

Administrative Procurement Protocol

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Community Behavioral Health
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PROCUREMENT DEVELOPMENT OVERVIEW

General Information

CBH utilizes a formal procurement process when the cost of services identified as needed by the organization is expected to exceed the procurement threshold set yearly by the City of Philadelphia. Though this applies to both Clinical Procurements of Service Provision to CBH Members that result in Provider Agreements, and also to Administrative Procurements of Administrative Services that result in Vendor Contracts, this protocol only discusses the latter.

The issuance of a procurement represents a formal legal process. Depending on the type of procurement, it may result in a competitive application process in which some but not all applicant vendors may be selected to provide a service or services described in the procurement. Because it is a formal award process, it is subject to legal scrutiny, and the award has the potential to be challenged in a court of law. All documents and correspondences related to the procurement process are subject to discovery and may be required to be turned over as part of a legal challenge. For these reasons, emphasis is placed on *transparency, standardization, and confidentiality*. Transparency and standardization speak to the need for conducting the process openly and fairly so that all prospective applicants have access to the same information and an equal chance to submit a successful application. Confidentiality is important for many of the same reasons; a failure to keep or maintain the privacy of information could result in a tainted process that could jeopardize the outcome.

CBH has a well-defined and structured format and process for development of procurements that are posted on the [contracting opportunities page](#) of the [CBH website](#). The types of procurements, how they are developed, and the determination of where they are posted is briefly discussed in the next two sections.

Vendors who are exempt from the procurement process are:

- ➔ Those who are not-for-profit entities—CBH will verify and document the vendor’s non-profit status with the use of online tools.
- ➔ Those who provide a sole-source service—CBH will certify this through its General Counsel.

- ➔ Those who contract with CBH in an emergency where following the procurement process would result in material damage to CBH's legal interests or pose a public health threat—CBH will certify this through its General Counsel.

Because it is imperative that all information relating to the procurement is communicated in the same way to all potential applicants, all communication regarding the procurement should be limited to the CBH staff named as point person (normally the Operations Coordinator).

The CBH Chief Administrative Officer (CAO) or delegate, in collaboration with the originating department head, must approve all content posted relating to Administrative Procurements, including, but not limited to, the procurement and attachments, Q&A, addendums, notices, and award.

Types of Procurements

CBH uses four types of procurements:

Request for Proposals (RFP)

An RFP seeks proposals to provide services through the submission of a detailed plan (proposal). The RFP contains specific areas to which applicants must respond. The RFP is the most frequently used procurement and the primary tool that CBH uses for the awarding of vendor contracts.

Request for Applications (RFA)

An RFA is similar to an RFP in that it contains specific areas to which applicants need to respond. CBH has used the RFA when those specific areas are typically in the form of questions that require shorter answers than an RFP. It may be used for formal procurements that are like questionnaires and through which an award or awards are made.

Request for Qualifications (RFQ)

An RFQ is usually issued in situations where any respondent that meets predetermined qualifications will be selected. It also requires the submission of a detailed plan in response to questions that are included in the RFQ.

Request for Information (RFI)

The intent of the RFI is to get information about a particular program area or about services in a geographic area and is not used to make awards. It is frequently used to gather information to inform a follow-up process. Using the information that is submitted in

response to the RFI, usually a more formal request—such as an RFP or RFA—is then issued for the purpose of selecting contractors or providers. For example, when CBH wanted to gather information on the number of providers in the network qualified to treat hoarding, an RFI was issued.

Normally an RFP is the best fit for the procurement of administrative services at CBH.

Administrative Procurement Development: General Protocol

Any department at CBH may have the need to procure administrative services, but the approval and appointment of an Executive Sponsor originates with CBH Officers, who will identify the need for a procurement utilizing the following steps.

If the procurement is related to a non-budgeted item, it must be approved by anticipated signatory of the vendor agreement (please see the CBH Administrative Expenditures Policy). Please note that CBH Board approval is needed for contracts over \$200,000, and CBH CEO approval is needed for spending in excess of \$50,000, up to \$200,000.

The CAO ensures that all procurements and ensuing contracts adhere to CBH policies and protocols.

- 1.** The CBH Officer who oversees the originating department will designate an Executive Sponsor who will collaborate with the CBH Operations Coordinator (OC) on development of the procurement. The Executive Sponsor will name a Content Manager who will develop the services/deliverables needed for the project, including CBH's needs, the tasks to be completed, the budget for the project, timeline, and the number of anticipated Awardees for the Procurement.
- 2.** Working under the purview of the CAO, the CBH OC will ensure that development of the procurement is initiated.
- 3.** A Procurement Team led by the OC will be established to help inform the content of the procurement. The team should generally consist of the OC, the Content Manager, and their supervisor and/or staff. Additionally, the team could opt to bring on individuals who are experienced in reviewing and scoring administrative procurement proposals.
- 4.** The OC, in collaboration with the Procurement Team, will write the initial procurement draft and corresponding review rating tool.* Collaboration will

continue, involving others as needed (e.g. Finance, CAO, etc.), until the document reflects the need.

5. The procurement draft must be approved by the Executive Sponsor and/or CBH Officer.
6. Once the Procurement Team has a final approved draft, it is shared, along with its attachments, exhibits, etc. as they apply, with the Communications Department for editing and posting.
7. Final sign-off of the procurement is provided by the CAO who initiates posting on the CBH website under Contracting Opportunities page.

** Though it does not have to be finalized at the time of posting, a draft of the rating template (or review tool) should be developed and reconciled with the language in the procurement to assure that the basis for the rating of the responses is consistent with information sought in the procurement and with the instructions that are given to prospective applicants.*

CBH Administrative Procurement Format

CBH's standard format for administrative procurements generally consists of the following:

1. Project Overview:

1.1. Introduction/Statement of Purpose

It is a short statement describing the service being sought. This statement normally includes a sentence about the problem that the procurement will solve.

1.2. Project Background

This section provides contextual information for the project. It may include data, a narrative, or any information that would be useful to the Applicant to understand CBH's needs.

1.3. Request for Proposals

This section provides a clear statement of the service being requested and how many vendors are being sought.

1.4. General Disclaimer

This section uses standardized language which states that the RFP is not a commitment to award a contract and that responses to the RFP become the property of CBH.

2. Scope of Work:**2.1. Project Details**

This section offers specific information about the service being sought. It must include the objective/purpose of the RFP and any special considerations the prospective Applicant might need to know.

2.2. Services to be Provided/Required Tasks

Each service that is requested should be listed with a short description of specific issues it will address and expectations from the service. If applicable, other specific information that would be considered threshold application requirements should be described in this section (for example, required attributes of a software package or minimal licensure that would be required to perform the described tasks).

2.3. Monitoring

This section discusses the CBH Department that will be overseeing the project. There is standardized language for this section which may be modified depending on the specific project.

2.4. Reporting Requirements

This section discusses the expected frequency of progress reports from the selected vendor. There is standardized language for this section which may be modified depending on the specific project.

2.5. Compensation/Reimbursement/Budget

This asks the Applicant to put together a budget, rate, and/or list of other charges expected as compensation for the services performed as described. It could be stated that alternative comprehensive cost structures are welcome.

2.6. Organization and Personnel Requirements

This section discusses requirements from the vendor and/or assigned staff such as years of experience with similar work, certifications, etc.

2.7. Technological Capabilities

This section has standardized language. It states the preference that the Applicant have the technological capabilities for the proposed activities and for electronic invoicing. Additional clarifying language can be added here if needed.

3. Proposal Format, Content, and Submission Requirements; Selection Process:**3.1. Required Proposal Format****3.1.1. Format Structure – Required structure of the proposals**

3.1.1.1. Proposal Cover Sheet – The cover sheet (Attachment A) should be the first page of the proposal

3.1.1.2. Table of Contents – Must be second page with corresponding section page numbers

3.1.1.3. Format Requirements – Standard language that discusses font, spacing, paper size, numeration, and other formatting requirements. Additionally, to solicit comparable proposals, a page limit is set here.

3.1.2. Proposal Content – This section gives an overview of every section that the Applicant is required to answer, stating what is required of the Applicant. Every topic which is included in Sections 3.1.2.1.–3.1.2.7. must be referenced in this section. This section should be structured for the applicant to respond with information on some or all of the following topics:

3.1.2.1. Applicant Profile/Statement of Qualification/Relevant Experience

3.1.2.2. Project Understanding and Scope of Work

3.1.2.3. Personnel

3.1.2.4. References

3.1.2.5. Project Plan and Timeline

3.1.2.6. Cost Proposal

3.1.2.7. Operational Documentation and Requirements (all subject to yearly approval) which must be signed and returned with the application:

- » Appendix A – This is the cover sheet to be used for responses to the RFP. It must include the name of the RFP, contact information of vendor submitting the application, and the signature of an authorized official from the applicant agency with date of signing.
- » Appendix B – This appendix includes the City of Philadelphia Tax and Regulatory Status and Clearance Statement for applicants.
- » Appendix C – This appendix includes Disclosure of Campaign Contributions for Philadelphia/Pennsylvania.
- » Appendix D – This appendix has the City of Philadelphia Disclosure of Litigation Form.
- » Appendix E – Acknowledgement of CBH Administrative Procurement Terms and Conditions (Contract “Boilerplate”)
 - » Terms and Conditions of Contract
 - » Minority/Women/People with Disabilities Owned Business Enterprises
 - » Term of Contract
 - » Revisions to RFP
 - » City/CBH Employee Conflict Provision
 - » Proposal Binding
 - » Reservation of Rights
 - » Confidentiality and Public Disclosure
 - » Incurring Costs

- » Prime Contractor Responsibility
- » Disclosure of Proposal Contents
- » Selection/Rejection Procedures
- » Non-Discrimination
- » Life of Proposals
- » Additionally, the vendor must submit:
 - » Tax ID number
 - » Letter of attestation that federal, state, and local taxes for the past 12 months have been paid.
 - » For for-profit vendors, disclosure of shared ownership/controlling interest >5%.
 - » MBE/WBE/DSBE Status – For-profit Applicants

3.2. Selection Process

This section discusses the life cycle of a proposal once it has been received for submission

3.2.1. Threshold requirements – This section delineates all minimum requirements for the application to be considered for the Consensus Review.

3.2.2. Scoring by Review Committee (aka Consensus Review; frequently has point distribution published)

- » Experience
- » Project Understanding
- » Project Plan
- » Cost Proposal/Value
- » Appropriateness of Staffing

3.2.3. MBE-WEB-DSBE-owned and Local Businesses (special consideration for businesses)

- » Owned and controlled by minorities, women and disabled persons
- » Philadelphia-based Applicants

4. Proposal Administration

4.1. Procurement Schedule

- ➔ Dated Issued
- ➔ Deadline to submit questions for Q&A
- ➔ Date CBH expects to post answers for Q&A
- ➔ Application submission deadline
- ➔ Date CBH expects Applicants to be identified for contract negotiations
- ➔ Additionally, this section will
 - » Discuss format, number of applications to be submitted
 - » Stipulate that those that miss the deadline will be returned (unopened)
 - » Emphasize that it must be authorized by the vendor's signing authority

4.2. Questions Relating to the Procurement

This section discusses that all communication for the RFP should be kept to the CBH staff named as point person. Additionally, it indicates that, while the procurement is active, CBH will only communicate to all potential Applicants via posts on the website.

4.3. Interviews/Presentations

As needed, CBH reserves the right to bring in any number of Applicants for face-to-face interviews in an effort to clarify their application. These

interviews with Finalists should contribute to the scoring done during the Consensus Review.

Procurement models other than the standard one outlined in this protocol could be used to describe the information/services that are being sought. The CBH OC can provide guidance on an appropriate model for a given administrative procurement, and is aware of what is required, as outlined above. The CBH CAO must approve any “non-standard” administrative procurement.

PROCUREMENT REVIEW PROCESS

General Information

Per the Philadelphia City Code, the minimum timeframes for segments of the procurement process are as follows:

- ➔ Procurement is posted on the CBH website: **15 calendar days**
- ➔ A contract is signed with awardee after an award for the procurement (right to negotiate a contract with CBH) has been posted: **eight calendar days**

Operationally, the following minimum timeframes are recommended:

- ➔ RFP development with OC: **two weeks**
- ➔ Review by Communications Department/Technical Writer: **one week**
- ➔ Deadline for questions to be considered for Q&A: **one week after posting date**
- ➔ Q&A with answers are posted: **three working days after deadline for questions**
- ➔ Threshold review: **two working days**
- ➔ Distribution/review of proposals to Review Group: **one week per four proposals**
- ➔ Consensus review: **1.5 hours per proposal** (e.g. four proposals could take six hours to review), normally in one sitting with a maximum of six proposals

- ➔ Recommendation made to Executive Sponsor: **two working days after consensus review**
- ➔ Award is posted: **two working days after recommendation to Executive Sponsor**
- ➔ Contract negotiations with Awardee ensues: **no minimum timeframe**

Preliminary Tasks

Forming Consensus Review Group

Consensus Review Group Membership

In general, each proposal should be reviewed by a minimum of three people. The OC will be the group's Facilitator, who is charged with the overall leadership of the group process. Additionally, there should be a Recorder (who could be the Facilitator), who records the strengths, challenges, and scores of each proposal. Facilitators and Recorders may read the proposals at their discretion.

Review groups should include subject matter experts from the department from which the services are requested. Additionally, sometimes as others are needed due to the length and/or number of proposals, CBH employees with experience as Reviewers in other administrative procurements could be utilized.

Review Period

Determine the length of time for the review period. A typical review period is one week. In most instances, review groups should not review more than **eight proposals at a time**, unless proposals have a short narrative requirement (eight pages or less).

Conflict of Interest

In developing review groups, a determination must be made about possible conflicts of interest. Reviewers must disclose if they, family members, or significant others have any past or current relationship with Applicants. This relationship may include employment, board membership, service recipients, etc. of the individual or a close family member. Determinations about conflicts are made on an individual basis. All reviewers will be required to read and sign a confidentiality/conflict of interest form during the reviewer orientation.

Review Process Summary Schedule

Below is a list of events that should be scheduled as far in advance as possible of the review session(s).

Threshold Review

A threshold review should be completed prior to the group review process. It includes checking for preliminary items delineated in the procurement as necessary to move the application to the review stage. At the Operation Coordinator's discretion, they may contact the vendor with missing threshold information to resolve these oversights in their application. All vendors should be afforded the same courtesy within the same procurement, normally a 48-hour turnaround deadline to turn in the missing item(s).

Review Period

Review periods are typically one week.

Consensus Review

Typically, these reviews where reviewers discuss, rate, and agree (consensus) on scores for each proposal are done in one session. The purpose of the Consensus Review Team is to make a recommendation to the Executive Sponsor about who to award the procurement (i.e. with whom we should engage in contract negotiations).

Oral Presentations

Applicants may be required to make an oral presentation concerning various aspects of their application to CBH. These interviews provide an opportunity for Applicants to clarify their application to ensure a thorough and mutual understanding. Interviews can be used when there are several Applicants with the same or similar scores.

Procurement Recommendations

At the conclusion of the review process, the OC will compose a procurement summary detailing the group's recommendation. After approval has been given by the Executive Sponsor and/or CAO, an Award Notice will be posted on the [CBH website](#) and letters will be sent to all Applicants which detail the results of the procurement process. Non-awardees will be given the opportunity to receive feedback about their application. Awardees will begin the contract negotiation process.

Award Notices (and Finalists Notices, when applicable) should contain the following:

- ➔ Date of posting

- ➔ Name of the procurement in question
- ➔ The name of all Applicants
- ➔ The name of the selected Applicant(s) (Awardee)
- ➔ A brief summary of why the Awardee was selected

Once a contract has been fully executed, the procurement process has concluded. The following documents should be retained from the procurement process:

- ➔ Documentation that the service was approved to be procured
- ➔ Documentation that certifies why the service was not procured, if this is the case
- ➔ A copy of the final draft of the posted procurement and all associated documents posted on the website as part of the procurement in question
- ➔ A record that the procurement and all related postings were posted on the website
- ➔ Original copies of all submissions (can be electronic with signatures)
- ➔ Final scoresheets resulting from consensus review
- ➔ Approval to post the Award (notice of right to negotiate)
- ➔ Contract that results from the procurement