use and disclosure of information relating to applicants and recipients of public assistance benefits. *See, e.g.*, 42 U.S.C. § 290dd-2; 42 U.S.C. § 602(a)(1)(A)(iv); 42 U.S.C. § 1396a(a)(7); 7 U.S.C. § 2020(e)(8); 23 Pa. C.S. §§ 6339-6340; 35 P.S. § 7607; 50 P.S. § 7111; 62 P.S. § 404. *See also* 7 C.F.R. § 272.1(c); 42 C.F.R., Part 2; 42 C.F.R. §§ 431.300-431.307; 45 C.F.R. Parts 160 and 164; 45 C.F.R. § 205.5055; Pa. Code Chapter 105; 55 Pa. Code § 3490.91; 55 Pa. Code §§ 5100.31-5100.39.

G. 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 application. This form is attached as **Attachment W**.

III-4. Qualifications.

A. Applicant Qualifications.

The selected Applicant and any subcontracted legal service providers should specialize in disability law practice and should have prior experience in providing SSA representation services or a similar type of experience. Applicants should describe the qualifications and 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. Provide the names of any organizations that will be used to assist in performing the services described in this RFA and explain how their vision statements align with that of the Applicant. Provide some examples of Applicant and any subcontracted legal service providers' involvement in the communities they serve.
2. Describe your organization's participation in efforts to promote systemic changes to SSA and the Bureau of Disability Determinations' policies, procedures, and processes.
3. 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. Designate which locations are accessible via public transportation and the nature of the public transportation.
4. Describe Applicant and any subcontracted legal service providers' relationship, if any, with the CAO in each providers' respective areas and how that relationship would be developed or strengthened.
5. 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.
6. Describe your organization's capacity and available resources to successfully complete the Project.
7. Describe your rate of success with respect to SSI/SSDI benefit approvals, including the cumulative number of individuals represented by both Applicant and any subcontracted organizations in SSI/SSDI application appeal cases and of those, how many were ultimately approved for federal benefits. Provide these figures for each of the last five years, separated by year.

B. Personnel Qualifications. All personnel performing SSA representation services must be in good standing and be licensed to practice law in Pennsylvania. If the selected Applicant and its subcontractors choose to utilize paralegals to undertake representation services, selected Applicant and its subcontractors shall use paralegals within the scope of their practice and under the supervision of attorneys. The selected Applicant shall verify that the qualifications of the personnel providing the legal representation services meet the professional and the Department's requirements. In addition, Applicant should provide the following information:

1. Provide a list of all key personnel (Executive Director or similar title for personnel of the selected Applicant and any subcontracted legal service providers) who would be assigned to this Project and thoroughly detail their experience, education, and competency in providing representation services. Specify any personnel who are certified as board specialists in Social Security Disability Law by the National Board of Trial Advocacy and provide resumes, if available.
2. Provide the minimum qualifications and requirements for non-key personnel providing SSA representation services. Please provide the performance standards, if any, for those personnel, such as rate of denied SSI/SSDI applications per year.
3. Explain how personnel assigned to this Project will assist in keeping the individuals to whom they are providing representation engaged and supported while undergoing the process for appealing an SSI/SSDI application denial.
4. Explain how assigned personnel will establish and maintain effective communication with all stakeholders, including, but not limited to, internal and external members of their organizations (including, but not limited to, CAO staff, consultants, and subcontracted legal services providers) as well as the individuals to whom they are providing representation services.
5. Provide an organizational chart outlining the staffing, reporting relationships and staff members in its description. Show the total number of staff proposed. The organizational chart should illustrate the lines of authority, designate the positions responsible and accountable for the completion of each component in the RFA, and the job titles and number of personnel that will be assigned to each role.
6. Provide a subcontracting plan if any subcontractors will be used.

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 type display, time related, showing each event. If more than one

approach is apparent, comment on why you chose this approach was chosen. The relationship between Key Personnel and the specific tasks, assignments, and deliverables proposed to accomplish the scope of work should also be described.

The Applicant should describe its management approach, including how it will implement its proposed work plan. Where applicable, the Applicant should provide specific examples of methodologies or approaches, including monitoring approaches, it will use to fulfill the RFA requirements and 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 also address its approach to internally monitor and evaluate the effectiveness of meeting the agreement requirements.

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

A. Tasks.

1. The selected Applicant must acknowledge and document contacts by CAO-referred individuals seeking legal representation services, and who are being monitored by CAO DAP and have received an unfavorable determination at their Request for Reconsideration appeal for SSI/SSDI benefits. At times, this referral may be received at earlier or later stages of the SSI/SSDI application and appeal process. An individual actively receiving public assistance benefits may also self-refer for legal representation services and may not be active in the CAO DAP program but would like assistance in being able to receive SSI/SSDI benefits. The selected Applicant shall verify that the self-referred individual is receiving public assistance benefits at onset of referral and throughout term of representation. Verification may include, but is not limited to, a recent CAO eligibility notice or a printout from the individual's MyCompass account showing the benefits being received.
2. The selected Applicant shall screen the referred and self-referred individuals to determine if a colorable claim for pursuing SSI/SSDI benefits exists, based on a holistic view of the individual's situation. Based on this screening and a determination that a colorable claim exists, the selected Applicant shall determine whether it will accept an individual's case and provide legal representation services. The selected Applicant shall interview the individual to make a determination with respect to acceptance if unable to make a determination after the preliminary screening. The selected Applicant shall make a determination of acceptance or non-acceptance of a case within 30 calendar days of being contacted by the individual or from date of referral by the CAO.**NOTE: Representation Services provided by the selected Applicant are only to be provided for individuals with colorable claims.**
3. The selected Applicant shall direct the individual to complete the "Attorney who will represent me at my ALJ hearing" section of the DAP "Attorney Letter" (the

referral letter-CM585, **Appendix D**) and send the completed form back to the applicable CAO. This will serve as notification to the CAO that the selected Applicant accepted that individual's SSI/SSDI appeal case. This letter also confirms to the selected Applicant that the referred individual is active in CAO DAP. For individuals who self-refer and the selected Applicant accepts their case, the selected Applicant should encourage the individuals to communicate this acceptance to the CAO so that the CAO can facilitate the individuals' entry into CAO DAP.

4. The selected Applicant shall provide legal representation services to an estimated minimum 4,080 individuals each agreement year. The selected Applicant shall provide legal representation until the maximum amount of grant funding per year is exhausted. Legal representation services include, but are not limited to:
 - a. Assisting with the completion of SSA forms and documents (if needed);
 - b. Researching medical impairments and gathering medical evidence;
 - c. Determining if additional medical testing, psychological testing, or both are needed;
 - d. Conducting legal research including, but not limited to, all aspects of the Social Security Law, disability laws, and past precedents;
 - e. Determining if witness testimony is necessary; and
 - f. Preparing and providing legal representation of individuals at ALJ hearings.

NOTE: Advice and basic counseling are not considered on their own to meet the definition of providing legal representation. They must be performed in conjunction with services described in this section.

5. The selected Applicant must utilize a case tracking system, which at minimum shows the following:
 - a. The date the referral was received and the referring CAO, the date a self-referral was made and the date determination of the acceptance or non-acceptance of an individual for representation for both referred and self-referred individuals and the reason for the acceptance or non-acceptance;
 - b. The number of days an accepted referral has been open and its status;
 - c. A list of all services that have been provided on an accepted referral; and
 - d. The date and reason a referral was closed.
6. The selected Applicant shall maintain an individual case record for each accepted referral and self-referred individual. The selected Applicant must maintain the case record in accordance with the Department's record retention requirements.
7. The selected Applicant must work collaboratively with CAO DAP advocates on mutual cases, facilitating each other's work by exchanging information and technical expertise. CAO DAP staff will provide all medical, vocational, and social documentation collected to the selected Applicant when requested. The selected Applicant must provide a signed release of information form from the individual or legal representative to the CAO before any Personal Identifying

Information or PHI may be shared with the selected Applicant, including confirmation that the individual is receiving benefits.

8. The selected Applicant shall communicate and conduct meetings with CAOs as needed or as regularly scheduled to address common issues, matters of concern, or strategies for better assisting mutual clients. The selected Applicant must be available to local CAO DAP staff for pre-referral advice and consultation.
9. The selected applicant shall conduct informational sessions on the SSI and SSDI process based on the needs of each service area in the interest of community outreach and education.
10. The selected applicant shall provide post-eligibility services as needed, related to disability claims.
11. The selected applicant shall participate in advocacy to streamline SSI and SSDI benefit application process.
12. **Transition Plan.** Transition consists of 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 Department has designated a maximum of three months for the completion of all transition activities.
 - a. The Primary objectives of the Transition Phase are the following:
 - i. The selected Applicant's successful orientation, knowledge acquisition, and operational independence from the incumbent;
 - ii. The smooth transition of responsibilities to the selected Applicant;
 - iii. The selected Applicant's establishment of accurate assessments and strong accountability controls; and
 - iv. A mitigation of risk to the Commonwealth, DHS clients, and taxpayers.
 - b. The selected Applicant must:
 - i. Prepare and submit to DHS for final review and approval a comprehensive Transition Plan within two weeks of the Effective Date of the grant agreement. The Transition Plan shall incorporate the activities necessary to turn over the business operations in an orderly manner from the incumbent. The plan must:
 - a) address the resources required for the transition, including those from the Department, incumbent, and selected Applicant;
 - b) identify the transition objectives and work plan activities on a Gantt chart and document activity time frames and responsibilities; and
 - c) provide for the transition of the on-going business, operational, strategic business, and policy activities currently being executed by the incumbent contractor.

- ii. Provide that knowledge transfer occurs in a manner to enable its staff to confidently assume ownership and to independently manage the in-scope activities without disrupting operations or timely delivery of services.
 - iii. Receive the turnover of the operation and management of all in-scope functions no later than the end of the transition period.
 - iv. Upon DHS approval of the Transition Plan, the selected Applicant shall begin transitioning the functions and provide the transition progress assessments and status updates. The selected Applicant shall coordinate with DHS regarding transition tasks, prioritization issues, and conflicting activities interfering with maintaining and operating daily business.
 - v. At the end of the Transition phase, the selected Applicant must prepare and submit to DHS for final review and approval the Transition Results Report. This report must document the completion of transition activities and provide the status of each high-level task and activity that took place during the transition period. The report must highlight how each of the objectives stated in the Transition Plan have been achieved and the resolution of issues identified and prioritized during the process.
- c. The Department's responsibilities are to:
- i. Review, approve, disapprove, or request modification and resubmission of the Transition Plan and Transition Results report.
 - ii. Identify Commonwealth key contacts.
 - iii. Provide the selected Applicant with the necessary access to Commonwealth facilities, personnel, documentation, and other items under its control.
 - iv. Provide coordination with and access to third parties, as required.
 - v. Participate in Project Initiation and Setup related discussions.
 - vi. Provide agreed-upon levels of active participation (of the business staff, technical staff, and management, as applicable) in the Transition work sessions.
 - vii. Coordinate with the incumbent so that the Transition needs are understood and can be met.
- d. The selected Applicant's required deliverables for Transition are the approved Transition Plan and Transition Results Report.

13. Turnover Plan. Turnover consists of a process, which includes those activities that must be performed at the end of an agreement to turn over service delivery to a successor grantee or to Commonwealth resources. During the turnover period, the selected Applicant shall work cooperatively with any successor and the Department.

Upon expiration or termination of the agreement, the selected Applicant shall provide for a smooth and timely transition of its services to DHS and its successor. The selected Applicant must cooperate with DHS and supply DHS and

any successors with all required information during the turnover process and pay all costs related to the transfer of materials and responsibilities as a normal part of doing business with the Commonwealth.

The selected Applicant must submit a Turnover Plan, which describes how it will transition its processes to DHS and its vendors prior to the expiration or termination of the agreement.

a. Turnover Scope. During turnover, the selected Applicant must conduct the transfer of services so as not to impact the Department's administration of the program, including implementation of any new initiatives or projects. Four months prior to the end of the agreement term, the selected Applicant must develop and submit to DHS for approval a comprehensive Turnover Plan that details the proposed schedule, activities, and resource requirements associated with the turnover tasks. Three months prior to the end of the term, the selected Applicant must implement the DHS approved Turnover Plan.

Turnover activities shall include:

- i. Transfer of information, including documentation relating to the selected Applicant's case tracking system;
- ii. The implementation of a quality assurance process to monitor turnover activities;
- iii. The plan for training the Department and other staff in the delivery of services;
- iv. Post-Turnover services including a Turnover Results Report and access to the selected Applicant's staff with technical and operational expertise; and
- v. The appointment, with DHS approval, of a manager to coordinate all turnover activities outlined in the DHS approved Turnover Plan.

b. Selected Applicant's Requirements. The selected Applicant shall:

- i. Execute the approved Turnover Plan in cooperation with the Department and any incoming vendor's Transition Plan;
- ii. Maintain service delivery staffing levels, with no reduction in staffing, throughout the turnover period;
- iii. Not restrict or prevent the Applicant's staff from accepting employment or contract positions with DHS or with any successor grantee. DHS will work with the incumbent and successor grantee on the timing of any transition of incumbent staff;
- iv. Notify DHS of reassignment or termination of employment or contract with any of its staff during Turnover prior to reassignment or termination of the staff;
- v. Provide to DHS or its agent, within 15 business days of the request, all updated documentation and records required by DHS;
- vi. 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 no disruption of service to users takes place;

- vii. Work closely with DHS to accomplish the completion of turnover of responsibilities and the necessary knowledge transfer contract period;
 - viii. Submit turnover deliverables as outlined in the tables below;
 - ix. Respond to all DHS requests regarding turnover information, in the timeframe defined by the Commonwealth at the time of the request;
 - x. Address any issues identified in the Turnover Lessons Learned Report;
 - xi. The Applicant will require a plan of action, if services are contracted to a third-party vendor, specific to the needs of each service area
 - xii. The Applicant shall act upon acceptance or non-acceptance of a CAO referral, and provide notice of action to the CAO and individual within 15 days.
 - xiii. The Applicant shall notify CAO staff of all represented individuals not originated through the CAO DAP referral process within 15 days; and
 - xiv. The Applicant shall address systematic problems encountered during the duration of the agreement, such as, but not limited to, barriers that affect a group discriminately.
- c. **Turnover Deliverables.** The selected Applicant’s required deliverables associated with Turnover are as follows:

i. Turnover Plan Deliverable

Turnover Plan	
Activity	Turnover
Expected Delivery	Submitted for approval no later than four months prior to the end of the agreement term or within one month of a request by DHS.
Frequency	Once
Description	<p>The selected Applicant must develop and implement a DHS approved Turnover Plan covering the turnover of the operational activities to DHS or its designee. The Turnover Plan must be a comprehensive document detailing the proposed schedule, activities, and resource requirements associated with the turnover tasks. Additionally, the Turnover Plan must be provided in a format and media specified by DHS.</p> <p>The Turnover Plan must include:</p> <ul style="list-style-type: none"> • Turnover of copies of all relevant data, documentation, or other pertinent information necessary for DHS or its designee to take over and successfully assume operational activities; • Turnover Inventory of Documents and Plan; and • Turnover Completion Report.

ii. Turnover Lessons Learned Report Deliverable

Turnover Lessons Learned Report	
Activity	Turnover
Expected Delivery	Submitted for approval no later than six months prior to the end of the agreement term or within one month of a request by DHS.
Frequency	Once
Description	The selected Applicant must provide a Turnover Lessons Learned Report to DHS. The Turnover Lessons Learned Report must be a comprehensive document detailing the lessons learned from the Transition plan and process. Additionally, the Turnover Lessons Learned Report must be provided in a format and media specified by DHS.

iii. Turnover Results Report Deliverable

Turnover Results Report	
Activity	Turnover
Expected Delivery	Submitted for approval within 30 calendar days of the completion of Turnover activities.
Frequency	Once
Description	Following turnover of service delivery, the selected Applicant must provide DHS with a Turnover Results Report 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.

Applicant Response

III-6. 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 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 to DHS. The selected Applicant must also use a uniform code for each corresponding SSA representation service description, (e.g., “H” equals ALJ hearing). The selected Applicant must use these uniform codes and service descriptions in its reports to DHS.

A. Quarterly Status Reports: The selected Applicant shall:

1. Submit to the Department three quarterly status reports that document the number of referrals and self-referrals received in each of the first three quarters of the state fiscal year (which runs July 1st through June 30th) and of those, the number of referrals and self-referrals accepted and not accepted, by the last day in the month following the end of each quarter in the state fiscal year.
2. For all referrals or self-referral received, the selected Applicant must document the reasons for acceptance and non-acceptance.
3. The selected Applicant shall document the number of referrals in which legal representation services were provided in that prior quarter and shall clearly describe the activities taken to date on each corresponding case.
4. The selected Applicant must include in the quarterly status reports:
 - a. the client’s county of residence and county number,
 - b. the client’s seven-digit CAO record number,
 - c. the date the referral or self-referral was received,
 - d. the date the selected Applicant made the determination of acceptance or non-acceptance of the referral, and
 - e. the date legal representation services ended (for applicable cases),
 - f. the number of parties that received SSI/SSDI benefits and the percentage based on the number of referrals received,
 - g. the percentage of the number of parties in the DAP process that receive services based on the number referrals received,
 - h. the number of individuals that had a record expunged, sealed or pardoned, and the percentage based on number of referrals received,
 - i. the number of parties assisted that gained employment (for Employment and Training), and the percentage based on the referrals received,
 - j. and the number of reverse referrals (i.e., individuals who were referred to the Commonwealth and were eligible for MA from the selected applicant) and
 - k. the percentage from the self-referrals or outreach conducted.
 - l. the total number of ALJ hearings held and the results of the representation.
5. The reports must include information on the diversity/demographics of the population served.

B. Annual Reports. The selected Applicant, by the last business day in the month following the end of the state fiscal year, must submit to the Department an end of the state fiscal year report that documents:

1. The total number of referrals received each state fiscal year and of those, the number of referrals and self-referrals accepted and not accepted.
2. For all referrals and self-referrals received, the selected Applicant must document the reasons for acceptance and non-acceptance.

3. The selected Applicant shall document in end of the year report the total number of referrals and self-referrals in which legal representation services were provided and shall clearly describe the activities that the selected Applicant undertook on each corresponding case.
4. The selected Applicant shall also include:
 - a. the client's county of residence and county number,
 - b. their CAO seven-digit record number,
 - c. the date the referral or self-referral was received,
 - d. the date the selected Applicant made the determination of acceptance or non-acceptance of the referral,
 - e. and the date the legal representation services ended (for applicable cases). In addition, the selected Applicant shall include the total number of ALJ hearings held and results of the representation,
 - f. the number of parties that received SSI/SSDI benefits and the percentage based on the number of referrals received,
 - g. the percentage of the number of parties in the DAP process that receive services based on the number referrals received, the number of individuals that had a record expunged, sealed or pardoned, and the percentage based on number of referrals received,
 - h. the number of parties assisted that gained employment (for Employment and Training), and the percentage based on the referrals received,
 - i. and the number of reverse referrals (i.e., individuals who were referred to the Commonwealth and were eligible for MA from the selected applicant)
 - j. and the percentage from the self-referrals or outreach conducted.
5. The report must include information on the diversity/demographics of the population served.

B. 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-7. Performance Standards. The Commonwealth has developed a set of minimum Performance Standards that 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 expeditiously correct deficiencies cited and must submit a corrective action plan to the Department within 14 business days of notification of the deficiency. In its discretion, the Department may extend the time for the submission of a corrective action plan.

- A.** 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; and
6. Signature of the selected Applicant's Project Manager or a senior executive.

Describe your ability to meet or exceed these minimum performance standards.

PERFORMANCE STANDARD	PERFORMANCE STANDARD ACTION	MEASURE AND VALIDATION METHOD
Submit quarterly reports on the last business day in the month following the end of the quarter in the State Fiscal Year.	The selected Applicant shall timely deliver the quarterly reports.	Quarterly reports must be timely forwarded to the DHS Grant Administrator.
Submit Annual Reports on the last business day in the month following the end of the State Fiscal Year.	The selected Applicant shall timely deliver the Annual Reports.	The Annual Reports must be timely forwarded to the DHS Grant Administrator.
Make an acceptance or non-acceptance determination on 95% of referrals within 30 calendar days of being received.	The selected Applicant shall document timely in their case tracking system whether a referral has been accepted or not.	The received and determination dates on the quarterly/annual reports to DHS will be within 30 calendar days of each other at least 95% of the time.

Applicant Response

PART IV

COST SUBMITTAL

- IV-1.** The information requested in this **Part IV** shall constitute the Cost Submittal. The Applicant must provide the Cost Submittal as a separate attachment from the Technical Submittal. The proposed cost should be broken down into the components set forth in **Appendix C, Cost Submittal Worksheet.**

Applicants shall **not** include any assumptions in their cost submittals. If the applicant includes assumptions in its cost submittals, the Department may reject the application. Applicants should direct in writing to the Issuing Officer pursuant to **Part 1, Section 1-8** of this RFA 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 start of the grant agreement, in accordance with agreement requirements, and only after the Department has issued a notice to proceed.