



**CITY OF HOUSTON**  
FINANCE DEPARTMENT  
Strategic Procurement Division

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June 9, 2015

**Subject:** Letter of Clarification No. 2 to Request for Proposal (RFP) No. S55-T25415 for Harris County Area Agency on Aging Nutrition and Transportation Services.

**To:** All Prospective Proposers:

This Letter of Clarification is being issued for the following reasons:

- **To revise the specifications / scope of work and Exhibit "I" of the RFP document and respond to questions posed by prospective proposers.**
- 1) **Remove Page Nos. 11 of 112, 18 of 112, 24 of 112, 25 of 112, 26 of 112 and 76 of 112 and replace them with Page Nos. 11 of 112, 18 of 112, 24 of 112, 25 of 112, 26 of 112 and 76 of 112 marked, REVISED 06/09/15.**
- 2) The following questions and the City of Houston's responses are hereby incorporated and made part of the RFP.

Question No. 1: Is there a page limit for the Expertise/Experience/Reliability section (4.1) or for questions 4.2.2.?

Response: No; there is no page limit requirement.

Question No.2: Does there need to be a sentence stating that the proposer agrees to the monitoring or invoicing procedures, or is submitting a proposal sufficient as an agreement?

Response: A submitted response to the Request For Proposal (RFP) is considered acceptance of the terms outlined in of RFP. Refer to 7.0 Exceptions to Terms and Conditions for additional details.

Question No. 3: I don't understand page 36, Tier 4 Discounted Monthly Cost. What does this mean?

Response: The information contained on page 36 is intended to assist organizations interested in providing congregate meal services at City of Houston Multi-Service Centers. The information provided can be used for determining the budget associated with the utilization of space as well as the value of the in-kind services that must accompany the use of the space.

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Question No. 4: Do we need to submit all documentation for each sub-contractor or just proof that we monitor?

Response: Proof of monitoring is sufficient.

Question No. 5: What size thumb drive fits the submittal?

Response: The thumb drive used should be adequate to support the size of the respondent's proposal along with the required attachments.

Question No. 6: What is a thumb drive? Is this the same as a flash drive?

Response: A thumb drive and flash drive refers to the same thing, a small data storage device that uses flash memory and has a built-in USB connection.

Question No.7: Do you want everything separately on the zip drives or do you want one PDF document?

Response: Please incorporate all RFP documents into one PDF document.

Question No. 8: What is the requirement for an electronic thumb drive? Any size? Any format?

Response: The thumb drive used should be adequate to support the size of the respondent's proposal along with the required attachments.

Question No. 9: Will bidding organizations have access to get current number of clients being served by respective organizations, by zip codes?

Response: The demographic data that the HCAAA will provide is included in Attachments A, D, E and F.

Question No. 10: Can bidding organizations get the number of people in respective zip codes on waiting list?

Response: The demographic data that the HCAAA will provide is included in Attachments A, D, E and F of the RFP document.

Question: No.11: Can we get the number of people currently being served in each zip code and their wait list?

Response: The demographic data that the HCAAA will provide is included in Attachments A, D, E and F of the RFP document.

Question: No. 12: Is there any way you could share how many meals are currently being delivered to different zip code areas?

Response: The demographic data that the HCAAA will provide is included in Attachments A, D, E and F of the RFP document.

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Question No. 13: Not all Harris County zip codes with estimated seniors are listed. How do we get the information for other Harris County zip codes?

Response: The data provided in the attachments of the RFP document was derived from U.S. Census Bureau data.

Question: No. 14: Attachment D does not include zip code 77571 in La Porte.

Response: Yes, zip code is in Harris County and should be included.

Question: No. 15: Is Valley Services and CPI Foods a subcontractor to my agency or the HCAAA?

Response: They are not subcontractors to the HCAAA.

Question: No. 16: Would the usage of Valley Services, Inc. & CPI Foods, Inc. be considered vendors in our proposals or subcontractors?

Response: They would be vendors of the proposer.

Question: No. 17: Is there an acceptable site in which to gather nutritional training information? Is the USDA site acceptable? Does or will Valley services be able to provide any nutritional training?

Response: The Texas Administrative Code and the Texas Department of Aging and Disability Services states that nutrition education must be overseen by a dietitian or individual of comparable expertise. The distribution of flyers or handouts alone does not constitute nutrition education. The United States Department of Agriculture has developed materials that are available on their website and are acceptable for the provision of nutrition education. Valley Services, Inc. also provides nutrition education training.

Question: No. 18: What is the deadline for responses to submitted questions?

Response: The deadline was 2:00 PM CST, June 4, 2015. The responses are included in this Letter of Clarification.

Question: No. 19: On page 11, under 5.1 it states that records must be kept for three years after the agreement terminates and on page 18, under 2.5.1, it states that records of the current contract year must be kept one year after the termination of the contract. Which is required?

Response: The information provided in the RFP is incorrect. For this contract, all records must be maintained for a period of 5 years after a final or close-out audit.

Question: No. 20: Do clients still have to sign to demonstrate receipt of food? Can we use automated/scan system that overlays with SAMS.

Response: Yes, consumers must sign for receipt of food. No, contractors may not use automated/scan systems that overlay with SAMS.

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Question: No. 21: Please explain the priority for serving economically disadvantaged with the rule that there is means testing. Are you suggesting a neighborhood focus?

Response: There is no means testing. Refer to Sections 1.3, 1.4 and 1.4.1 for information on program aims and eligibility. You may also refer in the RFP documents to the Older American's Act and the Harris County Area Agency on Aging Area Plan for FY 2015-2016 for additional information on the preferences for providing services to older individuals.

Question: No.22: Please define the required "needs assessment study" as it relates to HDM, including what data should be collected, what the areas are, which participants should be included, and how data should be aggregated for reporting. How is this study to be paid?

Response: As part of a competitive procurement process, the HCAAA is interested in determining whether respondents are familiar with the needs of the residents in the areas where services are proposed. It is up to respondents to determine what data should be collected, which areas should be included and how the data should be aggregated based upon the areas the respondent proposes to serve. The HCAAA has included some demographic data on older adults living in Harris County; however respondents are encouraged to use a variety of methods to determine the needs of communities. The HCAAA will not pay for any costs associated with the preparation of a response to the Request For Proposal.

Question: No. 23: What will be acceptable for the needs assessment? Does it have to be executed by the applicant or can it be another entity?

Response: The needs assessment does not have to be executed entirely by the respondent, but may rely on data and other types of information from organizations and agencies with knowledge and experience of the communities.

Question No. 24: On page 26, under 6.62 Sections b and c, the RFP states that, b) The Provider must submit assessment to HCAAA for approval and authorization prior to beginning services and c) The contact agency should initiate assessment services within ten (10) calendar days of receiving the referral. Since this appears to be a brand new requirement, who would be referring, and how would IM receive the referrals. We don't understand the implications as to how the approval and authorization process might work and what the basis would be for the approval and authorization process. According to the TAC, our understanding of the federal Older Americans Act funding Title III, and precedent, seniors of appropriate age and home-bound-ness, according to their scores during the assessment process, are eligible for Title III services. As a provider, we all assessment documents available to HCAAA; usually a selection of them are reviewed as part of our annual monitoring process.

Response: Sections b and c no longer apply see attached revised page 26 of 112..

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Question No. 25: Do the following items need to be submitted with the application – Nutrition Plan, Emergency Procedures, Wait List Procedures and Insurance Forms?

Response: The Nutrition Plan, Emergency Procedures and Wait List Procedures are not required. Insurance forms are required as part of the Exhibit IV.

Question No. 26: What is the standard AAA Waiting List Procedure? Is our own agency waiting list policy sufficient?

Response: The HCAAA requires contractors to maintain written Waiting List policies and procedures. The HCAAA will work with contractors to develop a standardized Waiting List policy. Contractor policies and procedures are reviewed during annual monitoring.

Question No. 27 On page 24, under 6.2.3, Meal Rates: Estimated Scale Rate October 1, 2014, was this meant to be 2015? If 2015, the estimated increases are significant increases over the current rates that are based on our understanding of the food service contract. The HCAAA agreement set the meal costs at \$2.33 per meal when there are more than 6,000 prepared. This RFP document quotes the rates at \$2.53 for the over \$6,000 quantity. What is the reason for the increase? What does “culturally diverse” mean? Which pricing should we use in the budget?

Response: The unit cost listed in the tables on pages 24-25 of the Request for Proposal has been corrected. Corrected tables are included below. Please use the corrected tables when completing budget information. Culturally diverse refers to the food preferences reflected in the diverse ethnic communities in Harris County.

Congregate Meal	Unit Price
Under 1,000	\$2.49
1,000 – 2,000	\$2.35
2,001 – 3,000	\$2.30
3,001 – 4,000	\$2.23
Over 4,000 specify	\$2.15

Home Delivery Meal	Unit Price
Under 2,000	\$3.14
2,000 – 3,000	\$2.93
3,001 – 4,000	\$2.70
4,001 – 5,000	\$2.50
5,001 – 6,000	\$2.37
Over 6,000 specify	\$2.33

Frozen Home Delivery	Unit Price
Under 200	\$3.20
201 – 300	\$3.20
301 – 400	\$3.18
401 – 500	\$3.16
501 – 600	\$3.14
601 – 700	\$3.14
Over 700 specify	\$3.14

Shelf Stable Meals	Unit Price
Under 12,000	\$2.70
12,000 – 18,000	\$2.70
18,001 – 23,000	\$2.70
23,001 – 28,000	\$2.70
30,000, or above specify	\$2.70

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- Question: No. 28 On page 25, under 6.3, Frequency of Service, the RFP refers to "A hot meal should be served each weekday, between 11am and 1pm, 5 or more days a week.....The exception is with the delivery of frozen home delivered meals in outlying areas where such frequency is not feasible..." We currently deliver meals in accordance with the TAC that states the meal must be served between 10:30am and 1:30 pm. Is it the intention to reduce the window in which meals may be served under this contract? (Also, this timing is contradicted by the time in 8.12 which also disagrees with the TCA.).
- Response: In accordance with the Texas Administrative Code, meal service deliveries are restricted to 10:30 AM until 1:30 PM.
- Question: No. 29 Will organizations be reimbursed for meals and transportation for caregivers under 60 years of age?
- Response: There are circumstances where a caregiver under the age of 60 may receive a meal. There are no circumstances that will allow for reimbursement with Title III-B funds for an individual under the age of 60.
- Question: No. 30 NAM currently has one license for the SPURS/SAM State Data Base. Can multiple users use this one license? If not, could NAM obtain more user licenses? Would it be a cost to NAM? If so, what is the cost?
- Response: The Texas Department of Aging and Disability Services currently allows one SPURS/SAM license per contractor.
- Question No. 31: No. 30 Will Houston take a bid solely for shelf stable meals and award that separately? Is this true for transportation, nutrition education, frozen foods, meals on wheels catering, etc?
- Response: This Request For Proposal is for the procurement of organizations interested in delivering meals to home bound older adults, providing meals to older adults in congregate settings and arranging transportation to and from the congregate sites for the meal service in Harris County. The HCAAA is not taking bids for shelf stable meals as part of this RFP.
- Question: No. 32 It seems this proposal has more to do with awarding free space to rent for kitchen and catering and distribution of meals on wheels use, hence the intensive reporting requirements?
- Response: This Request For Proposal is for the procurement of organizations interested in delivering meals to home bound older adults, providing meals to older adults in congregate settings and arranging transportation to and from the congregate sites for the meal service in Harris County. No free space for kitchen or catering is included with this RFP.

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Question: No. 33 Would a shelf stable meal bidder or frozen food bidder solely be required to complete forms for: budget worksheet, Pay or Play, Hire Houston First, etc.

Response: All respondents interested in delivering meals to home bound older adults, providing meals to older adults in congregate settings and arranging transportation to and from the congregate sites for the meal service in Harris County must complete the forms included in the RFP.

Question: No. 34 This proposal seems to be looking for a sole supplier and those who do a small portion of the bid may are not getting the benefit of rental of Houston buildings or the overhead that goes with a caterer.

Response: This Request For Proposal is for the selection of organizations that meet the evaluation criteria for delivering meals to home bound older adults, providing meals to older adults in congregate settings and arranging transportation to and from the congregate sites for the meal service in Harris County. This RFP does include provisions for a caterer.

Question: No. 35 On page 49, 6.1, under the Budget Worksheet, Attachment M asks for a copy of the budget to be included in a separate sealed envelope. Is this to be in a separate folder on the thumb drive or do you want a physical envelope?

Response: Both; respondents must include the Budget Worksheet as part of the Request For Proposal on the thumb drive and in a separate envelope.

Question: No. 36 Should we budget shelf stable meals beyond normal delivery for contingencies?

Response: No, you may budget for one five-pack of shelf stable meals per consumer, not to exceed delivery more than twice in a fiscal year, unless authorized by the HCAAA Director. This represents a maximum of ten (10) shelf stable meals per consumer per fiscal year.

Question: No. 37 Can the 10% Match be all in-kind or is some cash match required?

Response: Match can be all in-kind.

Question: No. 38 In 2.4.2 it states that a combination of cash and in-kind resources and in 2.4.3 it states "one or more of the following types" may be used. Is all in-kind match for the 10% requirement allowed?

Response: Yes.

Question No. 39: Can match be all in-kind (volunteer driver hours) or is there a need for a cash match portion?

Response: Match can be all in-kind.

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Question No. 40: Will a bank line of credit meet the 90-day working capital requirement?

Response: Yes.

Question No. 41: Is a line of credit acceptable for the 90-day operating capital?

Response: Yes.

Question No. 42: A recent email requested completed budget worksheet information for next year by June 9<sup>th</sup>, 2015. This is prior to the RFP date. Are you expecting the budget prior to the June 18<sup>th</sup> RFP submission?

Response: Yes, a completed FY 2016 Rate Setting Workbook is required by June 9,2015.

Question No. 43: Depreciation on page 37, under 13.6 uses a \$1,000 threshold and on page 61 under budget instructions uses a \$5,000 threshold. Which is required?

Response: For purposes of this Request For Proposal, depreciation refers to equipment (tangible personal property, including information technology systems, having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established for financial statement purposes, or \$5,000.

Question No. 44: Interfaith Ministries is a single provider with DADS. Should we budget based on the DADS unit rate or real costs?

Response: Budget using the DADS unit rate.

Question No. 45: Is insurance required on volunteer workers?

Response: No.

Question No 46: Page 20 (2.23) last sentence states that all proposers are subject to the Policies and Procedures of the Harris County Area agency on Aging. Would this be considered the TAC 40 rules or is there another document that the HCAAA has of Policies and Procedures?

Response: While the Texas Administrative Code provides overarching rules and regulations, the Texas Department of Aging and Disability Services periodically releases State Program Instructions that clarifies or provides additional interpretation of policies that is enforceable by rule or state or federal regulation. This is also the case with the City of Houston, and the Harris County Area Agency on Aging, which releases Technical Assistance Notices that serve the same function.

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Question No. 47: What is the purchase threshold to capitalize and depreciate an item purchased with grant funds?

Response: For purposes of this Request For Proposal, depreciation refers to equipment (tangible personal property, including information technology systems, having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established for financial statement purposes, or \$5,000.

Question No. 48: Will the Transportation Provider be required to provide a system to document trips with new tiered reimbursement rate?

Response: Yes.

Question: No. 49: Has the 5 mile radius changed for transportation?

Response: No; however, the Harris County Area Agency on Aging is interested in enhancing transportation services to older individuals. As a part of this Request For Proposal process, changes may occur that impacts the radius.

Question: No. 50: Are caregiver/aides under age 60 allowed to use transportation?

Response: No.

Question: No. 51: Do congregate meal providers need to address transportation in their proposal.

Response: Yes.

Question: No. 52: Can transportation services be proposed as a standalone community support or must they be tied into nutrition or other services.

Response: Transportation services must be tied to the provision nutrition services unless the applicant is proposing to provide only transportation services.

Question: No. 53: In the RFP document, there are several references to a prime contractor. If the GHTC only wants to perform the Transportation Services portion of this RFP, would the GHTC be considered a Prime for that portion of work or a subcontractor for a Prime that would bid on the entire package?

Response: Yes, GHTC may choose to respond to only the transportation services described in the RFP.

Question: No. 54: In reference to 10.8 Scheduling, is there a standard format that will be used to arrange transportation services?

Response: No; for purposes of the Request For Proposal, organizations responding to the transportation portion of the RFP may include information, recommendations and other improvements to the current scheduling of consumers that improves the quality of services.

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Question No. 55: Does the HCAAA envision having more than one Provider for Transportation Services?

Response: The HCAAA is competitively procuring services through an RFP process and will review and evaluate all submissions when determining the most the effective means of providing these services.

Question: No. 56: Will the Transportation Provider be allowed to group trips in order to be more efficient?

Response: Yes.

Question: No. 57: GHTC only wishes to provide the Transportation Services portion of this RFP. Will HCAAA clarify which exhibits must be completed for this service? It seems some Exhibits would not apply to the Transportation Provider.

Response: All exhibits are required City of Houston forms and must be completed. However, here are attachments which only organizations responding to provide congregate or home delivered meals are required to complete.

Question: No 58: Does the HCAAA have an estimate of the number of annual trips to be performed for each of the congregate sites?

Response: The data that the HCAAA will provide is included in Attachments A, D, E and F of the RFP document.

Question: No. 59: Are there any rules or guidelines for using yellow cab as a transportation services for congregate meal clients?

Response: Yes; the guidelines for using transportation services are listed in Section 10 of the Request For Proposal.

Question: No. 60: It is stated that you need a three year driving record and drug test for drivers. Is that just for this point forward when hiring or would out current drivers covered under the grant be subject to this also?

Response: All organizations must comply with the expectations and requirements outlined in the Request For Proposal with the commencement of a contract.

Question No. 61: Are 35 meals per day required for all sites or only new providers?

Response: Existing and proposed new congregate sites must be able to maintain 35 registered consumers.

Question No. 62: For congregate meals it says 35 registrants one place and 35 served daily another place. Can you please clarify, is the 35 the number in attendance each day or the number you have registered?

Response: Thirty-five registered consumers must be maintained to remain a viable congregate site.

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Question No. 63: We were told that it may be possible to get a waiver to do congregate meals 3 days a week rather than 5. Is this something that would need to be in place before the application deadline? Would this be true for transportation too?

Response: No; you do not need to take any steps associated with the waiver process for congregate meals and/or transportation at this time.

Question No. 64: We currently provide congregate meals 3 days a week. At this time we do not wish to go to 5 days a week. I believe we were given a waiver to only provide 3 days. Would we need to do anything about a waiver prior to submitting our proposal or just state how many days a week we wish to provide the service?

Response: No; you do not need to take any steps associated with the waiver process at this time.

Question No. 65: Can we recreate forms or must we use the PDF attached?

Response: Respondents may use the forms included in the Request For Proposal or can download forms at [purchasing.houstontx.gov/forms.shtml](http://purchasing.houstontx.gov/forms.shtml).

Question No. 66: Do contractors have to demonstrate Pay or Play?

Response: Organizations that respond to this Request For Proposal must understand and be familiar with the Pay or Play requirements as it relates to your staff.

Question No. 67: Can you explain the MWBE requirement and will it be funded through the grant? How is "minority" defined?

Response: The Office of Business Opportunity is committed to creating a competitive and diverse business environment in the City of Houston by promoting the growth and success of local small businesses, with special emphasis on historically underutilized groups by ensuring their meaningful participation in the government procurement process. A MWBE business is at least 51% owned, managed and controlled by U.S. citizen(s) or legal U.S. permanent resident(s) that belongs to one of the following eligible groups – Woman, Person with Disability or Minority (Black, Spanish/Hispanic, Asian-Pacific American, or Native American).

Question No. 68: How do we determine 11% for MWBE if we don't know the contract award?

Response: The 11% MWBE should be based on your budget submission and may be adjusted upon conclusion of contract negotiations.

Question: No.69: Page 20, under 2.17, states that the Form LLL "Disclosure Form to Report Lobbying" if non-federal funds are being used to support lobbying efforts. Should it say "federal" rather than "non-federal"?

Response: The Disclosure Form to report Lobbying is a federal form. Please refer to the attachment.

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- Question No. 70: Timesheets are all on Exetime and not paper. How is this reported, or is on file sufficient?
- Response: Timesheets are not required as part of the submission for this Request For Proposal. However, timesheets must be available for review at the time of annual administrative and program monitoring.
- Question No. 71: If the required form is not applicable to applicant should the form be submitted with N/A or not submitted (ex: Conflict of Interest Questionnaire)?
- Response: All forms must be submitted. Areas or portions of forms that are not applicable should be annotated with N/A.
- Question No. 72: Is page 76 the Offer and Submittal form? If not will that form be provided by HCAAA?
- Response: Yes; the header on the Exhibit will be changed to reflect the correct title on the Letter of Clarification. (See attached page 76).
- Question No. 73: I am confused what you want nonprofits to fill out on the References Sheet on Page 77 (Exhibit 1). Do you want other grants we have managed?
- Response: Yes; please include organizations, agencies or other entities that you have partnered with previously.
- Question No. 74: If we are not using any subcontractors is it acceptable to put Not Applicable on the MWBE Forms?
- Response: Yes; please include an explanation.
- Question No. 75: Is there a specific COH form for Debarment and Lobbying or are the federal forms OK?
- Response: The City of Houston does not have a debarment form.

When issued, Letter(s) of Clarification shall automatically become a part of the proposal documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. All revisions, responses, and answers incorporated into the Letter(s) of Clarification are collaboratively from both the Strategic Purchasing Division and the applicable City Department(s). It is the responsibility of the proposers to ensure that it has obtained all such letter(s). By submitting a proposal on this project, proposers shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into this proposal.

If you have any questions or if further clarification is needed regarding this Request for Proposal, please contact me.

*Joseph Badell*

Joseph Badell, CCCM  
Senior Procurement Specialist  
Strategic Procurement Division  
832-393-0209

**END OF LETTER OF CLARIFICATION 2**

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**Council Members:** Helena Brown Jerry Davis Ellen Cohen Wanda Adams Mike Sullivan Al Hoang Oliver Pennington Edward Gonzalez  
James G. Rodriguez Mike Laster Larry Green Stephen C. Costello Andrew Burks Melissa Noriega C.O. "Brad" Bradford  
Jack Christie **Controller:** Ronald C. Green

**GENERAL TERMS AND CONDITIONS**  
**SOLICITATION NO. S55-T25415**

- 3.6.10.1 Contractor shall continuously and without interruption, maintain in force the required insurance coverage's specified in this Section. If Contractor does not comply with this requirement, the Director, at his or her sole discretion, may immediately suspend Contractor from any further performance under this Agreement and begin procedures to terminate for default, or
- 3.6.10.2 Purchase the required insurance with City funds and deducts the cost of the premiums from amounts due to Contractor under this Agreement.
- 3.6.10.3 The City shall never waive or be stopped to assert its right to terminate this Agreement because of its acts or omissions regarding its review of insurance documents.
- 3.6.11 Other Insurance: If requested by the Director, Contractor shall furnish adequate evidence of Social Security and Unemployment Compensation Insurance, to the extent applicable to Contractor's operations under this Agreement.

**4.0 CONTRACTOR PERFORMANCE LANGUAGE:**

- 4.1 Contractor should make citizen satisfaction a priority in providing services under this contract. Contractor's employees should be trained to be customer-service oriented and to positively and politely interact with citizens when performing contract services. Contractor's employees should be clean, courteous, efficient and neat in appearance at all times and committed to offering the highest degree of service to the public. If, in the Director's determination, the Contractor is not interacting in a positive and polite manner with citizens, the Contractor shall take all remedial steps to conform to the standards set by this contract and is subject to termination for breach of contract.

**5.0 INSPECTIONS AND AUDITS:**

- 5.1 City representatives may have the right to perform, or have performed, (1) audits of Contractor's books and records, and (2) inspections of all places where work is undertaken in connection with this Agreement. Contractor shall keep its books and records available for this purpose for at least ~~three (3) years~~ **five (5) years** after this Agreement terminates. This provision does not affect the applicable statute of limitations.

**6.0 INTERPRETING SPECIFICATIONS:**

- 6.1 The specifications and product references contained herein are intended to be descriptive rather than restrictive. The City is soliciting Proposals to provide a complete product and service package, which meets its overall requirements. Specific equipment and system references may be included in this RFP for guidance, but they are not intended to preclude Proposer(s) from recommending alternative solutions offering comparable or better performance or value to the City. Unless specifically stated otherwise with regard to a specific item of equipment, it should be assumed that the City requires all equipment proposed for this project to be supported by a manufacturer's warranty, which is equal to or better than the prevailing standard in the industry.
- 6.2 Changes in the specifications, terms and conditions of this RFP will be made in writing by the City prior to the Proposal due date. Results of informal meetings or discussions between a potential Proposer(s) and a City of Houston official or employee may not be used as a basis for deviations from the requirements contained in this RFP.

## SPECIFICATIONS / SCOPE OF WORK

### SOLICITATION NO. S55-T25415

- 2.4.1 Match Requirements - A proposer is to use its allocation of Title III funds to pay 90 percent of the costs of providing services. At least ten percent of the costs must be provided by the proposer for each service. Proposers may provide more than a 10 percent match (over match) if they desire. **The Texas Department of Aging and Disability Services require proposers to report all matching funds for all program areas.**
- 2.4.2 The program match must be a non-federal cash match. If sufficient cash is not available to meet the minimum 10 percent match requirement, a combination of cash and in-kind resources may be used to meet the match requirement.
- 2.4.3 The proposer's level of match proposed will be required for the duration of the contract depending on the type of service. Match may be in one or more of the following types:
- a) Cash Match - Cash match is funding the proposer typically receives from local funding sources, i.e., United Way, county and city governments, churches, foundations, etc.
  - b) In-Kind - resources are typically non-cash resources donated by the proposer to the program, i.e., office space, vehicles, volunteer hours. Proposers must provide documentation demonstrating how the in-kind resources value was determined.
  - c) Proposer Discounts - A proposer may provide discounts for services.
  - d) The invoice must provide the retail cost, discount amount and reimbursement cost.

Proposers must describe how match resources contribute to and/or directly benefit the service(s) proposed in the Budget and Budget Justification section. Proposals will be scored based on the strength of the scoring criteria.

- 2.5 Reporting and Record Requirements - The proposer will keep all records and reports in such containing information as may be required by administrative rule or executive policy, or as necessary to meet reporting requirements established by HCAAAA, COH, DADS, Texas Legislative Budget Board, Administration on Aging or any other funding authority.
- 2.5.1 The proposer will maintain such accounts and documents as will serve to permit expeditious determination to be made at any time of fund status within the award, form and including the disposition of all monies received from HCAAAA, and the nature and amount of all charges claimed to be against such funds.

Additionally, proposers shall:

- a) Maintain all records of the current contract year for a minimum of ~~one (1) years~~ **five (5) years** after termination of the contract or longer, if pending litigation, claims, or audit involving records are unresolved.
- b) All records must be maintained in a central location for monitoring purposes, except where the provision of services require that the records be maintained at the local service site for the convenience of the client and/or the proposer.
- c) Proposers shall allow the DADS, the COH, the HCAAAA, and/or their authorized representative to have access to all records for the purpose of audit, monitoring, or to make examinations, excerpts, and transcripts for hearings or other administrative proceedings.
- d) The Federal Freedom of Information Act (5 United States Code, 552) does not apply to such records. Unless required by Federal, State, or local law, grantees or proposers are not required to permit public access to such records.

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contract, such services would be provided without guarantee of compensation.

- e) Once the contract documents are properly executed and the support documents assembled by the proposer, they are submitted to the HCAAA. The HCAAA will review the documents for adequacy and completeness. **Any incomplete submission may disqualify the submission or will be returned to the applicant for completion.**
- f) Once the contract is approved by City Council, it is circulated for any remaining required signatures. After all required signatures are obtained, a copy is returned to the proposers from the HCAAA. **Only after the contract is fully executed (properly signed by all parties and given a number by the Controller's Office) may reimbursement requests be processed against the contract.**
- g) In accordance with 40 Texas Administrative Code (TAC), Chapter 81, a service provider whose proposal is denied or whose contract is terminated or not renewed (except as provided in 45 C.F.R. Part 74, Subpart M) has the right to appeal such an action. Applicable sections of 40 TAC, Chapter 81 are available upon request.

**6.0 SERVICE CATEGORY DESCRIPTIONS AND REQUIREMENTS**

**6.1 Introduction**

6.1.1 The Service Provider agrees to provide Home Delivered meals, Congregate meals and Transportation service(s) to eligible participants in accordance with the Service Provider application and all required assurances, licenses, certifications, and rate setting documents, as applicable. Service delivery should include program operations consistent with the approved budget of operational expenses. Any revision or changes incurred, which might impact the Scope of Services and funding levels, must have the prior approval of the HCAAA director. These changes could include, but are not limited to, a change in the number of operational sites, actual participants vs. proposed participants presented in the budget, change in number of service days for meals, vacant personnel positions, discontinuation of a service, underutilization, over utilization, and/or other service dynamics. The provider must provide services in accordance with Title 40 Texas Administrative Code (40TAC) §85.302 with the Older Americans Act, and Title III Grants for State and Community Programs on Aging.

**6.2 Nutrition Services**

- 6.2.1 For the congregate meal program, the approved senior centers being managed by current providers are listed in the Nutrition Planning Documents. Any proposed site must be accessible to clients and demonstrate the availability to serve an average of thirty-five (35) seniors daily. In addition, where applicable each site must include a plan for providing transportation to and from the center. To establish a new site, the need must be documented and must be located outside a five-mile radius of any existing site.
- 6.2.2 Should any of the senior locations listed in the current service areas not be included in an organization's service plan, it will be necessary to submit detailed information describing the organizations' plan to ensure all seniors in the service area have an opportunity to access nutrition services.

**6.2.3 THE MEAL QUOTE BELOW INCLUDES CONSERVATIVE RATES BASED ON A QUARTERLY AVERAGING AND ARE SUBJECT TO CHANGE.**

Meal Rates: Estimated Scale Rate October 1, 2014

<del>Congregate Menu</del> — <del>Enhanced</del>	Unit Price
Under 1,000	<del>\$2.89</del>
1,000 – 2,000	<del>\$2.48</del>
2,001 – 3,000	<del>\$2.44</del>
3,001 – 4,000	<del>\$2.39</del>
Over 4,000 specify	<del>\$2.34</del>

<del>Home Delivery</del> — <del>Culturally Diverse Meal</del>	Unit Price
Under 2,000	<del>\$3.67</del>
2,000 – 3,000	<del>\$3.30</del>
3,001 – 4,000	<del>\$2.97</del>
4,001 – 5,000	<del>\$2.76</del>
5,001 – 6,000	<del>\$2.59</del>
Over 6,000 specify	<del>\$2.53</del>

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Congregate Meal	Unit Price
Under 1,000	\$2.49
1,000 – 2,000	\$2.35
2,001 – 3,000	\$2.30
3,001 – 4,000	\$2.23
Over 4,000 specify	\$2.15

Home Delivery Meal	Unit Price
Under 2,000	\$3.14
2,000 – 3,000	\$2.93
3,001 – 4,000	\$2.70
4,001 – 5,000	\$2.50
5,001 – 6,000	\$2.37
Over 6,000 specify	\$2.33

Frozen Home Delivery	Unit Price
Under 200	\$3.20
201 – 300	\$3.20
301 – 400	\$3.18
401 – 500	\$3.16
501 – 600	\$3.14
601 – 700	\$3.14
Over 700 specify	\$3.14

Shelf Stable Meals	Unit Price
Under 12,000	\$2.70
12,000 – 18,000	\$2.70
18,001 – 23,000	\$2.70
23,001 – 28,000	\$2.70
30,000, or above specify	\$2.70

- 6.3 Frequency of Service - A hot meal shall be served each weekday, between 11:00 am and 1:00 pm five (5) or more days a week. Any deviation from this schedule must have prior approval from the Director of the HCAAA or its designee. The exception is with the delivery of frozen home delivered meal in outlying area where such frequency is not feasible. The submitted budget and proposal narrative should reflect when the frequency of the services is less than 251 days. A list of all approved holidays observed by the provider should accompany the Request for Proposal.
- 6.3.1 The proposal narrative should describe an alternative meal arrangement plan when the meal provider reduces the number of required operational days. See a list approved FY15 City of Houston (COH) Holidays listed in the Nutrition Planning Documents.
- 6.4 Meal Preparation Service Requirement - All meals (hot, cold, frozen, shelf stable, and /or liquid supplement) served under the Older American Act Title III (Grants for State and Community programs on Aging) Nutrition Program must comply with the most recent dietary guidelines published by the Secretary of Agriculture, and provide to each participating older individual –
- a) A minimum of 33 1/3 percent of the dietary reference intakes established by the Food and Nutrition Board of the Institute of Medicine of National Academy of Sciences, if the project provides one meal per day.
- 6.5 Types of Meals - For the purpose of this RFP, the approved meal types include congregate, home delivered, shelf stable, and frozen meals. The service outcome of these meals is defined as follows:
- a) Congregate Meals - The service outcome for congregate meal is to promote better mental and physical health for older people through nutritious meals and socialization. Proposers should review the Title 40 Texas Administrative Code (40TAC) §85.302 carefully and adhere to the requirement for the provision of service.
- b) Home Delivered Meals (HOM) - The service outcome for HOM is to promote better health for homebound older persons who are eligible for nutritious home-delivered meals. Proposers should review the Title 40 Texas Administrative Code (40TAC) §85.302 carefully and adhere to the requirement for the delivery of services.
- c) Shelf Stable Meals - Shelf stable meals are designed for distribution during periods of emergencies. Shelf stable meals are not intended to replace the regular hot noon meal on a routine basis. The use of these

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meals should be incorporated in the proposal service delivery plan. Reimbursement for these meals will be at the rate negotiated with the approved Contractor.

- d) Frozen Meals - The distribution of frozen meals is designed for distribution in remote areas whereby the daily delivery of a meal is not logistically or economically feasible and an eligible senior has been defined as a high-risk frail elderly during the assessment.

**NOTE:** If these meals are to be used as an integral part of the home delivered meals program, then the basis and mechanism for doing so must be incorporated in the proposed service delivery plan. The distribution of frozen meals for any other purpose must have prior approval of the HCAA in order to receive reimbursement. The reimbursement for these meals will be at the rate negotiated with the designated HCAA meal preparation provider.

6.6 Documentation - A confidential participant case record shall be developed, organized and maintained on each congregate and/or home delivered meal participant served. Files must be protected from damage, unauthorized inspection, and made available for monitoring and audit purposes. For the purpose of monitoring, all files should be maintained at the central administrative location for access in facilitating the monitoring process.

6.6.1 Records must contain all Title 40 Texas Administrative Code (40TAC) §85.302 requirements which include:

- a) Intake Information
- ~~b) Documentation of eligibility, assessment and reassessment~~
- ~~c) Procedures for emergency care.~~

6.6.2 The Provider responsibilities include:

- a) Provider must assess the participant;
- b) Provider must submit assessment to HCAA for approval and authorization prior to beginning services;
- c) The contact agency should initiate assessment services within ten (10) calendar days of receiving the referral;
- d) Provider must maintain client confidentiality;
- e) There must be written procedures for obtaining written consent of the participant for release of confidential information to other service providers, and
- f) Reassessment of the participant including completion of the forms required to assess the participant's functional abilities and dietary needs, eligibility, and inquiry of any changes in the person's life that could impact their functional level.

6.7 Needs Assessment - All proposers for congregate and/or home delivered meals are required to include the results of a needs assessment study for each area they propose to serve.

6.8 Emergency Procedures - A plan indicating emergency preparedness must be developed detailing the organization's plans for emergency preparedness for alternate meal service in the event of unexpected event for each congregate and/or home delivered meal location. The plan should address different types of emergency situation and must contain provisions for each site location. See Nutrition Service Delivery Form in the Nutrition Planning Documents.

## **7.0 Congregate Meals**

7.1 Service Definition - The provision for a hot or other appropriate meal which meets the one third (1/3) Daily Recommended Intake (DRI) as established by the Food and Nutrition Board of National Academy of Sciences - National Research Council and which is served in a congregate setting to an eligible participant. The nutrition proposer will serve the meals to eligible participants in a congregate setting. The provider must provide service in accordance with Title 40 Texas Administrative Code (40TAC) §85.302.

7.2 Service Delivery - All congregate meals served under the OLDER AMERICANS ACT Title III (Grants for State and Community Programs on Aging) Nutrition Program may contract with the approved food service provider of choice for FY15.

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NOTE: PROPOSAL MUST BE SIGNED AND NOTORIZED BY AN AUTHORIZED REPRESENTATIVE(S) OF THE PROPOSER, WHICH MUST BE THE ACTUAL LEGAL ENTITY THAT WILL PERFORM THE CONTRACT IF AWARDED AND THE TOTAL FIXED PRICE CONTAINED THEREIN SHALL REMAIN FIRM FOR A PERIOD OF ONE-HUNDRED EIGHTY (180) DAYS.

"THE RESPONDENT WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE THIS CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE, OR CONTINGENT FEE, EXCEPTING BONA FIDE EMPLOYEES. FOR BREACH OR VIOLATION OF THIS WARRANTY, THE CITY SHALL HAVE THE RIGHT TO ANNUL THIS AGREEMENT WITHOUT LIABILITY OR, AT ITS DISCRETION, TO DEDUCT FROM THE CONTRACT PRICES OR CONSIDERATION, OR OTHERWISE RECOVER THE FULL AMOUNT OF SUCH COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE."

Respectfully Submitted:

\_\_\_\_\_  
(Print or Type Name of Contractor – Full Company Name)

City of Houston Vendor No. (If already doing business with City): \_\_\_\_\_

Federal Identification Number: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature of Authorized Officer or Agent)

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Address of Contractor: \_\_\_\_\_  
Street Address or P.O. Box

\_\_\_\_\_  
City – State – Zip Code

Telephone No. of Contractor: (\_\_\_\_\_) \_\_\_\_\_

Signature, Name and title of Affiant: \_\_\_\_\_

\_\_\_\_\_  
(Notary Public in and for)

\_\_\_\_\_  
County, Texas

My Commission Expires: \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_