

STATE OF CALIFORNIA
PRISON HEALTH CARE SERVICES
3701 North Freeway Blvd, Sacramento, CA 95834
P.O. Box 4038, Suite 3701, 95812-4038

J. Clark Kelso, Receiver



November 17, 2009

TO: PROSPECTIVE BIDDER

RE: REQUEST FOR PROPOSAL (RFP) 09341, ADDENDUM NUMBER 5

CPHCS has attached responses to a portion of the questions that have been brought forth by potential contractors. **Please note, there are additional questions pending a response, and they will be addressed in a subsequent addendum(s)**

This RFP has been amended and the changes are included in the attached addendum #5.

If you have any questions or need assistance from this office, please do not hesitate to contact Debra Jones at debra.jones@cdcr.ca.gov.

**Responses to Vendor Questions
Request for Proposals
For Temporary/Relief On-Site Nursing Services
(Registered Nurse, Licensed Vocational Nurse and Certified Nursing Assistant)
California Adult Prison Facilities
RFP Number 09341**

Addendum #5

Please note, there are additional questions pending a response, and they will be addressed in a subsequent addendum(s)

Question	Response
Will there be a bidder's conference?	Yes, the RFP schedule has been revised to include a bidder's conference. A revised Request for Proposal Requirements, with the RFP schedule is attached in its entirety to this response.
<p>As I was reviewing the RFP the deadline for the proposal states November 21, 2009 on the Submittal Requirements page 5. Please clarify the dates.</p> <p>Can you please confirm the due date has changed on the RFP to December 21? I see that on the cover, but not mentioned anywhere else.</p> <p>Is the anticipated date that you and your staff will have all the responses for the questions still November 6th?</p>	<p>The proposal deadline was corrected and extended via Addendum #1 to 2:00 pm on November 23, 2009. However, by Addendum #3 this deadline has now been extended further to 2:00 pm on January 21, 2010.</p> <p>Also in Addendum #3, the deadline for CPHCS to respond to questions was also extended from November 6, 2009 to November 17, 2009. This deadline, however, has now been extended to November 24, 2009.</p> <p>A revised Request for Proposal Requirements, with the RFP Schedule, is attached in its entirety to this response.</p>
Attachment A, Reference Information Sheet, states that this form "along with a bidder reference questionnaire" should be submitted; however, the reference questionnaire is not provided in the RFP.	The contractor is only required to provide the names of the institutions where they have provided temporary nursing services within the past 24 months. CPHCS will then contact those institutions for the

	<p>references. In addition, the Attachment A should only be completed by Non-JCAHO certified contractors. A revised Attachment A, Reference Information Sheet is attached in its entirety to this response.</p>
<p>Page 9 of 11, number 6: "Submit references for key personnel committed to this project". The personnel referred to in this item are the internal administration staff and not the temporary nursing staff that we would submit for temporary employment by each facility, correct?</p>	<p>Yes, the key personnel references are for the internal administration staff and not the temporary nursing staff that would be submitted by the registry to the institutions for temporary employment.</p>
<p>Can we use a subsidiary company as a resource for this bid?</p>	<p>Yes, a subsidiary company can be used as a resource for this bid. However, the subsidiary company would have to be listed as a subcontractor on the Subcontractor/Consultant List.</p>
<p>Will the Receiver's office reject bids from companies that currently hire its employees as 10999 independent contractors?</p>	<p>No, but these individuals will have to be identified on the Subcontractors/Consultant List.</p>
<p>Must the bidding companies disclose bankruptcies from its parent companies or own subsidiary?</p>	<p>Yes bankruptcy information for the bidders' parent company or subsidiaries must be disclosed.</p>
<p>Page 6 of 11 Item D, paragraph 3: Does this apply to any emergency contracts that may have been granted at the facility?</p>	<p>Yes, this provision applies to situations where CPHCS has entered into an emergency contract for an institution where no contract is in place. CPHCS subsequently procures the service via competitive bidding process and as a result has two contracts for the same service at the same institution. The scenario is unlikely but is addressed by this provision.</p>
<p>According to Addendum 3, a revised Exhibit B-1 is attached but Exhibit B-1 is still missing.</p> <p>Page 4 of Exhibit B-1 is still missing.</p>	<p>A revised Exhibit B-1 was included in Addendum #4. The link to Addendum #4 is http://www.cphcs.ca.gov/project_rfp.aspx.</p>

<p>Are salary ranges and overhead expenses to be submitted as part of the RFP response? (Exhibit A, Item 1.f.)</p>	<p>This requirement was deleted in Addendum #3. The link to Addendum #3 is http://www.cphcs.ca.gov/project_rfp.aspx.</p>
<p>How many awards are anticipated?</p> <p>How many vendors will be accepted in a non-primary position?</p> <p>How much time is the primary vendor given before the secondary vendor is contacted?</p>	<p>CPHCS will award sufficient multiple agreements for back-up purposes to ensure continuity of services.</p> <p>The primary is required to respond to the institutions request for service within two (2) hours of the initial contact for services.</p>
<p>Regarding the bid matrix, can you give us the hierarchy at each facility like you did with KVSP?</p> <p>Can you please give the names of the companies currently working in these correction facilities and also the bill rates being charged to the state?</p> <p>Can you please provide the usage broken down by each company and in each facility?</p>	<p>Addendum #4 did include the hierarchy at each facility for all three nursing classifications (RN, LVN and CNA). The link to Addendum #4 is http://www.cphcs.ca.gov/project_rfp.aspx.</p> <p>For each institution, the Exhibit B-2 identifies the estimated number of hours per month, by nursing classification.</p>
<p>Can you please email me an excel copy of the rate sheet?</p>	<p>An excel copy of the Exhibit B-2 is attached to this response in its entirety.</p>
<p>Are bidders required to register their companies prior to proposal submission?</p>	<p>There is no requirement in this RFP for bidders to register their company with JCAHO.</p>
<p>Can you describe in detail the orientation process and if those hours are billable to the state?</p> <p>Will the orientation be part of the 975 hours? What are the orientation hours for each facility, so we can relate our nurses?</p> <p>Who is responsible for providing orientation and when does it need to happen? How long is orientation?</p>	<p>It is not possible to describe in detail the orientation process, as each institution has its own procedures for conducting the orientation. However, Exhibit A, Item 11 identifies the required components of the orientation.</p> <p>Yes, the orientation hours count towards the 975 hours. After working a minimum of 80 hours, in excess of the orientation hours, CPHCS will reimburse the</p>

	<p>contractor for orientation at one-half the daily rate.</p> <p>There is no preset schedule for orientation. Orientation is scheduled independently by the institutions, so the dates and times will vary.</p>
<p>Are we required to bid on all 33 institutions?</p>	<p>No. Bidders are not required to bid on all groups. This requirement was revised in Addendum #3. The link to Addendum #3 is http://www.cphcs.ca.gov/project_rfp.aspx.</p>
<p>You have a capped rate that a company can bill, is there also a minimum?</p> <p>Is there a maximum and minimum that is encouraged for pay rates?</p>	<p>This RFP does not establish a minimum hourly rate for LVN, RN, and/or CNA nursing services.</p> <p>The bid rates received may be at or lower than the maximum hourly rate identified in the RFP.</p>
<p>If a facility asks for a nurse, for example, to stay two hours longer than her scheduled shift (10 hours instead of 8 hours) will registry be allowed to bill the overtime rate for those two hours and waive the “written requirement” from the DON/HCM? Or will the written approval still be required to accompany the invoice?</p> <p>The addendum states that if an institution requires a shift greater than 8 hours, as the provider, we shall provide sufficient personnel to cover the shift and avoid payment of overtime. Does this mean nurses are not allowed to work overtime?</p>	<p>No, the contractor may not waive the written requirement from the DON/HCM for overtime reimbursement.</p> <p>Yes, the written approval from the DON/HCM for overtime must accompany the monthly invoice.</p> <p>Nurses may work overtime if the contractor has received written approval from the DON/HCM for the overtime.</p>
<p>Will hours worked on a holiday be mandated to be billed at the Regular Hourly Rate, or do you want Registries to submit a Holiday Rate Proposal?</p>	<p>There are no observed holidays for this RFP. Consequently, you would not be able to submit a Holiday Rate Proposal for this RFP.</p>
<p>All of our nurses are employees of our agency/registry? None of them are independent contractors. Is this</p>	<p>Yes agencies that employ nurses may submit proposals in response to this RFP.</p>

acceptable.	
How is the registry supposed to monitor and track the number of inmates seen each day by our nurses?	This requirement was revised in Addendum #3. The link to Addendum #3 is http://www.cphcs.ca.gov/project_rfp.aspx .
<p>References are required for institutions that the contractor has provided temporary relief nursing services to within the past 24 months. We have multiple health care disciplines placed at multiple CDCR facilities within the past 24 months but no nurses. Will it be acceptable to provide references from institutions in which we have placed other disciplines and list these?</p> <p>Without contracting with the California Prison System before, how is a company that is hoping for the contract suppose to have references from the California Prisons?</p>	CPHCS will consider reference only from institutions where the contractor has provided temporary/relief RN, LVN and/or CNA services. In addition, references are not required for contractors who hold certification as a Health Care Staffing Service by the Joint Commission of the Accreditation of Healthcare Organizations.
All nurses must obtain certification from the State of California as well as the specific city in which they will work?	All nurses must meet the applicable licensing and certification requirements as determined by the State of California.
Is this a publicly open bid?	There will be no public opening of the bids.
What is the purpose of Attachment K? Are we to return it with our response? If so what information is required in Attachment K?	Attachment K of the Request for Proposal Requirements references Exhibit H of the Sample Standard Agreement, and provides respondents with a list of institutions for which this RFP requests services, and their location. This information can be used by the Respondent in preparing their proposal and determining if they can meet the commitment of resources that is discussed on page 8 of 11. You are not required to return Attachment K with your response.
The instructions say the CCC-307 must be submitted prior to award. Where do I send this document?	The Proposal and all supporting documents, including the CCC-307, are to be submitted using mail delivery, overnight

	<p>delivery or hand delivery as follows:</p> <p>Mail Delivery - California Department of Corrections and Rehabilitation, California Prison Health Care Services, Attention: Debra Jones, P.O. Box 4038, Room 3701, Sacramento, CA 945812-4038</p> <p>-or-</p> <p>Overnight Delivery – California Department of Corrections and Rehabilitation, California Prison Health Care Services, Attention: Debra Jones, 510 I Street, Room 3701, Sacramento, CA 95814</p> <p>-or-</p> <p>Hand Delivery – California Department of Corrections and Rehabilitation, California Prison Health Care Services, Attention: Debra Jones, 3701 North Freeway, Sacramento, CA 95834</p>
<p>Where do we obtain the Plate 4002, Darfur Act, and the CDC 1786 DVBE forms?</p>	<p>Copies of the Darfur Act and the CDC 1786 DVBE forms are included in Addendum #1. The link to Addendum #1 is http://www.cphcs.ca.gov/project_rfp.aspx.</p> <p>With regards to Plate 4002, the RFP makes no reference to a form by this name. However, if you are referring to the Payee Data Record, it was also included in Addendum #1.</p>

**CALIFORNIA PRISON HEALTH CARE RECEIVERSHIP CORPORATION
OFFICE OF THE RECEIVER**

**REQUEST FOR PROPOSALS
FOR TEMPORARY/RELIEF ON-SITE NURSING SERVICES
(Registered Nurse, Licensed Vocational Nurse
and Certified Nursing Assistant)
CALIFORNIA ADULT PRISON FACILITIES
RFP Number 09341, Addendum #5**

November 17, 2009

PROPOSALS DUE: 2:00 p.m. January 21, 2010

CONTACT:

**Debra Jones, Section Chief,
Medical Contracts - Section 1
California Prison Health Care Services
P.O. Box 4038, Suite 3701
Sacramento, CA 95812-4038
Email: Debra.Jones@cdcr.ca.gov**

REQUEST FOR PROPOSAL REQUIREMENTS

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Attachments:

- A. Bid Submittal Checklist
- B. Sample Standard Agreement (STD 213)
- C. Scope of Work (Exhibit A)
- D. Budget Detail and Payment Provisions (Exhibit B)
- E. Bid Proposal (Exhibit B-1)
- F. Rate Sheet (Exhibit B-2)
- G. General Terms and Conditions for Private Contractors (Exhibit C)
- H. Special Terms and Conditions & Additional Provisions (Exhibit D)
- I. Definitions (Exhibit F)
- J. (HIPAA) Business Associates Agreement (Exhibit G)
- K. List of Participating Institutions (Exhibit H)
- L. List of Regional Accounting Offices (Exhibit I)
- M. Map of the California Department of Corrections and Rehabilitation Institutions (Exhibit J)
- N. Standard Contractor Certification Clauses (CCC)
- O. Payee Data Record (Std 204)
- P. Subcontractor/Consultant List
- Q. OBS 550 – Non-Small Business Subcontractor Preference Request
- R. OBS 551 – Small Business Subcontractor/Supplier Acknowledgement
- S. Sample Certificate of Insurance
- T. CDCR 1786 DVBE Participation in Exempt Contracts
- U. Darfur Contracting Act
- V. Reference Information Sheet, Attachment 1
- W. Monthly Service Report, Attachment 2

I. REQUEST

The Receiver of the California Department of Corrections and Rehabilitation's ("CDCR") /California Prison Health Care Services ("CPHCS") is requesting innovative proposals for Temporary and Relief on-site nursing services for: Registered Nurse ("RN"); Licensed Vocational Nurse ("LVN") and Certified Nursing Assistant ("CNA"). The selected vendor(s) will be engaged to provide on-site nursing services at some or all of the thirty-three statewide institutions. The contract(s) awarded by the Receiver will be a service agreement with CDCR.

II. BACKGROUND

A. General Background

As a result of the State of California's ongoing failure to provide medical care to prison inmates at constitutionally acceptable levels, the United States District Court for the Northern District of California has established a Receivership to assume the executive management of the California prison medical system and raise the level of care up to constitutional standards. On February 14, 2006, the Court appointed its first Receiver and granted him, among other powers, the authority to exercise all powers vested by law in the Secretary of the CDCR as they relate to the administration, control management, operation, and financing of the California prison medical health care system. The Court replaced the first Receiver and appointed J. Clark Kelso as the Receiver on January 23, 2008 and granted the same powers over CDCR medical health care system.

The Court's actions stem from the case *Plata v. Schwarzenegger* – a class action law suit brought on behalf of the CDCR's adult inmates. Applicants should refer to the Court's October 3, 2005 "Findings of Fact and Conclusions of Law Re Appointment of Receiver" and the Court's February 14, 2006 "Order Appointing the Receiver" for further information regarding the conditions underlying the Receivership and the powers and responsibilities of the Receiver. These and other relevant documents can be found on CPHCS website at http://www.cphcs.ca.gov/project_rfp.aspx.

B. Nursing and Registry Services

While problems identified by the Court and the Receiver reach into almost every element of the medical care system, it is without question to ensure the continuity of care while state employed nursing service vacancies exist and/or coverage for extended time off is not available the use of registry staff to temporarily provide coverage for staff vacancies and relief for extended time off is critical to medical needs of the patient-inmates of CDCR/CPHCS. The prior use of registry contracts for these services through the State Contracting Process has resulted in failures of "low bid" registries to perform their obligations under their contracts and provide the CDCR/CPHCS with available nursing services which result in increased expenditures due to use of registries with higher rates and delays in medical services being provided. Additionally, registries with higher bids create problematic issues when they are part of the awarded hierarchy by recruiting the lower bid registry staff which results in higher cost to CDCR/CPHCS when the lower bid registry cannot provide and use of a registry at a higher cost is the only alternative.

Equally problematic has been the rates proposed by many registries, which have ranged higher than civil service compensation levels. There appears to be unwarranted disparity between prior proposed rates and the rates currently afforded to other health systems. Thus, going forward the Receiver will not award contracts to: registries unable to demonstrate the ability to provide services for some or all of the thirty-three (33) institutions; registries with rates substantially higher than rates charged other health systems, and/or rates that substantially impair the Receiver's ability to recruit and retain qualified civil service employees.

With the current budget crisis and problematic issues involving registry services this Request For Proposal (RFP) is now seeking more innovative solutions to providing reliable, high quality and cost effective temporary and relief nursing services in the prisons. Proposed solutions should be compatible with the Receiver's priority to recruit and retain quality civil service employees.

III. ANTICIPATED SCOPE OF SERVICES

The selected contractor(s) shall provide all necessary labor, staff, transportation, licenses, permits, and certificates necessary to provide temporary and relief on-site nursing services as needed by the CDCR/CPHCS for some or all of the thirty-three (33) institutions. A sample of the scope of work(s) is included in the attached sample contract. The attached contract is provided as a sample only and may not be the final form of agreement negotiated by the Receiver.

IV. SELECTION AND CONTRACTING PROCESS

In its November 8, 2006 Supplemental Order Re State Contracts, The United States District Court for the Northern District of California excused the CDCR/CPHCS from the State requirement for competitive bidding medical provider contracts at the present time while the Receiver restructures the CDCR's contract bid, procurement, management and payment processes. Although the Receiver may negotiate directly with, and select, service providers without the need for competitive bidding, the Receiver finds it most advantageous at this time to solicit innovative solutions for the CDCR/CPHCS temporary and relief nursing staffing needs. Rather than adhering to traditional state procurement practices, the selection and award process for temporary and relief nursing services will use a more streamlined and flexible procurement methodology as explained further in this RFP.

An evaluation committee (the "Committee") will review the submitted proposals in accordance with submitted requirements and evaluation criteria set forth below and will recommend to the Receiver a short list of organizations for further consideration. Upon acceptance of the short list, the Receiver may invite short-listed organizations to make oral presentations to the Committee.

If the Receiver elects to conduct oral interviews, the proposed Key Staff of any short-listed organization(s) teams, max of three (3), must be available to participate in these interviews. The Committee will then make a final evaluation and submit its recommendation to the Receiver. The Receiver will make a final determination and authorize negotiations with one or more of the organizations that have submitted their proposals and whose responses are most advantageous to the Receiver.

The Receiver reserves the right to seek clarification of information submitted in response to this RFP and/or request additional information during the evaluation process. The Receiver reserves the right to accept or reject any or all proposals and selections when it is determined, in the sole discretion of the Receiver, to be in the best interest of the Receiver and CDCR/CPHCS.

The Receiver intends to negotiate and enter into single and multiple services agreements with selected Respondents promptly upon selection. Prior to commencing the services, the selected contractor(s) must sign the agreement with the CDCR/CPHCS, provide proof of insurance and satisfy any other State requirements. The agreement will be substantially similar to the sample CDCR/CPHCS agreement attached to this RFP and will also include the General Terms and Conditions and Contractor Certification Clauses set forth at: <http://www.documents.dgs.ca.gov/ols/GTC-307.doc> and <http://www.documents.dgs.ca.gov/ols/CCC-307.doc>. The attached contract is a sample only and may not be the final form of agreement required by the Receiver.

The Agreement(s) are anticipated to be for a period of not more than 36 months.

V. EVALUATION CRITERIA

The Committee will review Proposals in accordance with the following criteria:

- A.** Respondent's proven experience, capabilities and resources (including availability of bilingual (Spanish/English) staff), at both organizational and individual levels, in providing temporary and relief nursing services to programs comparable in size, scope of work, and urgency.
- B.** Qualifications, availability and commitment of key staff. Respondents shall clearly identify the key staff that will manage the delivery of registry services, and what role each is anticipated to fulfill in connection with the project.
- C.** Respondents are encouraged to provide one flat rate for all institution groupings on Exhibit B-2. However if respondent does not have capacity to provide services state-wide, the respondent is not required to propose rates for services to all institution groupings.
- D.** Proven systems, management techniques, required expertise and resources designed to facilitate timely, high quality and reliable registry services
- E.** Completeness and comprehensiveness of response to this RFP and compliance with the submittal requirements.
- F.** Quality of oral interviews including technical analysis and presentation (if requested by Receiver).
- G.** Legal actions that might affect Respondent's ability to perform as contracted.
- H.** Absence of any relationship that could constitute a conflict of interest or otherwise impede the ability of the Respondent to protect the interests of the Receiver.

I. Contractor must meet one of the following criteria:

1. Hold certification as a Health Care Staffing Service (HCSS) by the Joint Commission of the Accreditation of Healthcare Organizations (JCAHO)

Or

2. Submit reference information as required on Attachment 1. References must be from either all CDCR/CPHCS facilities that Contractor has provided temporary/relief RN, LVN and CNA services to within the past twenty-four (24) months or; if no past experience with CDCR/CPHCS, from at least three organizations providing services of similar scope to those that exist within the CDCR/CPHCS Healthcare setting. **Experience may not be considered if complete reference data is not provided or if the named client contact is unavailable or unwilling to share required information**

J. Contractor shall provide a listing of the proposed hourly rates as required on Exhibit B-2 for each institution grouping and nursing service type (RN, CNA, LVN) for which Contractor proposes to provide services. Identified Institution Groupings and nursing service types can be found on Exhibit B-2, Rate Sheet, of the attached sample Agreement. Proposed hourly rates must be at or below the salary cap identified below for each nursing service type. The maximum proposed hourly rate Nursing Classification is as follows:

RN –\$75.80 per hour
LVN –\$38.24 per hour
CNA -\$26.29 per hour

K. Contractor must indicate their organizations ability to track, monitor, report, and ensure that each individual staff/employee performing services under the contract does not exceed 975 hours of performing services for the State during each one year period (July 1 – June 30) of this agreement. This includes any hours worked with a different registry, vendor, or contractor that was for any State agency, department, board, commission, or other State entity. See Attachment 2, sample Monthly Service Report.

L. Contractor's ability to comply with all federal and State statutes, regulations, rules, and policies for the payment of federal and State income taxes for compensation that Contractor receives under the terms of this Agreement. Contractor shall withhold federal and State income taxes for compensation paid to assigned personnel for services provided under the terms of this Agreement.

VI. SUBMITTAL REQUIREMENTS

RFP Schedule – Note: The following dates are set forth for informational and planning purposes only and are subject to change.

A.

Event	Date
RFP Issued	October 14, 2009
Deadline for questions regarding RFP	November 10, 2009
Responses to questions	November 24, 2009
Bidder's Conference	December 8, 2009
Deadline for questions	December 15, 2009
Responses to questions	January 7, 2010
Proposal Due Date	2:00 p.m. on January 21, 2010
Contract award(s) *	January 28, 2010 – Estimate
Estimated project start date *	March 1, 2010 – Estimate
* These dates are subject to change	

B. Funding

The bid cap for this RFP has been set for each temporary/relief nursing service type. Bid rates received from respondents may be at or below the following identified hourly rates:

RN: \$75.80 per hour
 LVN: \$38.24 per hour
 CNA: \$26.29 per hour

Any bid received that exceeds the above-identified bid cap per service type will be rejected. Bidders who are awarded contracts will contract to provide services in the manner described in Section VI. D.

C. Addenda

Any questions regarding the RFP must be submitted **in writing** to the contact person identified on the cover of this RFP. CPHCS will, at its discretion, respond to questions in an addendum. Any necessary information not included in this RFP that CPHCS deems necessary and relevant to responding to the RFP will also be issued in an addendum. CPHCS makes no guarantee that all questions submitted will be answered.

Addenda will be posted on CPHCS website at:
http://www.cphcs.ca.gov/project_rfp.aspx

D. Multiple Agreements

The State reserves the right to award multiple Agreements for backup purposes. When services are needed, the “primary” contractor, defined as the lowest responsible bidder, will be contacted first. IF and ONLY IF, the primary contractor is unable to provide services, the “secondary” contractor, defined as the second lowest responsible bidder, will be contacted. This process will be repeated based on the number of Agreements awarded and will take place each time the institution contacts the Contractor to provide services.

The State intends to award as many Agreements as are necessary for backup purposes. Each Agreement will have a separate Agreement number and include all of the information contained in the bid document for the institutions awarded to that contractor.

Contractors with multiple agreements on subsequent bids for the same service(s) at the same institution(s) shall be obligated to provide service(s) at the rate(s) specified in the contractor's primary agreement (i.e., the agreement first bid) until all obligations under that agreement (e.g., number of hours) are satisfied before the rate(s) in any subsequent agreement(s) can be used. The only exception to this provision occurs when the rate(s) in a subsequent agreement is lower than those of the primary agreement; the state then has the sole right to determine which rate(s) will be applied.

E. Format

Proposal should be clear, concise, complete, well organized and demonstrate both Respondent's qualifications and its ability to satisfy the requirements of this RFP.

All proposals must be submitted under **sealed** cover and sent to the CPHCS by the dates and times shown in Section VI, Submittal Requirements, Item A., RFP Schedule, (page 5). Proposals received after this date and time will not be considered.

5 (five) bound copies of the Proposal should be provided, with all materials spiral bound into books of approximately 8-1/2" x 11" format, not to exceed forty-nine double sided pages total length. At least one (1) copy must contain original signatures and be marked "ORIGINAL COPY".

Pages must be numbered. We will not count, in the total, the graphic cover sheet, cover letter, table of contents, blank section dividers (tabs), explanation about legal actions, and a maximum of six (6) resumes, which may be included in the Appendix. The entire Proposal shall also be submitted in electronic (pdf) format on CD, organized in the same manner as the printed submissions.

The Proposal shall be placed in a sealed envelop that is plainly marked with the RFP number and title, your organization's name and address, and must be marked with "DO NOT OPEN", as shown in the following example:.

(Organization Name and Address)
(RFP Number)
(RFP Name)

DO NOT OPEN

If the proposal is made under a fictitious name or business title, the actual legal name of proposer must be provided.

Proposals not submitted under sealed cover and marked as indicated may be rejected.

Mail or deliver proposals to the following address:

MAIL DELIVERY: California Department of Corrections and Rehabilitation
California Prison Health Care Services
Attention: Debra Jones
P.O. Box 4038, Room 3701
Sacramento, CA 95812-4038

OVERNIGHT MAIL: California Department of Corrections and Rehabilitation
California Prison Health Care Services
Attention: Debra Jones
510 I Street, Room 3701
Sacramento, CA 95814

HAND DELIVERY: California Department of Corrections and Rehabilitation
California Prison Health Care Services
Attention: Debra Jones
3701 North Freeway
Sacramento, CA 95834

All respondents are requested to follow the order and format specified below. Please tab each section of the submittal to correspond to the numbers/headers shown below.

Respondents are advised to adhere to submittal requirements. Failure to comply with the instructions of this RFP may be cause for rejection of submittals.

The Receiver reserves the right to waive any informality in any submittal and/or to reject any or all submittals. The Receiver reserves the right to seek clarification of information submitted in response to this RFP during the evaluation and selection process. The Committee may solicit relevant information concerning the organization's record of past performance from previous clients or consultants who have worked with the Respondent.

F. Contents

The Proposal must include the following items:

1. A cover letter signed by an officer of the organization submitting the Proposal, or signed by another person with authority to act on behalf of and bind the organization. The cover letter must contain a commitment to provide the required services described with the personnel specified in the submission. The letter should certify that the information contained in the Proposal is true and correct. Please also indicate the contact person(s) for the selection process along with their contact information.
2. Executive Summary: The Executive Summary must include a clear description of the primary advantages of contracting with your organization. It should also include a brief explanation of how the Respondent satisfies the evaluation criteria, and a brief statement that demonstrates Respondent understands of the desired services.

3. Demonstration of the Respondent's Qualifications: Please provide the following information:
 - a. Your company's name, business address and telephone numbers, including headquarters and local offices.
 - b. A brief description of your organization, including legal form of your organization, names of principles, number of employees, longevity, client base, and areas of specialization and expertise.
 - c. A description of your company's prior experience related to correctional and healthcare facilities.
 - d. A description of your company's prior experience providing temporary and relief LVN, RN and CNA services in California correctional and healthcare facilities.
 - e. A description of your company's internal training and quality assurance programs.
 - f. Availability of bilingual (English/Spanish) RN, LVN and/or CNA personnel.
4. Commitment of resources: Recent registry utilization data is attached as Exhibit B-2, Rate Sheet. For the purpose of this RFP, it is assumed that the staffing needs of the CDCR/CPHCS will remain at similar levels. Provide the number of personnel and hours Respondent is able to commit to providing concurrently at each of the listed institutions. The locations of the institutions are provided in Attachment K List of Participating Institutions and Attachment M Map of the California Department of Corrections & Rehabilitation Institutions. Additional institution information can be found at:
<http://www.cdcr.ca.gov/Visitors/Facilities/index.html>
5. Professional References: To verify the quality of past services one of the following documents must be included with this RFP:

JCAHO certificate that shows HCSS certification

Or

Attachment (1) – Reference Information Sheet for Non-JCAHO certified respondents.
Experience may not be considered if complete reference data is not provided or if the named client contact is unavailable or unwilling to share required information

6. Qualifications of Key Personnel: Submit current references for Key Personnel committed to this project. Specifically describe previous related experience, its pertinence to this program, and provide references including the name, address and telephone number of a contact person who can verify the information provided. Provide brief description of referenced project(s), as well as any professional certifications, accreditation, special licensing or other qualifications which qualifies the professional to perform in their designated area of responsibility.

7. Cost Proposal: Provide a cost proposal for performing the services. Respondents are encouraged to develop innovative cost proposals that incorporate, for example, service volume, performance incentives, or exclusive commitment for resources associated with payment guarantees.
8. Legal action: Respondent must provide a listing and a brief description of all material legal actions, together with any fines and penalties, for the past five (5) years in which (i) Respondent or any division, subsidiary or parent company of Respondent, or (ii) any member, partner, etc., of Respondent if Respondent is a business entity other than a corporation, has been:
 - a) A debtor in bankruptcy;
 - b) A defendant in legal action alleging deficient performance under a services contract or in violation of any statute related to professional standards or performance;
 - c) A respondent in an administrative action for deficient performance on a project or in violation of a statute related to professional standards or performance;
 - d) A defendant in any criminal action;
 - e) A principal of a performance or payment bond for which the surety has provided performance or compensation to an obligee of the bond; or
 - f) A defendant or respondent in a governmental inquiry or action regarding accuracy of preparation of financial statements or disclosure documents.
9. Default Termination: Disclosure whether your company has defaulted in its performance on a contract in the last five years, which has led to the termination of a contract.
10. Conflict of Interest: Identify any existing financial relationships with other vendors that may be a part of your proposal, and explain why those relationships will not constitute for a real or perceived conflict of interest.
11. Proposed modifications to the attached sample scope of work.

G. Modification or Withdrawal of Proposal

Prior to the Proposal due date, Respondents may modify or withdraw a submitted Proposal. Such modifications or withdrawals must be submitted to CPR in writing. Any modification must be clearly identified as such and must be submitted in the same manner as the original (e.g. appropriate copies, paper size, etc). No modifications or withdrawals will be allowed after the Proposal due date.

H. Public Opening

There will no be public opening of responses to this RFP. However, after a contract is awarded, all proposals may be available for public review. CPR makes no guarantee that any or all of a proposal will be kept confidential, even if the proposal is marked "confidential," "proprietary," etc.

I. General Rules

1. Only one proposal will be accepted from any one person, medical group, medical corporation or other entity.
2. Proposals received after the deadline will not be considered.
3. This is an RFP, not a work order. All costs associated with a response to this RFP, or negotiating a contract, shall be borne by the Respondent.
4. CPR's failure to address errors or omissions in the Proposals shall not constitute a waiver of any requirement of this RFP.

J. Reservation of Rights

The Receiver reserves the right to do the following at any time, at the Receiver's discretion:

1. Reject any and all proposals, or cancel this RFP.
2. Waive or correct any minor or inadvertent defect, irregularity or technical error in any proposal.
3. Request that certain or all candidates supplement or modify all or certain aspects of their respective proposals or other materials submitted.
4. Procure any services specified in this RFP by other means.
5. Modify the specifications or requirements for services in this RFP, or the required contents or format of the proposals prior to the due date.
6. Extend the deadlines specified in this RFP, including the deadline for accepting proposals.
7. Negotiate with any or none of the Respondents.
8. Terminate negotiations with a Respondent without liability, and negotiate with other Respondents.
9. Award a contract to any Respondent.

Inquires in regard to this RFP should be addressed to:

**Debra Jones, Section Chief
Medical Contracts – Section 1
California Prison Health Care Services
P.O. Box 4038, Suite 3701
Sacramento, CA 95812-4038
Email: Debra.Jones@cdcr.ca.gov**

STATE OF CALIFORNIA J. Clark Kelso, Receiver
PRISON HEALTH CARE SERVICES



Attachment 1, Reference Information Sheet
To Be Completed by Non-JCAHO Certified Contractors

Failure to complete and return this attachment with your bid will cause your bid to be rejected and deemed non-responsive. References must be from either all CDCR/CPHCS facilities that Contractor has provided temporary/relief RN, CNA, and LVN services to within the past twenty-four (24) months or; if no past experience with CDCR/CPHCS, from at least three organizations providing functions of similar scope to those that exist within the CDCR/CPHCS Healthcare setting. **Experience may not be considered if complete reference data is not provided or if the named client contact is unavailable or unwilling to share required information**

1. Name of Contractor _____
Name of CDCR/CPHCS Facility _____
Name and Title of CPHCS Authorized Representative _____
2. Name of Contractor _____
Name of CDCR/CPHCS Facility _____
Name and Title of CPHCS Authorized Representative _____
3. Name of Contractor _____
Name of CDCR/CPHCS Facility _____
Name and Title of CPHCS Authorized Representative _____
4. Name of Contractor _____
Name of CDCR/CPHCS Facility _____
Name and Title of CPHCS Authorized Representative _____
5. Name of Contractor _____
Name of CDCR/CPHCS Facility _____
Name and Title of CPHCS Authorized Representative _____