

STATE OF SOUTH DAKOTA
OFFICE OF PROCUREMENT MANAGEMENT
523 EAST CAPITOL AVENUE
PIERRE, SOUTH DAKOTA 57501-3182

**Regional Intermediate Care Facility for Individuals with Intellectual and/or Developmental
Disabilities (ICF/IID)**

PROPOSALS ARE DUE NO LATER THAN MAY 7, 2021

RFP #: 2181

BUYER: South Dakota
Department of Human
Services

POC: Dan Hoblick
EMAIL:
Daniel.Hoblick@state.sd.us

READ CAREFULLY

FIRM NAME: _____ AUTHORIZED SIGNATURE: _____

ADDRESS: _____ TYPE OR PRINT NAME: _____

CITY/STATE: _____ TELEPHONE NO: _____

ZIP (9 DIGIT): _____ FAX NO: _____

E-MAIL: _____

PRIMARY CONTACT INFORMATION

CONTACT NAME: _____ TELEPHONE NO: _____

FAX NO: _____ E-MAIL: _____

1.0 GENERAL INFORMATION

1.1. PURPOSE OF REQUEST FOR PROPOSAL (RFP)

The South Dakota Department of Human Services (DHS) is requesting proposals from qualified providers to establish regionalized, small-scale, private Intermediate Care Facilities for Individuals with Intellectual and/or Developmental Disabilities (ICF/IIDs). The facilities are to be located in the eastern and western areas of South Dakota; for example, Sioux Falls and Rapid City where community resources are more widely available including behavior experts, mental health access, psychiatry, and a wider staff base. Initial occupants will be 16-18 residents (men and/or women) of the South Dakota Developmental Center (SDDC) who wish to be served closer to their home community and their family support system. Offerors may propose to establish a facility(s) in one of the regions or in both. These will be long-term placements. After initial occupancy, as vacancies occur, openings may either be filled with individuals looking to transition from SDDC or from other referral sources.

The provider(s) will be required to deliver specialized intensive supports due to substantial behavioral, medical, physical, co-occurring, and cognitive disabilities. Medical needs may include, but are not limited to: Autism, diabetes, injections, and seizures. Behavioral challenges may include, but are not limited to: difficulty managing anger, aggression towards self and/or others, property destruction, PICA, elopement, and difficulty forming and maintaining healthy relationships. Supports shall encompass individualized, person-centered planning and services aimed to ensure people with disabilities have equal opportunities and receive the supports needed to live and work in South Dakota communities.

Preferred proposals will provide a comprehensive plan detailing the development of the regional ICF/IID(s) and will be operational within 12-24 months.

1.2 ISSUING OFFICE AND RFP REFERENCE NUMBER

DHS is the issuing office for this document and all subsequent addenda relating to it, on behalf of the State of South Dakota. The reference number for the transaction is RFP #2181. This number must be referred to on all proposals, correspondence, and documentation relating to the RFP.

1.3 SCHEDULE OF ACTIVITIES (SUBJECT TO CHANGE)

RFP Publication	March 25, 2021
Deadline to Submit Inquiries	April 9, 2021, 5:00pm CDT
State Response to Offeror Inquiries	April 16, 2021
Proposal Submission Deadline	May 7, 2021, 5:00pm CDT
Anticipated Award Decision/Contract Negotiation	June 11, 2021

1.4 SUBMITTING YOUR PROPOSAL

All proposals must be completed and received by DHS by the date and time indicated in Section 1.3 Schedule of Activities. The proposal shall be page numbered and have an index and/or a table of contents referencing the appropriate page number. Proposal length requirement is 25 pages or less excluding attachments and Cost Proposal.

One original hard copy and one electronic copy of the proposal must be submitted. Offerors must provide a secure location where the State can electronically download the offeror's proposal. This secure location can be a SFTP site, an encrypted FTP site or a webpage using SSL if files are only downloaded and nothing has to be uploaded. Offerors shall reference their secure web location in the paper copy of their proposal and/or email the location to the Buyer Point of Contact listed on page one of this document. Due to security concerns, the State will not accept electronic proposals on portable media.

The original hard copy must be submitted by mail (USPS or other mail carrier). All proposals must be signed, in ink, by an officer of the offeror, legally authorized to bind the offeror to the proposal, and sealed

in the form intended by the offeror. The sealed envelope must be marked with the appropriate RFP Number and Title. The words "Sealed Proposal Enclosed" must be prominently denoted on the outside of the shipping container. Proposals must be addressed and labeled as follows:

**South Dakota Department of Human Services
Attention: Dan Hoblick
Request for Proposal #2181
3800 E. Hwy 34
C/O 500 E. Capitol Ave.
Pierre, SD 57501**

No proposal shall be accepted from, or no contract shall be awarded, to any person, firm or corporation that is in arrears upon any obligations to the State of South Dakota, or that otherwise may be deemed irresponsible or unreliable by the State of South Dakota.

Any proposal failing to comply with any of the requirements in this RFP may be rejected.

1.5 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS

By signing and submitting this proposal, the offeror certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation, by any Federal department or agency, from transactions involving the use of Federal funds. Where the offeror is unable to certify to any of the statements in this certification, the bidder shall attach an explanation to their offer.

1.6 NON-DISCRIMINATION STATEMENT

The State of South Dakota requires that all contractors, vendors, and suppliers doing business with any State agency, department, or institution, provide a statement of non-discrimination. By signing and submitting their proposal, the offeror certifies they do not discriminate in their employment practices with regard to race, color, creed, religion, age, sex, ancestry, national origin or disability.

1.7 RESTRICTION OF BOYCOTT OF ISRAEL

For contractors, vendors, suppliers, or subcontractors with five (5) or more employees who enter into a contract with the State of South Dakota that involves the expenditure of one hundred thousand dollars (\$100,000) or more, by submitting a response to this solicitation or agreeing to contract with the State, the bidder or offeror certifies and agrees that the following information is correct:

The bidder or offeror, in preparing its response or offer or in considering proposals submitted from qualified, potential vendors, suppliers, and subcontractors, or in the solicitation, selection, or commercial treatment of any vendor, supplier, or subcontractor, has not refused to transact business activities, has not terminated business activities, and has not taken other similar actions intended to limit its commercial relations, related to the subject matter of the bid or offer, with a person or entity on the basis of Israeli national origin, or residence or incorporation in Israel or its territories, with the specific intent to accomplish a boycott or divestment of Israel in a discriminatory manner. It is understood and agreed that, if this certification is false, such false certification will constitute grounds for the State to reject the bid or response submitted by the bidder or offeror on this project and terminate any contract awarded based on the bid or response. The successful bidder or offeror further agrees to provide immediate written notice to the contracting executive branch agency if during the term of the contract it no longer complies with this certification and agrees such noncompliance may be grounds for contract termination.

1.8 MODIFICATION OR WITHDRAWAL OF PROPOSALS

Proposals may be modified or withdrawn by the offeror prior to the proposal submission deadline. No oral, telephonic, or facsimile proposals or modifications to a submitted proposal will be considered.

1.9 OFFEROR INQUIRIES

Offerors may email inquiries concerning this RFP to obtain clarification of requirements. No inquiries will be accepted after the date and time indicated in Section 1.3 Schedule of Activities. Inquiries must be emailed to **Dan Hoblick** at **Daniel.Hoblick@state.sd.us** with the subject line "RFP #2181".

DHS will respond to offeror inquiries by the date noted in Section 1.3 Schedule of Activities. A listing of all inquiries, and the State's response, will be posted on the State's e-procurement system at <http://www.Open.sd.gov>, under Contracts/Grants tab, search 2181. Offerors may not rely on any other statements, either of a written or oral nature, that alter any specification or other term or condition of this RFP. Offerors will be notified in the same manner as indicated above regarding any modifications to this RFP.

1.10 PROPRIETARY INFORMATION

The proposal of the successful offeror(s) becomes public information. Proprietary information can be protected under limited circumstances such as client lists and non-public financial statements. An entire proposal may not be marked as proprietary. Offerors must clearly identify in the Executive Summary and mark in the body of the proposal any specific proprietary information they are requesting to be protected. The Executive Summary must contain specific justification explaining why the information is to be protected. Proposals may be reviewed and evaluated by any person at the discretion of the State. All materials submitted become the property of the State of South Dakota and may be returned only at the State's option.

1.11 LENGTH OF CONTRACT

This RFP may result in the selection of one or more offerors who will enter into a contract with DHS, Division of Developmental Disabilities (DHS-DDD). The contract(s) for the provision of ICF/IIDs resulting from this RFP will be negotiated with the successful offeror(s) on an annual basis.

1.12 GOVERNING LAW

Venue for any and all legal action regarding or arising out of the transaction covered herein shall be solely in the State of South Dakota. The laws of South Dakota shall govern this transaction.

1.13 DISCUSSIONS WITH OFFERORS (VIRTUAL PRESENTATION/NEGOTIATIONS)

A virtual presentation by an offeror to clarify a proposal may be required at the sole discretion of the State. However, the State may award a contract based on the proposal received without discussion with the offeror. If virtual presentations are required, they will be scheduled after the submission of proposals.

This process is a Request for Proposal/Competitive Negotiation process. Each proposal shall be evaluated, and each offeror shall be available for negotiation meetings at the State's request. The State reserves the right to negotiate on any and/or all components of every proposal submitted. From the time the proposals are submitted until the formal award of a contract, each proposal is considered a working document and as such, will be kept confidential. The negotiation discussions will also be held as confidential until such time as the contract is executed.

2.0 STANDARD CONTRACT TERMS AND CONDITIONS

Any contract or agreement resulting from this RFP will include the State's standard terms and conditions as set forth in Attachment A. As part of the negotiation process, the contract terms listed in Attachment A may not be altered or

deleted. The offeror should indicate in their response any issues they have with any specific contract terms. If the offeror does not indicate any contract term issues, then the State will assume the terms are acceptable.

3.0 SCOPE OF WORK

3.1 OVERVIEW

Historically, in South Dakota, ICF/IID services for adults have only been available at SDDC located in Redfield. Regionalizing ICF/IIDs would extend access to our most intensive level of care. This regionalized approach will enable individuals who are currently residing at SDDC who have ties to the east or west areas of the state, the opportunity to be served closer to their home community and their family support system. These small-scale, private ICF/IIDs will also help reduce the census and, in the long-term, reduce admissions to SDDC by creating capacity in other areas of the state.

3.2 INTERMEDIATE CARE FACILITY FOR INDIVIDUALS WITH INTELLECTUAL AND/OR DEVELOPMENTAL DISABILITIES:

An ICF/IID provides, in a residential setting, 24-hour supervision, treatment, coordination, ongoing evaluation, planning, and integration of health or rehabilitation services to help individuals with intellectual disabilities function at his/her greatest ability. The ICF/IID provides active treatment and includes all needed services for individuals whose mental or physical condition require services on a regular basis. Active treatment is defined as: aggressive, consistent implementation of a program of specialized and generic training, treatment, and health services. Individuals must qualify for Medicaid assistance financially. ICF services are available under the South Dakota Medicaid State Plan.

3.3 APPROACH TO CREATING COMMUNITY CAPACITY SERVICE DESCRIPTION

Through this RFP, offerors are eligible to recoup start-up costs and ongoing operating costs of the ICF/IID(s) through a daily rate. A proposal to remodel existing construction at a lesser cost is preferred over new construction; however, both remodel of existing structures and new construction will be considered. Once the ICF/IID is operational, compensation will be provided through a daily rate that includes allowable expenses related to the start-up of the ICF/IID(s), specialized equipment, personnel services, furnishings and appliances, and transportation costs. The offeror shall indicate projected costs associated with start-up activities based on an estimate of expenditures. Once start-up costs have been recouped, the daily rate will move to a standard calculated ICF rate based on cost report data. Start-up costs must be detailed within the cost proposal as outlined in 6.0.

Potential providers must have:

- Experience supporting individuals with a diagnosis of Autism and/or severe to profound Intellectual Disabilities.
- Experience supporting individuals with substantial acute behavioral needs; specifically, PICA and severe aggression towards self and/or others.
- Experience supporting individuals with more intensive medical services that cannot be currently provided under the CHOICES waiver.
- Experience in positive behavior support strategies to include writing individualized behavior support plans.
- The ability to train staff in verbal and physical intervention techniques to prevent, deescalate and resolve intensive behavior situations.
- The ability to maintain staffing ratios according to 42 CFR 483.430(d).
- Experience in providing ongoing evaluation, planning, 24-hour supervision, coordination, and integration of health or rehabilitative services to help each individual function at their greatest ability in a residential setting (Active Treatment).

- A Qualified Intellectual Disability Professional (QIDP) that demonstrates the ability to complete assessments and write comprehensive Individual Support Plans (ISPs); to include integration, coordination, and monitoring of the ISP;
- Experience in case management; and
- Extensive knowledge in Resident Rights.

3.4 PROVIDER AND PROGRAM REQUIREMENTS

The selected provider must be compliant with any and all state and federal regulations and statutes applicable to the operation of an ICF/IID. If not currently a South Dakota Medicaid-enrolled provider, Medicaid enrollment and certification must be attained prior to service delivery. Pursuant to Title XIX of the Social Security Act, 42 U.S.C. Section 1396 et seq., an organization must be certified by the Department of Health in order to receive funds for services identified in Administrative Rules of South Dakota (ARSD) Article 46:17.

4.0 PROPOSAL REQUIREMENTS AND COMPANY QUALIFICATIONS

- 4.1 The offeror is cautioned that it is the offeror's sole responsibility to submit information related to the evaluation categories and that the State is under no obligation to solicit such information if it is not included with the proposal. The offeror's failure to submit such information may cause an adverse impact on the evaluation of the proposal.
- 4.2 **Offeror's Contacts:** Offerors and their agents (including subcontractors, employees, consultants, or anyone else acting on their behalf) must direct all of their inquiries or comments regarding the RFP, the evaluation, etc. to the Buyer Point of Contact indicated on the first page of this RFP. Offerors and their agents may not contact any State employee other than the Buyer Point of Contact regarding any of these matters during the solicitation and evaluation process. Inappropriate contacts are grounds for suspension and/or exclusion from specific procurements. Offerors and their agents who have questions regarding this matter should contact the Buyer Point of Contact.
- 4.3 The offeror may be required to submit a copy of their most recent audited financial statements upon the State's request.
- 4.4 The awardee(s) will be required to provide progress reports during the start-up phase as outlined in the contract.

5.0 PROPOSAL RESPONSE FORMAT

All proposals must be organized and tabbed with labels for the following headings:

- 5.1 **RFP Form.** The State's Request for Proposal form (Page 1 of this document) completed and signed.
- 5.2 **Executive Summary.** The one to two page executive summary is to briefly describe the offeror's proposal. This summary should highlight the major features of the proposal. It must indicate any requirements that cannot be met by the offeror. The evaluator(s) should be able to determine the essence of the proposal by reading the executive summary. Proprietary information requests should be identified in this section.
- 5.3 **Detailed Response.** This section should constitute the major portion of the proposal, consisting of a complete narrative of the offeror's assessment of the work to be performed, the offeror's ability, approach, and the resources necessary to fulfill the requirements. This should demonstrate the offeror's knowledge and understanding of the desired overall expectations and must contain a specific point-by-point response to each requirement below:

- 5.3.1 Proposed approach and methodology detailing specialized expertise, capabilities, and technical competence.
- 5.3.2 Proposed approach to providing community integration, day services and vocational services.
- 5.3.3 Resources available to perform the work, including any specialized services, within the specified time limits for the project.
- 5.3.4 Availability to the project locale.
- 5.3.5 Familiarity with the project locale.
- 5.3.6 Proposed techniques to meet project deliverables within the specified time limits for the project.
- 5.3.7 Ability and proven history in handling special project constraints.
- 5.3.8 Provide the following information related to at least three previous or current contracts, performed by the offeror's organization, which are similar in nature to this RFP:
 - a. Name, address, and telephone number of client/contracting agency and a representative of that agency who may be contacted for verification of all information submitted.
 - b. Dates of the service/contract; and
 - c. A brief, written description summarizing record of past performance, including price and cost data from previous similar projects, quality of work, ability to meet schedules, cost control, and contract administration.

5.4 Project Timeline. A detailed project timeline including at least the following:

- Anticipated remodel/construction timeframe.
- Anticipated timeframe to complete/comply with regulatory requirements.
- Anticipated timeframe to hire and train qualified staff.
- Any and all steps necessary for coordination and successful transition of individuals from SDDC.
- Anticipated date ICF/IID(s) will be operational. (First date of admission.)

The project timeline can be part of the detailed response and/or included as an attachment.

5.5 Cost Proposal. All offerors must submit a cost proposal based on a 6-bed ICF/IID. Cost proposals will be evaluated independently from the technical proposal. In addition to the required 6-bed cost proposal, offerors may submit alternative cost proposals as noted in Section 5.6 Alternative Proposals. All costs related to the provision of the required services must be included in each cost proposal offered.

See Section 6.0 for more information related to the cost proposal.

5.6 Alternative Proposals. A clear description of any options or alternatives, including proposed costs. In addition to the mandatory 6-bed proposal, offerors may also provide other options totaling 8 beds or less in one facility (e.g. 3 x 3 duplex, 4 x 4 duplex, 6-bed home, two 4-bed homes, two 6-bed homes, etc.). Per ARSD 46:17:06:04, private ICFs will have a maximum bed capacity of eight (8) with single occupancy bedrooms.

Alternative proposals shall be included as an attachment.

6.0 COST PROPOSAL

- 6.1** Offerors are eligible to recoup start-up costs and on-going costs for the purpose of establishing small-scale, private ICF/IIDs in the eastern and/or western areas of South Dakota.
- 6.2** The offeror shall indicate projected costs associated with start-up and on-going costs based on an estimate of expenditures. The offeror shall use Attachment B "Cost Proposal" to record all costs related to the provision of the required services.
 - 6.2.1 Cost proposal shall be based on a 6-bed ICF/IID submitted on Attachment B - Schedule A.
 - 6.2.2 Start-up costs and proposed daily rate shall be listed separately.
 - 6.2.3 Offerors are encouraged to reply with alternative proposals as outlined in Section 5.6. Alternative proposals must meet bed capacity of at least 4 and at/or below 8. Alternative cost proposals shall be submitted using Attachment B - Schedule B.
- 6.3** Cost proposals must be submitted in a separate sealed envelope labeled "Cost Proposal".

7.0 PROPOSAL EVALUATION AND AWARD PROCESS

- 7.1** After determining that a proposal satisfies the mandatory requirements stated in the RFP, the evaluator(s) shall use subjective judgment in conducting a comparative assessment of the proposal by considering each of the following criteria:
 - 7.1.1 Specialized expertise, capabilities, and technical competence as demonstrated by the proposed approach and methodology to meet the project requirements;
 - 7.1.2 Proposed approach to providing community integration, day services and vocational services.
 - 7.1.3 Record of past performance, including price and cost data from previous projects, quality of work, ability to meet schedules, cost control, and contract administration;
 - 7.1.4 Availability to the project locale;
 - 7.1.5 Familiarity with the project locale;
 - 7.1.6 Proposed project management techniques;
 - 7.1.7 Ability and proven history in handling special project constraints.
 - 7.1.8 Resources available to perform the work, including any specialized services, within the specified time limits for the project; and
 - 7.1.9 Cost of overall project.
- 7.2** Experience and reliability of the offeror's organization are considered subjectively in the evaluation process. Therefore, the offeror is advised to submit any information which documents successful and reliable experience in past performances, especially those performances related to the requirements of this RFP.
- 7.3** The qualifications of the personnel proposed by the offeror to perform the requirements of this RFP, whether from the offeror's organization or from a proposed subcontractor, will be subjectively evaluated. Therefore, the offeror should submit detailed information related to the experience and qualifications, including education and training, of proposed personnel.

- 7.4 The State reserves the right to reject any or all proposals, waive technicalities, and make award(s) as deemed to be in the best interest of the State.
- 7.5 **Award:** The State and the awardee shall mutually discuss and refine the scope of services for the project and shall negotiate terms, including compensation and performance schedule.
- 7.5.1 If the State and the highest ranked offeror are unable for any reason to negotiate a contract at a compensation level that is reasonable and fair to the State, the State shall, either orally or in writing, terminate negotiations with the offeror. The State may then negotiate with the next highest ranked offeror.
- 7.5.2 The negotiation process may continue through successive offerors, according to State ranking, until an agreement is reached, or the State terminates the contracting process.