

## 1.2.4 AGENCY POLICIES (Continued)

### 1.2.4 (s) Policy on Procurement and Disbursement of Funds Relative to Resource Development, and General Operations for the Inland Regional Center

It is the policy of Inland Regional Center (IRC) to comply with the provisions and requirements of IRC's contract with the Department of Developmental Services (DDS), California *Welfare & Institutions Code* § 4625.5 and all other applicable laws and regulations as they relate to the Procurement process.

In relation to a Community Placement Plan (CPP) and/or Community Resource Development Plans (CRDP) (collectively Contract), the following rules shall apply:

1. All requests for Contracts that are expected to be equal to or greater than Two Hundred and Fifty Thousand dollars (\$250,000.00) per year shall be put out for a competitive bidding process to qualified service providers through the Request for Proposal (RFP) process.
  - a. The RFP will be used to develop new resources when open recruitment has not been successful or a specific service need has been identified.
  - b. Intrinsic to the RFP shall be a section discussing equity and diversity of service provision including but not limited to, the applicant's plan to serve diverse populations and the commitment to addressing the needs of the said population. Diverse populations can include culturally and linguistically diverse groups, but are not limited to just them.
  - c. The RFP notification process will include the release of the information on the IRC website or social media site, existing vendor email groupings, the Vendor Advisory Committee and any interested stakeholder or party.
  - d. The review and evaluation of the RFP submissions will be done by a five (5) member selection committee made up individuals who are representative of the following categories: client/family representative; community representative; case management representative, non-vendor community services representative and administrative or fiscal representative.
  - e. The selection committee will review and score all submissions on the following criteria: curriculum of service provision, goals, objectives, methodology, reporting format, budget and financials including, if applicable, an audited financial statement of the applicant. The applicants will be scored from numerically and the highest scoring design will be given priority and first choice of the RFP.
  - f. The selection committee will then forward the submissions and their respective scoring to the Executive Committee of the IRC Board of Trustees. The Executive Committee will review the submissions and make their recommendations to the Board of Trustees. The Board of Trustees will make the final decision regarding the selection of the winning submission and the awarding of the Contract. If the applicant selected by the Board of Trustees declines, then the Board of Trustees has the discretion to award the Contract to any of the other applicants, or none of them, or issue a new RFP.

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2. The funds allocated by DDS for RFPs shall be allocated under the CPP/CRDP. IRC shall keep accounting and other records to document the use of the funds.
  - a. Start-up monies must directly benefit the clients and be necessary for establishing new or additional programs, projects or resources to provide services and supports for clients.
  - b. Payment provisions for Start-up monies are based on a Contract that is on a cost-reimbursement or fixed rate basis, with the ceiling specified on the maximum dollar amount payable to IRC. The Contract sets the type of facility, program or service to be developed and may indicate additional provisions or limitation on reimbursable items specific to that type of service. The Contract must have sufficient detail and measurable performance expectations and results.
  - c. Reimbursement of Start-up monies commence when the vendor submits a signed Release of Funds form and verification of the paid expenditure is approved. Allowable paid expenditures are copies of receipts indicating payments in full by cash or credit. In the case of personnel costs, a copy of the payroll record or check for salary paid will be acceptable. For lease or rent payment, copies of the signed lease/rental agreement will be required.
  - d. A milestone Contract for Start-up monies is occasionally completed for specific projects. The Contract will specify that certain tasks must be completed before each milestone payment can be made. Reimbursement will commence when the vendor submits a signed Release of Funds form and completion of the task has been verified and approved.
  - e. Start-up funds may not be used for construction, renovation, alteration, improvement, or repair of real property that is not of direct medical or remedial benefit to the client. Further, they cannot be used for routine maintenance of a vendor's/provider's facility, physical plant or for the purchase, lease or maintenance of a vendor's/provider's vehicle.
3. The funds allocated by DDS for RFP projects may be fairly and equitably recouped after termination of the contract for any reason.
  - a. IRC may terminate a CPP/CRDP Start-up Contract at any time, with notice, if the vendor has breached any provision of the Contract, is in default under the Contract, is guilty of gross negligence or misconduct, or acts in any way that has a direct, substantial and adverse effect on IRC or any client of IRC.
  - b. A notice of intent to terminate the Contract shall set forth the reasons for the decision to terminate the Contract. The vendor has 30 days after the date of the notice to cure the breach, default or other deficiency. Upon expiration of the 30 days, the Contract shall be deemed to be terminated and IRC shall have no further obligation under the Contract.
  - c. For any Contract that has been terminated, the vendor shall within 45 days of the date of termination of the Contract, repay funds equal to the amount contributed by IRC for the purchase, acquisition, and renovation of the project as a result of the Contract.

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- d. If a Contract has been terminated and a vendor is still needed for the service/project that was the subject of the terminated Contract, the Board of Trustees may award a Contract to any vendor who is in good standing with IRC, and either had a previous CPP/CRDP contract forfeited or withdrawn within the last three years or had participated in the RFP process for the subject Contract. If a Contract is not awarded to any such vendor, then IRC shall issue a new RFP for the project.
4. Any existing Contract that is due for an extension, or renewal of one year or more, with the expectation that the Contract extension or renewal will be equal to or greater than Two Hundred and Fifty Thousand dollars (\$250,000.00) per year, shall be presented to the IRC Board of Trustees for approval before any extension or renewal can signed.
5. CRDP for Affordable Housing projects shall not require an RFP to identify the new provider. Prior to securing funding for a Multi-Family Housing Proposal with DDS, IRC must be in coordination with a Housing Developer Organization (HDO), and other relevant stakeholder agencies, to conduct their due diligence so that IRC can apply for the CRDP funding. The HDO must have already been selected and secured by IRC prior to the awarding of CRDP funds, in which case an RFP is unnecessary. Except as set forth in this paragraph No. 5, all other provisions of this Policy on Procurement apply to any CRDP funded project, including Affordable Housing.

Reference: IRC's RFP Process and Use of Start Up Funds and CPP is outlined in Procedure 2.2.9 and 6.12 of IRC's Operations Manual.

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