

Policy Memorandum

Advisory Council – III-G

CONTRACTUAL PROCEDURES

Date Effective: 03/01/1993
Revised Dates: 08/25/2008,
06/09/2010, 01/8/2014

Director's Signature: _____
Advisory Council Chair
Signature: _____

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Purpose

To set forth the policies adopted by the Ventura County Area Agency on Aging (VCAAA) Advisory Council which define the review, evaluation and award of contracts. The California Code of Regulations Title 22, Division 1.8 dictate procurement procedures that the VCAAA must follow for Invitation for Bids (IFB), non-competitive grants and Requests for Proposals (RFPs). Section 7358 (c) requires in the case of an RFP, that the VCAAA must convene a panel (taskforce) to evaluate each proposal.

Procedures

1. Funding Commitments

The VCAAA shall award funds for a period not to exceed one (1) fiscal year. If an agency is granted renewal funding, the amount of funds awarded may be reduced.

2. Renewal Funding/Renegotiation

Under the three-year funding cycle policy of the VCAAA, all awards shall be made through a competitive Request for Proposal (RFP) or Invitation for Bid (IFB) process. The agency has the option of renewing a contract with a grantee for a period not to exceed one additional contract years (for a total of four years). Thereafter, existing grantees must compete anew, for awards, through the competitive RFP or IFB process. Grants may specifically be written for a four year funding cycle based on input from the Planning and Allocation Committee.

After the initial grant application, the grantee will submit an annual renewal application. This renewal application will contain information related to the program as well as service units. Any deviation of original contracted service units more than 10% needs to come before the full Advisory Council for approval.

3. Awarding of Contracts

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The grant-award process involves the Planning and Allocation Committee; the Advisory Council Proposal Review Task Forces; the Advisory Council; the Ventura County Board of Supervisors; and the following steps:

- a. An estimate of funds is received in January or February from the California Department of Aging for the next fiscal year.
- b. The Planning and Allocation Committee develops program and funding recommendations based on information received from the Councils on Aging via Advisory Council member comments, written correspondence of community needs including letter of requests advisory council committee input, public hearings, needs assessments, and a variety of other sources. These are the core of the Area Plan.

The Committee also identifies the program areas that will be addressed through renegotiation of existing contracts.

- c. The Area Plan is approved by the Advisory Council and the Board of Supervisors. Except for possible changes in funding levels, decision-making about program allocations is complete.
- d. Requests for Proposals (RFPs) are drafted and issued, and Applications received. Renewing agencies are asked to submit proposal updates. See item #4 below for the policy regarding renewal applications.
- e. Advisory Council Task Forces review all applications submitted. The Task Forces make recommendations on which applications should be accepted, reviewed, or rejected, and suggest which program changes or contingencies should be made to those applications. This process may be completed through one or more meetings in which the Task Forces review written proposals, and interviews representatives from applicant organizations. Task Force reports and recommendations are prepared and scores finalized. (Also see Grants Management Section)

The Task Forces shall make their recommendations based on the results of use of the Proposed Project Evaluation Form (see III-G Attachment 1). Highest scoring applicants shall automatically be recommended for first consideration; second highest scores shall be recommended for second consideration; and so on. Forms used for grant evaluations are specific to each RFP and will be provided by the Grants Managers.

- (1) Staff will provide technical assistance only during the review period.
- (2) All Advisory Council members must declare beforehand if there is a potential conflict of interest and remove themselves from discussion

- regarding that particular grant. Conflicts of interest must be reported on all committee reports.
- (3) When determining who is in conflict of interest during voting, the term "entity" in article V, section 3 of the By-Laws shall be interpreted to mean that organization for which the member is a member of the executive board, or serves it as staff, or an active volunteer.
 - (4) Discussion during the Advisory Council meeting to consider Task Force recommendations shall be limited to members only. The chairman shall insure that no lobbying or advocating shall take place during this discussion. At the request of a member, the chairman may recognize a person in the audience for pertinent information.
- f. The full Advisory Council considers the recommendations of the Task Forces, making final judgments on which contractors should be recommended for funding, and in what amounts.
 - g. VCAAA staff shall annually publish in a widely circulated newspaper (VC Star) a public notice in which contracts are being awarded by category and amount for public review.
4. Renewal Applications - At the June 2010 Advisory Council meeting, the Advisory Council approved VCAAA staff reviewing and renewing grant applications (in second, third and fourth years). Staff is to follow the renewal process and provide an update to the Advisory Council for comment. Year to date quarterly performance versus contracted service units will also be presented to the full advisory council on a quarterly basis showing the cost per service unit.
5. Review of a Grantee Outside the Initial Contract (for an Invitation to Bid, Non-Competitive Bid or RFP) – At the June 2010 Advisory Council meeting, the Advisory Council approved the following procedure for involving the Advisory Council outside of the initial start-up of a new grant contract
- a. One or more of the following circumstances may trigger a special review of a grantee:
 - i. Early termination of a contract initiated by the VCAAA or the grantee.
 - ii. A change in the contractor.
 - iii. Failure by grantee to meet the 120 day start-up requirement in the contract.
 - iv. Funding cancelled by the funding source.

- v. Any major event or situation that significantly results in a change or alteration of services to be provided to seniors and/or their caregivers, if applicable, including an environmental disaster that

The circumstances shown above are examples; the list is not intended to be all inclusive as it is impossible to anticipate every situation. If any of the above circumstances occur, the VCAA Grants Manager(s) shall report it to the Agency Director. The Director shall determine if a special panel (Task Force) should be convened of Advisory Council members to review the grantee's situation. Whenever possible, persons serving on such a Task Force will include those Advisory Council members who served on the original Task Force that approved the initial grant.

- 6. One-Time-Only Funding (OTO)¹
 - a. OTO funding allocation is to be reviewed by the planning and allocation committee.
 - b. Prior to the Planning and Allocation Committee meeting to determine the use of OTO funds, staff will prepare a report on each grantee and direct service program eligible to receive one-time-only money determining their eligibility. The methodology used will be approved by the Advisory Council as an attachment to this policy and procedure.
 - c. Only those grantees and direct service programs eligible for receiving one-time-only funds will be

- 7. Definitions:
 - a. **One-Time-Only (OTO)** – additional funds received from the California Department of Aging (CDA) on an existing Older Americans Act contact. These are not part of the ongoing baseline funding and the agency cannot rely on receiving these funds in the future.
 - b. **Invitation for Bid (IFB)** is an invitation to contractors or equipment suppliers, through a bidding process, to submit a proposal on a specific project to be realized or product or service to be furnished. IFB is generally the same thing as Request for Quotation (RFQ). The IFB or RFQ is focused on pricing, and not on ideas or concepts. If not stated otherwise, the contractor or supplier with the lowest bid is awarded the contract, provided that they meet the minimum criteria for the bid.
 - c. **Request For Proposal (RFP)** is a solicitation made, often through a bidding process, by an agency or company interested in procurement of a commodity, service or valuable asset, to potential suppliers to submit business proposals. The RFP presents preliminary requirements for the commodity or service, and may dictate to varying degrees the exact structure and format of the supplier's response. Effective RFPs typically reflect the strategy and short/long-term

¹ This applies only to the CDA Area Plan contracts and does not apply to the Title V (Senior Community Service Employment Program) or HICAP Contracts or other CDA contracts,

business objectives, providing detailed insight upon which suppliers will be able to offer a matching perspective.