

Kids Central, Inc. System of Care Policy & Procedure

Series: Finance, Accounting and Contracts

Policy Name: Procurement

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Reference:

Policy

It is the policy of Kids Central, Inc. to select providers for services and commodities, ensuring that the monetary resources of Kids Central are used effectively and efficiently to provide quality services to our clients. The Procurement process will ensure fair and open competition and maintain a high standard for services, promoting creativity and flexibility and increasing outcomes. In this regard, procedures will be in place to address the following:

- Conflict of Interest
- Goal Setting with Cost Analysis
- Procurement methods
- Appeals

Procedure

The Kids Central process is bound by contractual requirements with the Florida Department of Children and Families contract and operating procedures as well as Florida Statue, Chapter 287, and 45CFR, Part 92.36, which establishes the State and Federal guidelines for fair and open competition in the procurement process.

1. Conflict of Interest
 - a. No employee, officer or agent of Kids Central shall participate in selection or in the award or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when
 - i. The employee, officer or agent,
 - ii. Any member of his immediate family,
 - iii. His or her partner, or
 - iv. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.
 - b. Kids Central employees, officers, or agents of Kids Central will not solicit any personal gratuities, favors, or gifts from contractors, potential contractors, or parties to sub-agreements. Also, before accepting anything personal with monetary value that was offered without solicitation employees, officers, or agents of Kids Central should consider if the gift is an attempt or could be reasonably perceived as an attempt to influence agency decisions. Anything with a monetary value of \$10 or

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less may be accepted. If monetary value is greater than \$10 but no more than \$30 it may be accepted, but must be reported to CEO or designee.

2. Goal Setting
 - a. The Kids Central Management Team will continuously assess the needs of the agency, clients, and community for delivery of services.
 - b. Once a need is determined, the Kids Central Management Team will request that the Finance Department complete an analysis of the estimated costs for service delivery and validate that costs are allowable and that funds are available for the services in the current budget. Cost analysis will include at a minimum:
 - i. Review of each major expense category (i.e. salary, benefits, operating, indirect)
 - ii. Review of the ratios/percentage of the budget/cost dedicated to each category
 - iii. Review of costs as reasonable and necessary
 - iv. Review of costs as allowable
 - v. Compatibility of expenses to fund source(s) to be utilized
 - vi. Review of previous costs for similar services, if available
 - vii. Review of market conditions for similar services, when possible
 - c. The nature of the analysis may differ depending on the nature of the services to be delivered and/or fund source(s) to be used.
 - d. The cost analysis will only be a factor in the deciding whether a new subcontract will be granted to a provider.
 - e. The completed cost analysis will be kept in either a procurement file or with the granted subcontract documents.
 - f. If the Finance Department reports that the cost is allowable and money available, the Finance Department will work with the Management Team and Contract Department to:
 - i. Clearly define a statement of need for the service to be delivered
 - ii. Create a timeline for procurement process
 - iii. Determine the procurement method to use
 - iv. Identify a Contract Manager to supervise the process
3. Procurement Methods
 - a. Kids Central, Inc. will abide by Chapter 287 F.S. by assisting Certified Minority Business Enterprises in the area in gaining access to State funded business opportunities. Kids Central, Inc. will assist Florida's Small and Minority businesses in gaining entry to do business with the State of Florida. Kids Central, Inc. will give preference to all certified minority business vendors.
 - b. Three methods of procurement will be used.
 - i. The Small Purchase, which is used to secure services, supplies or other property shall have a maximum total cost that is the lesser of

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the Federal simplified acquisition threshold currently set at \$100,000 [41 U.S.C. 403(11)] or the State of Florida's established threshold set at \$35,000 established in Chapter 287 F.S unless exempted. Three price or rate quotations shall be obtained from qualified resources.

- ii. The Non-Competitive Procurement, which can be used to purchase services that are exempt from the competitive process by legislature and are listed in Chapter 287 F.S. as Emergency, Regulated Exemption, including non-competitive procurement authorized by a funder and Single Source procurements.
- iii. Competitive Procurement
 1. Invitation to Bid,(ITB) / Sealed Bid Process
 - a. This method is best suited when:
 - i. A complete, detailed, and realistic specification or purchase description can be compiled.
 - ii. Kids Central Management has available in the Circuit two or more bidders that may be willing and able to compete effectively for business
 - iii. Selection of the bidder may be made primarily on the bases of price.
 - b. If this method is chosen, the Invitation to Bid is publicly solicited through formal advertising and posting.
 - c. The ITB must include all specifications and pertinent attachments and define the items or services for the bidder to respond adequately.
 - d. All bids received are opened per the specifications of the ITB and each bid received is recorded.
 - e. A fixed-price contract will be awarded to lowest price bidder whose bid met all the material terms and conditions of the Invitation to Bid.
 - f. Notification to the bidder of the award will be made by the assigned Contract Manager according to the established time line published in the ITB.
 - g. The Contract Manager will act as primary liaison with the awarded bidder to complete the process and establish service provision.
 - h. Any or all bids may be rejected if there is a sound documented reason.
 2. Request for Proposal (RFP)

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- a. This method is used when more than one source is available to submit proposals.
- b. The awards may be fixed cost, fee for service, or cost reimbursement type contracts.
- c. Specifications for the services sought are less defined. In this method of procurement, the technical aspects of the proposal are of more importance than the price, although price will be one of the evaluation measures.
- d. A means of evaluating the technical aspects of the proposal must be included in the published document and the Kids Central Review Panel will follow this tool as a guide for the selection of the award.
- e. The process will include:
 - i. RFP is created by assigned individual, following timeline established by the Management Team.
 - ii. A Contract Manager is assigned to supervise the project
 - iii. The RFP is posted on Kids Central Website.
 - iv. The Kids Central Management Team creates a Review Panel and invitations to attend the evaluation are sent.
 - v. The Contract Manager supervises the Question and Answer process or coordinates the Bidder's Conference, whichever is defined in the RFP, and all questions and answers are posted for public viewing on the Kids Central website.
 - vi. The Contract Manager receives all proposals, records each received and the date received.
 - vii. Documentation is kept for any proposals not accepted (i.e. submitted late, incomplete, unacceptable provider/vendor)
 - viii. The Contract Manager will copy each proposal and provide a copy of all proposals received to the members of the Review Panel no less than one week prior to meeting.
 - ix. Review Panel meets:

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1. Minutes are kept of the meeting
 2. Each proposal is review, discussed, evaluated.
 3. If any additional information is requested, that request is made by an individual designated by the Panel and a time frame is given for submission.
 4. A time is established to review any additional information requested.
 5. A final determination is made on the award.
 6. Evaluation Score sheets are collected from members of the Review Panel for each Proposal received.
 7. A log is created of all Proposal received and the Outcome and added to the minutes.
 8. The Award is posted on the Kids Central Website on the date as designated in the RFP
- x. The Contract Manager maintains all documentation for the RFP process to include:
1. Request for Proposal, final document
 2. Date of Kids Central Website posting
 3. Copy of all advertisement and list of all advertisers
 4. Bidders' question/conference
 - a. Sign in sheet for conference if applicable
 - b. Minutes, if applicable
 - c. Comprehensive listing of all questions and answers posted
 - d. All other inquiries including responses
 5. A copy of each proposal received

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6. Documentation of any proposal not accepted for consideration and reason.
7. Minutes of Review Panel, to include any additional information requested and any financial review documents created
8. Evaluation score sheets from each member of Review Panel for each proposal submitted.
9. Log of all proposal received and outcome
10. Copy of posting on Website of Award or
 - a. Copy of all correspondence to respondent(s) not selected.
 - b. Copy of all correspondence to respondent (s) selected.
11. Minutes of any negotiation meetings.
12. Contract Manager introduction correspondence
- xi. The Contract Manager coordinates with Kids Central Management the negotiation of contract details.
- xii. The Contract Manager works with Kids Central Management and the chosen Provider to create the contract for services.
 1. Program parameters
 2. Outcomes
 3. Reports
 4. Other deliverables
 5. Funding levels
- xiii. Contract Manager writes the contract and forwards the completed document to the Kids Central Chiefs for review and approval.
- xiv. Contract is routed to the Kids Central Chief Executive Officer or designee for approval and signature.
- xv. Contract Manager sends the completed document to the Provider for approval and signature.

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- xvi. Contract Manager notifies Kids Central Operations, Quality, and Finance Department of program start date.
 - xvii. Contract Manager creates the Procurement Book of all documents necessary to record the process.
 - xviii. Contract Manager creates the database entry for the contract tracking.
3. Invitation to Negotiate method is used when the qualification and working relationships are more critical than the price. The project has a minimal or unspecified definition and the negotiation for services is open for discussion and creative options.
- a. A Contract Manager is assigned to supervise the project
 - b. Negotiation meetings are scheduled with qualified providers.
 - c. The Kids Central Management Team designates individuals to participate in negotiations.
 - d. Minutes are kept of each meeting to include outcomes and agreements.
 - e. Once the services and funding is agreed the Contract Manager will complete the contract using the steps specified in k-r above.
 - f. The Contract Manager is responsible for maintaining all documentation in relation to the negotiation meeting and the formation of the contract.
- iv. If any competitive procurement results in no qualified responses, the procurement method will be reviewed to decide if changes need to be made that will likely result in qualified responses. Kids Central will move forward in an attempt to find a single source, if it becomes clear that there are still no qualified responses available.
4. Appeals
- a. Appeals are part of each type of competitive procurement.
 - b. Appeal process details are outlined in the bid document.

DCF will be notified in the event of an appeal.

Approved By:

Cynthia A. Schuler, Chief Executive Officer

Date