STATE OF CONNECTICUT DEPARTMENT OF REHABILITATION SERVICES
PROCUREMENT NOTICE

Impartial Hearing Officers/Mediators
Request for Qualifications
(IHO/M RFQ)

The Department of Rehabilitation Services (DORS) and the Bureau of Rehabilitation Services (BRS) is seeking submissions from individuals qualified to serve as Impartial Hearing Officers/Mediators (IHO/M) to conduct due process hearings regarding the provision of vocational rehabilitation services.

Purpose: Clients or applicants who have been aggrieved by a decision made by DORS/BRS have a right to an administrative appeal. For purposes of conducting the Administrative Hearing or Mediation for such an appeal, the DORS/BRS requires the services of IHO/M, per State of Connecticut regulations Section 17b-653-23, embedded in the following hyperlink, **Sec. 17b-654. (Formerly Sec. 17-664). Administrative review. Appeal** and federal regulations 34 CFR part 361 sec.361.57 (d)(e), also embedded as a hyperlink, and found on page 304. **http://www.gpo.gov/fdsys/pkg/CFR-2012-title34-vol2/pdf/CFR-2012-title34-vol2.pdf.** Clients or applicants may request an administrative review of the Impartial Hearing Officer's decision, which must be conducted by the designated state official per 34 CFR part 361 Sec. 361.57(g)(2)(i-ii) and Connecticut regulations Sec. 17b-653-231(1). The reviewing official's decision is final unless either party brings a civil action under paragraph (i) of 34 CFR part 361 sec.361.57 (g).

Eligibility Requirements: Individuals must meet the eligibility requirements listed below. In accordance with the Rehabilitation Act, an Impartial Hearing Officer/Mediator:

1. Is not an employee of a public agency (other than an administrative law judge, hearing examiner, or employee of an institution of higher education);
2. Is not a member of the State Rehabilitation Council for the designated State unit;
3. Has not been involved previously in the vocational rehabilitation of the applicant or eligible individual;
4. Has knowledge of the delivery of vocational rehabilitation services, the State plan, and the Federal and State regulations governing the provision of services;
5. Has been trained in effective mediation techniques consistent with any State-approved or recognized certification, licensing, registration, or other requirements. DORS/BRS requires that, at minimum, the individual has successfully passed courses of at least 40 hours specific to mediation techniques and has also received training with respect to the performance of official duties; and
6. Has no personal, professional or financial interest that would be in conflict with the objectivity of the individual.

The services required of an Impartial Hearing Officer/Mediator will be provided on a contractual basis upon need of services.

The Request for Qualifications is available in electronic format on the State Contracting Portal at **http://das.ct.gov/Director.aspx?Page=12** or from the Department's Official Contact:

Name: Marcia McDonough, Contract Administration
Address: 25 Sigourney Street, 9th Floor, Hartford, CT 06106
Phone: 860-424-5214
Fax: 860-424-5800 E-Mail: **Marcia.McDonough@ct.gov**

The RFQ is also available on the Department's website at **http://www.ct.gov/dss/cwp/view.asp?a=2345&q=304920&dssNav=.**

A printed copy of the RFQ can be obtained from the Official Contact upon request.

Deadline for submission of qualifications is December 13, 2013, 2:00 PM Eastern Time.

Persons who are deaf or hearing impaired may use a TDD by calling 1-800-842-4524. Questions or requests for information in alternative formats must be directed to the Department's Official Contact at 860-424-5214.

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I. GENERAL INFORMATION

A. INTRODUCTION

1. RFQ Name. Impartial Hearing Officers/Mediators Request for Qualifications (IHO/M RFQ)

2. Summary. The Department of Rehabilitation Services (DORS) and the Bureau of Rehabilitation Services (BRS) is seeking submissions from individuals qualified to serve as Impartial Hearing Officers/Mediators, to conduct due process hearings regarding the provision of vocational rehabilitation services.

Clients or applicants who have been aggrieved by a decision made by DORS/BRS have a right to an administrative appeal. For purposes of conducting the Administrative Hearing or Mediation for such an appeal, the DORS/BRS requires the services of IHO/M, per State of Connecticut regulations Section 17b-653-23, embedded in the following hyperlink, **Sec. 17b-654. (Formerly Sec. 17-664). Administrative review. Appeal** and federal regulations 34 CFR part 361 sec.361.57 (d)(e), also embedded as a hyperlink and found on page 304. **http://www.gpo.gov/fdsys/pkg/CFR-2012-title34-vol2/pdf/CFR-2012-title34-vol2.pdf**. Clients or applicants may request an administrative review of the Impartial Hearing Officer's decision, which must be conducted by the designated state official per 34 CFR part 361 Sec. 361.57(g)(2)(i-ii) and Connecticut regulations Sec. 17b-653-231(1). The reviewing official's decision is final unless either party brings a civil action under paragraph (i) of 34 CFR part 361 sec.361.57 (g).

3. Commodity Codes. The services that the Department wishes to procure through this RFQ are as follows:

- 0600: Services (Professional, Support, Consulting and Misc. Services)
- 2000: Community and Social Services
- 3000: Educational and Training Services

B. ABBREVIATIONS / ACRONYMS / DEFINITIONS

BRS	Bureau of Rehabilitation
C.G.S.	Connecticut General Statutes
CT	Connecticut
DAS	Department of Administrative Services (CT)
DORS	Department of Rehabilitation Services (CT)
DSS	Department of Social Services (CT)
FOIA	Freedom of Information Act (CT)
LOI	Letter of Intent
OAG	Office of the Attorney General (CT)
OPM	Office of Policy and Management (CT)
PSA	Personal Service Agreement
RFQ	Request for Qualifications
SEEC	State Elections Enforcement Commission (CT)
U.S.	United States

- *contractor:* an individual that enters into a PSA with the Department as a result of this RFQ

- *prospective Respondent:* an individual that may submit qualifications to the Department in response to this RFQ, but has not yet done so

- *Respondent:* an individual that has submitted qualifications to the Department in response to this RFQ

- *vocational rehabilitation services:* Please refer to **http://www.gpo.gov/fdsys/pkg/CFR-2012-title34-vol2/pdf/CFR-2012-title34-vol2.pdf** page 307 – Sec. 361.5 ii(58), and on pages 338-340 – "Scope of Vocational Rehabilitation Services to Individuals" Sec. 361.48, and "Scope of Vocational Rehabilitation Services to Groups", Sec. 361.49.

C. INSTRUCTIONS

1. **Official Contact.** The Department has designated the individual below as the Official Contact for purposes of this RFQ. The Official Contact is the **only authorized contact** for this procurement and, as such, handles all related communications on behalf of the Department. Respondents, prospective Respondents, and other interested parties are advised that any communication with any other Department employee(s) (including appointed officials) or personnel under contract to the Department about this RFQ is strictly prohibited. Respondents or prospective Respondents who violate this instruction may risk disqualification from further consideration.

   Name: Marcia McDonough, Contract Administration
   Address: 25 Sigourney Street, 9th Floor, Hartford, CT 06106
   Phone: 860-424-5214
   Fax: 860-424-5800
   E-Mail: Marcia.McDonough@ct.gov

   Please ensure that e-mail screening software (if used) recognizes and accepts e-mails from the Official Contact.

2. **RFQ Information.** The RFQ, addenda to the RFQ and other information as associated with this procurement are available in electronic format from the Official Contact or from the Internet at the following locations:

   - Department's RFQ Web Page
     http://www.ct.gov/dss/cwp/view.asp?a=2345&q=304920&dssNav=

   - State Contracting Portal
     http://das.ct.gov/Director.aspx?Page=12

   It is strongly recommended that any Respondent or prospective Respondent interested in this procurement subscribe to receive e-mail alerts from the State Contracting Portal. Subscribers will receive a daily e-mail announcing procurements and addenda that are posted on the portal. This service is provided as a courtesy to assist in monitoring activities associated with State procurements, including this RFQ.

   Printed copies of all documents are also available from the Official Contact upon request.

3. **Contract Offers.** The offer of the right to negotiate any contract pursuant to this RFQ is dependent upon the availability of funding to the Department. The Department anticipates the services required of the IHO/M will be provided on a contractual basis, upon need of services.

4. **Eligibility.** Individuals must meet the eligibility requirements listed below. In accordance with the Rehabilitation Act, an Impartial Hearing Officer/Mediator:

   a. Is not an employee of a public agency (other than an administrative law judge, hearing examiner, or employee of an institution of higher education);
   b. Is not a member of the State Rehabilitation Council for the designated State unit;
   c. Has not been involved previously in the vocational rehabilitation of the applicant or eligible individual;
   d. Has knowledge of the delivery of vocational rehabilitation services, the State plan, and the Federal and State regulations governing the provision of services;
   e. Has been trained in effective mediation techniques consistent with any State-approved or -recognized certification, licensing, registration, or other requirements. DORS/BRS requires that, at minimum, the individual has successfully passed courses of at least 40 hours specific to mediation techniques and has also received training with respect to the performance of official duties; and
   f. Has no personal, professional or financial interest that would be in conflict with the objectivity of the individual.

5. **Minimum Qualifications of Respondents.** To submit a response to this RFQ, a Respondent must have the following minimum qualifications:

   a. Possess and retain admission to the practice of law in the State of Connecticut;
   b. Knowledge of the Connecticut Uniform Administrative Procedure Act;
   c. Knowledge of conducting a fair, impartial hearing;
   d. The ability to write clearly and concisely;
   e. Knowledge of issues regarding persons with disabilities and/or background and experience in, and knowledge of, the delivery of vocational rehabilitation services;
   f. Knowledge of conducting mediations;
   g. The ability to arrange for and conduct a mediation; and
   h. The ability to write a clear and concise mediated agreement.

   The Department reserves the right to reject the submission of any Respondent in default of any current or prior contract.

6. **Procurement Schedule.** See below. Dates after the due date for submissions ("Submissions Due") are target dates only (*). The Department may amend the schedule, as needed. Any change will be made by means of an amendment to this RFQ and will be posted on the State Contracting Portal and the Department's RFQ Web Page.

Milestones	Ending Dates
RFQ Released	November 9, 2012
Questions Due 2:00 PM Eastern Time	November 21, 2012
Responses to Questions (tentative)	November 26, 2012
Letter of Intent (LOI) 2:00 PM Eastern Time	December 3, 2012
Submissions Due by 2:00 PM Eastern Time	**December 13, 2012**
Successful Respondent Announced	TBD
Contract Negotiations Begin (tentative)	TBD
Contract Begins	**TBD**

7. **Letter of Intent.** Prospective Respondents are strongly encouraged, but not required to submit a Letter of Intent (LOI). The LOI is non-binding and does not obligate the sender to submit qualifications. The LOI must be submitted to the Official Contact by U.S. mail, fax, or e-mail by the deadline established in the Procurement Schedule. The LOI must clearly identify the sender, including name, postal address, telephone number, fax number, and e-mail address.

8. **Inquiry Procedures.** All questions regarding this RFQ or the Department's procurement process must be submitted to the Official Contact before the deadline specified in the Procurement Schedule. The early submission of questions is encouraged. Questions will not be accepted or answered verbally – neither in person nor over the telephone. All questions received before the deadline will be answered. However, the Department will not answer questions when the source is unknown (i.e., nuisance or anonymous questions). Questions deemed unrelated to the requirements of the RFQ or the procurement process will not be answered. At its discretion, the Department may or may not respond to questions received after the deadline. The Department may combine similar questions and give only one answer. All questions and answers will be compiled into a written addendum to this RFQ. If any answer to any question constitutes a material change to the RFQ, the question and answer will be placed at the beginning of the addendum and duly noted as such. The agency will release the answers to questions on the date established in the Procurement Schedule. The Department will publish any and all amendments or addenda to this RFQ on the State Contracting Portal and on the Department's RFQ Web Page. At its discretion, the Department may distribute any amendments or addenda to this RFQ to prospective Respondents who submitted a Letter of Intent. **Submissions must include a signed Addendum Acknowledgement, which will be placed at the end of any and all amendments or addenda to this RFQ.**

9. **Submission Due Date and Time.** The Official Contact is the **only authorized recipient** of submissions received in response to this RFQ. Submissions must be <u>received</u> by the Official Contact on or before the due date and time:

   - **Due Date: December 13, 2013**
   - **Time: 2:00 PM Eastern Time**

   Faxed or e-mailed submissions will not be evaluated. The Department shall not accept a postmark date as the basis for meeting the submission due date and time. Respondents should not interpret or otherwise construe receipt of a submission after the due date and time as acceptance of the submission, since the actual receipt of the submission is a clerical function. The Department suggests the Respondent use certified or registered mail, or a delivery service such as United Parcel Service (UPS) to deliver the submission when the Respondent is unable to deliver the submission by courier or in person. When hand-delivering submissions, Respondents should allow extra time to comply with building security and delivery procedures. Hand-delivered submissions must be delivered to the loading dock located on the north side of the building, at 555 Capitol Avenue. Upon arriving at the loading dock, the respondent or courier must ring the buzzer by the door. The Official Contact or designee will receive the submission and provide the respondent or courier with a receipt upon request. Submissions shall not be considered received by the Department until they are in the hands of the Official Contact or another representative of the Contract Administration and Procurement Unit designated by the Official Contact. At the discretion of the Department, late submissions may be destroyed or retained for pick-up by the submitters.

   An acceptable submission must include the following:

   - one (1) original submission;

- four (4) conforming copies of the original submission; and
  two (2) conforming electronic copies (one copy on each of two separate Compact Disks clearly labeled with the Legal Name of the Respondent and the RFQ Name: **Impartial Hearing Officer/Mediator Request for Qualifications (IHO/M RFQ)**

The original submission must carry original signatures and be clearly marked on the cover as "Original." Unsigned submissions may not be evaluated. The original submission and each conforming copy of the submission must be complete, properly formatted and outlined, and ready for evaluation by the Evaluation Team. **The electronic copies of the submission must be compatible with *Microsoft Office Word*.** For the electronic copies, only the required Appendices and Forms identified in Section IV may be scanned and submitted in Portable Document Format (PDF) or similar file format.

10. **Multiple Submissions.** Multiple submissions are not an option with this procurement.

11. **Declaration of Confidential Information.** Respondents are advised that all materials associated with this procurement are subject to the terms of the Freedom of Information Act (FOIA), the Privacy Act, and all rules, regulations, and interpretations resulting from them. If a Respondent deems that certain information required by this RFQ is confidential, the Respondent must label such information as CONFIDENTIAL. In Section C of the submission, the Respondent must reference where the information labeled CONFIDENTIAL is located in the submission. *EXAMPLE: Section G.1.a.* For each subsection so referenced, the Respondent must provide a convincing explanation and rationale sufficient to justify an exemption of the information from release under the FOIA. The explanation and rationale must be stated in terms of (a) the prospective harm to the competitive position of the Respondent that would result if the identified information were to be released and (b) the reasons why the information is legally exempt from release pursuant to C.G.S. § 1-210(b).

12. **Conflict of Interest - Disclosure Statement.** Respondents must include a disclosure statement concerning any current business relationships (within the last three (3) years) that pose a conflict of interest, as defined by C.G.S. § 1-85. A conflict of interest exists when a relationship exists between the Respondent and a public official (including an elected official) or State employee that may interfere with fair competition or may be adverse to the interests of the State. The existence of a conflict of interest is not, in and of itself, evidence of wrongdoing. A conflict of interest may, however, become a legal matter if a Respondent tries to influence, or succeeds in influencing, the outcome of an official decision for their personal or corporate benefit. The Department will determine whether any disclosed conflict of interest poses a substantial advantage to the Respondent over the competition, decreases the overall competitiveness of this procurement, or is not in the best interests of the State. In the absence of any conflict of interest, a Respondent must affirm such in the disclosure statement. *Example: "[name of Respondent] has no current business relationship (within the last three (3) years) that poses a conflict of interest, as defined by C.G.S. § 1-85."*

■ D. SUBMISSION FORMAT

1. **Required Outline.** All submissions must follow the required outline presented in Section IV - Submission Outline. Submissions that fail to follow the required outline will be deemed non-responsive and not evaluated.

2. **Cover Sheet.** The Cover Sheet is Page 1 of the submission. Respondents must complete, print, and use the Cover Sheet form, which is embedded in this RFQ as a hyperlink.

3. **Table of Contents.** All submissions must include a Table of Contents that conforms to the required submission outline. (See Section IV.)

4. **Executive Summary.** Submissions must include a high-level summary of the submission, not exceeding one (1) single-sided page. The Executive Summary shall include:

    a. Evidence of knowledge of conducting fair, impartial hearing and conducting mediations;
    b. Evidence of knowledge of the Connecticut Uniform Administrative Procedure Act;
    c. Evidence of knowledge of issues regarding persons with disabilities and/or background and experience in, and knowledge of, the delivery of vocational rehabilitation services; and
    d. Acknowledgement that the Respondent possesses and will retain admission to the practice of law in the State of Connecticut.

5. **Attachments.** Attachments other than the required Appendices or Forms identified in Section IV are not permitted and will not be evaluated. Further, the required Appendices or Forms must not be altered or used to extend, enhance, or replace any component required by this RFQ. Failure to abide by these instructions will result in disqualification.

6. **Style Requirements.** The original submission and each of the four (4) conforming copies of the original submission must conform to the following specifications:

Binding Type:	Loose leaf binders with the Legal Name of the Respondent and the RFQ Name specified in Section I.A.1 of this RFQ appearing on the outside front cover of each binder
Dividers:	A tab sheet keyed to the table of contents must separate each subsection of the submission; the title of each subsection must appear on the tab sheet
Paper Size:	8½" x 11", "portrait" orientation
Page Limit:	None specified
Print Style:	1-sided
Font Size:	Minimum of 11-point
Font Type:	Arial or Tahoma
Margins:	The binding edge margin of all pages shall be a minimum of one and one half inches (1½"); all other margins shall be one inch (1")
Line Spacing:	Single-spaced

7. **Pagination.** The Respondent's name must be displayed in the header of each page. All pages, from the Cover Sheet through the required Appendices, must be numbered consecutively in the footer.

7. **Packaging and Labeling Requirements.** All submissions must be submitted in sealed envelopes or packages and be addressed to the Official Contact. The Legal Name and Address of the Respondent must appear in the upper left corner of the envelope or package. The RFQ Name must be clearly displayed on the envelope or package: **Impartial Hearing Officer/Mediator Request for Qualifications**

(IHO/M RFQ)

Any received submission that does not conform to these packaging or labeling instructions will be opened as general mail. Such a submission may be accepted by the

Department as a clerical function, but it will not be evaluated. At the discretion of the Department, such a submission may be destroyed or retained for pick-up by the submitters.

■ E. EVALUATION OF SUBMISSIONS

1. **Evaluation Process.** It is the intent of the Department to conduct a comprehensive, fair, and impartial evaluation of submissions received in response to this RFQ. When evaluating submissions, negotiating with the successful Respondent, and offering the right to negotiate a contract, the Department will conform to its written procedures for PSA procurements (pursuant to C.G.S. § 4-217) and the State's Code of Ethics (pursuant to C.G.S. §§ 1-84 and 1-85).

2. **Evaluation Team.** The Department will designate an Evaluation Team to evaluate qualifications submitted in response to this RFQ. The contents of all submissions, including any confidential information, will be shared with the Evaluation Team. Only submissions found to be responsive (that is, complying with all instructions and requirements described herein) will be reviewed, rated, and scored. Submissions that fail to comply with all instructions will be rejected without further consideration. Attempts by any Respondent (or representative of any Respondent) to contact or influence any member of the Evaluation Team may result in disqualification of the Respondent.

3. **Minimum Submission Requirements.** All submissions must comply with the requirements specified in this RFQ. To be eligible for evaluation, submissions must (a) be received on or before the due date and time; (b) meet the Submission Format requirements; (c) follow the required Submission Outline; and (d) be complete. Submissions that fail to follow instructions or satisfy these minimum submission requirements will not be reviewed further. The Department will reject any submission that deviates significantly from the requirements of this RFQ.

4. **Evaluation Criteria (and Weights).** Submissions meeting the Minimum Submission Requirements will be evaluated according to the established criteria. The criteria are the objective standards that the Evaluation Team will use to evaluate the technical merits of the submissions. Only the criteria listed below will be used to evaluate submissions. The criteria are weighted according to their relative importance. The weights are confidential.

   - Qualification Submission
   - Appendices

5. **Respondent Selection.** Upon completing its evaluation of submissions, the Evaluation Team will submit the rankings of all submissions to the Department head. The final selection of a successful Respondent is at the discretion of the Department head. Any Respondent selected will be so notified and awarded an opportunity to negotiate a contract with the Department. Such negotiations may, but will not automatically, result in a contract. Pursuant to Governor M. Jodi Rell's Executive Order No. 3, any resulting contract will be posted on the State Contracting Portal. All unsuccessful Respondents will be notified by e-mail or U.S. mail, at the Department's discretion, about the outcome of the evaluation and Respondent selection process.

6. **Debriefing.** After receiving notification of the outcome of the evaluation process from the Department, any Respondent may contact the Official Contact and request a Debriefing of the procurement process and its submission. If Respondents still have questions after receiving this information, they may contact the Official Contact and request a meeting with the Department to discuss the procurement process. The

Department shall schedule and conduct Debriefing meetings that have been properly requested, within fifteen (15) days of the Department's receipt of a request. The Debriefing meeting must not include or allow any comparisons of any submissions with other submissions, nor should the identity of the evaluators be released. The Debriefing process shall not be used to change, alter, or modify the outcome of a competitive procurement. More detailed information about requesting a Debriefing may be obtained from the Official Contact.

7. **Appeal Process.** Any time after the submission due date, but **not later than thirty (30) days** after the Department notifies Respondents about the outcome of a competitive procurement, Respondents may submit an Appeal to the Department. The e-mail sent date or the postmark date on the notification envelope will be considered "day one" of the thirty (30) days. Respondents may appeal any aspect of the Department's competitive procurement; however, such Appeal must be in writing and must set forth facts or evidence in sufficient and convincing detail for the Department to determine whether during any aspect of the competitive procurement there was a failure to comply with the State's statutes, regulations, or standards concerning competitive procurement or the provisions of the RFQ. Any such Appeal must be submitted to the Agency Head with a copy to the Official Contact. The Respondent must include the basis for the Appeal and the remedy requested. The filing of an Appeal shall not be deemed sufficient reason for the Department to delay, suspend, cancel, or terminate the procurement process or execution of a contract. More detailed information about filing an Appeal may be obtained from the Official Contact.

8. **Contest of Solicitation or Award.** Pursuant to Section 4e-36 of the Connecticut General Statutes, "Any bidder or proposer on a state contract may contest the solicitation or award of a contract to a subcommittee of the State Contracting Standards Board…" More detailed information is available on the State Contracting Standards Board web site at http://www.ct.gov/scsb/site/default.asp.

9. **Contract Execution.** Any contract developed and executed as a result of this RFQ is subject to the Department's contracting procedures, which may include approval by the Department of Administrative Services and Office of the Attorney General.

II. MANDATORY PROVISIONS

■ A. STANDARD CONTRACT, PARTS I AND II

By submitting qualifications in response to this RFQ, the Respondent implicitly agrees to comply with the provisions of Parts I and II of the State's "standard contract":

Part I of the standard contract is maintained by the Department and will include the scope of services, contract performance, budget, reports, and program-specific provisions of any resulting PSA. A sample of Part I is available from the Department's Official Contact upon request.

Part II of the standard contract is maintained by OPM and includes the mandatory terms and conditions of the PSA. Part II is available on OPM's web site at: http://www.ct.gov/opm/fin/standard_contract.

Note:
Included in Part II of the standard contract is the State Elections Enforcement Commission's notice (pursuant to C.G.S. § 9-612(g)(2)) advising executive branch State contractors and prospective State contractors of the ban on campaign contributions and solicitations.

Part I of the standard contract may be amended by means of a written instrument signed by the Department, the selected Respondent (contractor), and, if required, the Attorney General's Office. Part II of the standard contract may be amended only in consultation with, and with the approval of, the Office of Policy and Management and the Attorney General's office.

■ B. ASSURANCES

By submitting qualifications in response to this RFQ, a Respondent implicitly gives the following assurances:

1. **Collusion.** The Respondent represents and warrants that the Respondent did not participate in any part of the RFQ development process and had no knowledge of the specific contents of the RFQ prior to its issuance. The Respondent further represents and warrants that no agent, representative, or employee of the State participated directly in the preparation of the Respondent's submission. The Respondent also represents and warrants that the submission is in all respects fair and is made without collusion or fraud.

2. **State Officials and Employees.** The Respondent certifies that no elected or appointed official or employee of the State has or will benefit financially or materially from any contract resulting from this RFQ. The Department may terminate a resulting contract if it is determined that gratuities of any kind were either offered or received by any of the aforementioned officials or employees from the Respondent, contractor, or its agents or employees.

3. **Competitors.** The Respondent assures that the submission is not made in connection with any competitor submitting a separate submission in response to this RFQ. No attempt has been made, or will be made, by the Respondent to induce any competitor to submit, or not submit, qualifications for the purpose of restricting competition.

4. **Validity of Submission.** The Respondent certifies that the submission represents a valid and binding offer to provide services in accordance with the terms and provisions described in this RFQ and any amendments or attachments hereto. The submission shall remain valid for a period of 180 days after the submission due date and may be extended beyond that time by mutual agreement. At its sole discretion, the Department may include the submission, by reference or otherwise, into any contract with the successful Respondent.

5. **Press Releases.** The Respondent agrees to obtain prior written consent and approval of the Department for press releases that relate in any manner to this RFQ or any resultant contract.

■ C. TERMS AND CONDITIONS

By submitting qualifications in response to this RFQ, a Respondent implicitly agrees to comply with the following terms and conditions:

1. **Equal Opportunity and Affirmative Action.** The State is an Equal Opportunity and Affirmative Action employer and does not discriminate in its hiring, employment, or business practices. The State is committed to complying with the Americans with Disabilities Act of 1990 (ADA) and does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services, or activities.

2. **Preparation Expenses.** Neither the State nor the Department shall assume any liability for expenses incurred by a Respondent in preparing, submitting, or clarifying any qualifications submitted in response to this RFQ.

3. **Exclusion of Taxes.** The Department is exempt from the payment of excise and sales taxes imposed by the federal government and the State. Respondents are liable for any other applicable taxes.

4. **Changes to Submission.** No additions or changes to the original submission will be allowed after submission. While changes are not permitted, the Department may request and authorize Respondents to submit written clarification of their submissions, in a manner or format prescribed by the Department, and at the Respondent's expense.

5. **Supplemental Information.** Supplemental information will not be considered after the deadline for submissions, unless specifically requested by the Department. *The Department may ask a Respondent to give demonstrations, interviews, oral presentations or further explanations to clarify information contained in a submission.* Any such demonstration, interview, or oral presentation will be at a time selected and in a place provided by the Department. At its sole discretion, the Department may limit the number of Respondents invited to make such a demonstration, interview, or oral presentation.

6. **Presentation of Supporting Evidence.** If requested by the Department, a Respondent must be prepared to present evidence of experience, ability, data reporting capabilities, or other information necessary to satisfactorily meet the requirements set forth or implied in this RFQ. At its discretion, the Department may also check or contact any reference provided by the Respondent.

7. **RFQ Is Not An Offer.** Neither this RFQ nor any subsequent discussions shall give rise to any commitment on the part of the State or the Department or confer any rights on any Respondent unless and until a contract is fully executed by the necessary parties. The contract document will represent the entire agreement between the Respondent and the Department and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State shall assume no liability for costs incurred by the Respondent or for payment of services under the terms of the contract until the successful Respondent is notified that the contract has been accepted and approved by the Department and, if required, by the Attorney General's Office.

■ D. RIGHTS RESERVED TO THE STATE

By submitting qualifications in response to this RFQ, a Respondent implicitly accepts that the following rights are reserved to the State:

1. **Timing Sequence.** The timing and sequence of events associated with this RFQ shall ultimately be determined by the Department.

2. **Amending or Canceling RFQ.** The Department reserves the right to amend or cancel this RFQ on any date and at any time, if the Department deems it to be necessary, appropriate, or otherwise in the best interests of the State.

3. **No Acceptable Submissions.** In the event that no acceptable qualifications are submitted in response to this RFQ, the Department may reopen the procurement process, if it is determined to be in the best interests of the State.

4. **Award and Rejection of Submissions.** The Department reserves the right to award in part, to reject any and all submissions in whole or in part, for misrepresentation or if the submission limits or modifies any of the terms, conditions, or specifications of this RFQ. The Department may waive minor technical defects, irregularities, or omissions, if in its judgment the best interests of the State will be served. The Department reserves the right to reject the submission of any Respondent who submits qualifications after the submission due date and time.

5. **Sole Property of the State.** All qualifications submitted in response to this RFQ are to be the sole property of the State. Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of this RFQ shall be the sole property of the State, unless stated otherwise in this RFQ or subsequent contract. The right to publish, distribute, or disseminate any and all information or reports, or part thereof, shall accrue to the State without recourse.

6. **Contract Negotiation.** The Department reserves the right to negotiate or contract for all or any portion of the services contained in this RFQ. The Department further reserves the right to contract with one or more Respondent for such services.

7. **Clerical Errors in Award.** The Department reserves the right to correct inaccurate awards resulting from its clerical errors. This may include, in extreme circumstances, revoking the awarding of a contract already made to a Respondent and subsequently awarding the contract to another Respondent. Such action on the part of the State shall not constitute a breach of contract on the part of the State since the contract with the initial Respondent is deemed to be void *ab initio* and of no effect as if no contract ever existed between the State and the Respondent.

■ E. STATUTORY AND REGULATORY COMPLIANCE

By submitting qualifications in response to this RFQ, the Respondent implicitly agrees to comply with all applicable State and federal laws and regulations, including, but not limited to, the following:

1. **Freedom of Information, C.G.S. § 1-210(b).** The Freedom of Information Act (FOIA) generally requires the disclosure of documents in the possession of the State upon request of any citizen, unless the content of the document falls within certain categories of exemption, as defined by C.G.S. § 1-210(b). Respondents are generally advised not to include in their submissions any confidential information. If the Respondent indicates that certain documentation, as required by this RFQ, is submitted in confidence, the State will endeavor to keep said information confidential to the extent permitted by law. The State has no obligation to initiate, prosecute, or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information pursuant to a FOIA request. The Respondent has the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. While a Respondent may claim an exemption to the State's FOIA, the final administrative authority to release or exempt any or all material so identified rests with the State. In no event shall the State or any of its employees have any liability for disclosure of documents or information in the possession of the State and which the State or its employees believe(s) to be required pursuant to the FOIA or other requirements of law.

2. **Contract Compliance, C.G.S. § 4a-60 and Regulations of CT State Agencies § 46a-68j-21 thru 43, inclusive.** CT statute and regulations impose certain obligations on State agencies (as well as contractors and subcontractors doing business with the State) to ensure that State agencies do not enter into contracts with organizations or businesses that discriminate against protected class persons.

   IMPORTANT NOTE: To submit a responsive submission, the Respondent must upload the Workplace Analysis Affirmative Action Report through an automated system hosted by the Department of Administrative Services (DAS)/Procurement Division, and the Department of Rehabilitation Services can review said document online. The DAS guide to uploading affidavits and nondiscrimination forms online is embedded in this section as a hyperlink.

3. **Consulting Agreements, C.G.S. § 4a-81.** Proposals for State contracts with a value of $50,000 or more in a calendar or fiscal year, excluding leases and licensing agreements of any value, shall require a consulting agreement affidavit attesting to whether any consulting agreement has been entered into in connection with the proposal. As used herein "consulting agreement" means any written or oral agreement to retain the services, for a fee, of a consultant for the purposes of (A) providing counsel to a contractor, vendor, consultant or other entity seeking to conduct, or conducting, business with the State, (B) contacting, whether in writing or orally, any executive, judicial, or administrative office of the State, including any department, institution, bureau, board, commission, authority, official or employee for the purpose of solicitation, dispute resolution, introduction, requests for information or (C) any other similar activity related to such contract. Consulting agreement does not include any agreements entered into with a consultant who is registered under the provisions of C.G.S. Chapter 10 as of the date such affidavit is submitted in accordance with the provisions of C.G.S. § 4a-81. The Consulting Agreement Affidavit (OPM Ethics Form 5) is available on OPM's website at OPM: Ethics Forms

   IMPORTANT NOTE: To submit a responsive submission, the Respondent must upload the Consulting Agreement Affidavit (OPM Ethics Form 5) through an automated system hosted by the Department of Administrative Services (DAS)/Procurement

Division, and the Department of Rehabilitation Services can review said document online. The DAS guide to uploading affidavits and nondiscrimination forms online is embedded in this section as a hyperlink.

4. **Gift and Campaign Contributions, C.G.S. §§ 4-250 and 4-252(c); Governor M. Jodi Rell's Executive Orders No. 1, Para. 8 and No. 7C, Para. 10; C.G.S. § 9-612(g)(2). If a Respondent is offered** an opportunity to negotiate a contract with an anticipated value of $50,000 or more in a calendar or fiscal year, the Respondent must fully disclose any gifts or lawful contributions made to campaigns of candidates for statewide public office or the General Assembly. Municipalities and CT State agencies are exempt from this requirement. The gift and campaign contributions certification (OPM Ethics Form 1) is available on OPM's website at OPM: Ethics Forms
IMPORTANT NOTE: The selected Respondent(s) must upload the Gift and Campaign Contributions Certification (OPM Ethics Form 1) through an automated system hosted by the Department of Administrative Services (DAS)/Procurement Division prior to contract execution, and the Department of Rehabilitation Services can review said document online. The DAS guide to uploading affidavits and nondiscrimination forms online is embedded in this section as a hyperlink.

5. **Nondiscrimination Certification, C.G.S. §§ 4a-60(a)(1) and 4a-60a(a)(1). If a Respondent is offered** an opportunity to negotiate a contract, the Respondent must provide the Department with *written representation* or *documentation* that certifies the Respondent complies with the State's nondiscrimination agreements and warranties. A nondiscrimination certification is required for all State contracts – regardless of type, term, cost, or value. Municipalities and CT State agencies are exempt from this requirement. The nondiscrimination certification forms are available on OPM's website at OPM: Nondiscrimination Certification
IMPORTANT NOTE: The selected Respondent(s) must upload the Nondiscrimination Certification through an automated system hosted by the Department of Administrative Services (DAS)/Procurement Division prior to contract execution, and the Department of Rehabilitation Services can review said document online. The DAS guide to uploading affidavits and nondiscrimination forms online is embedded in this section as a hyperlink.

6. **Certification Regarding Lobbying,(embedded as a hyperlink)** - **To submit a responsive submission, the Respondent must** provide a signed statement to the effect that no funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

III. PROGRAM INFORMATION

A. DEPARTMENT OVERVIEW

The Department of Rehabilitation Services (DORS) contains two state Vocational Rehabilitation (VR) programs: the general VR program, known as the Bureau of Rehabilitation Services (BRS) and the state Vocational Rehabilitation program for the Blind known as the Bureau of Education and Services for the Blind (BESB).

The Department of Rehabilitation Services provides a broad range of services to persons with disabilities, families, and individuals who need assistance in maintaining or achieving their full potential for self-direction, self-reliance, and independent living. By statute, it is the State agency responsible for administering a number of programs under federal legislation, including the Rehabilitation Act, the Assistive Technology Act, and the Social Security Act.

The Department is headed by the Commissioner of the Department of Rehabilitation Services. The Department administers most of its programs through 12 offices located in the three service regions (North, South, and West), with central office support located in Hartford.

There are two entities that provide DORS with administrative support and services. These entities are the Department of Social Services and the Department of Administrative Services.

Department Mission

The Connecticut Department of Rehabilitation Services mission is to create opportunities that enable individuals with significant disabilities to work competitively and live independently. We strive to provide appropriate, individualized services, develop effective partnerships, and share sufficient information so that consumers and their families may make informed choices about the rehabilitation process and employment options.

Department Vision

The Connecticut Department of Rehabilitation Services works to support individuals with disabilities to achieve independence and self-sufficiency. We do this with humanity and integrity.

B. PROGRAM OVERVIEW

Clients or applicants who have been aggrieved by a decision made by DORS/BRS have a right to an administrative appeal. For purposes of conducting the Administrative Hearing or Mediation for such an appeal, the DORS/BRS requires the services of Impartial Hearing Officers/Mediators. Clients or applicants may request an administrative review of the Hearing Officer's decision, which must be conducted by the designated State official. The reviewing official's decision is final unless either party brings a civil action.

C. QUALIFICATION SUBMISSION

Only individuals that meet or exceed the minimum qualifications set forth below are eligible to submit responses to this RFQ. To be eligible to submit a response to this RFQ, a Respondent must have the following minimum qualifications:

1. Possess and retain admission to the practice of law in the State of Connecticut;
2. Possess knowledge of the Connecticut Uniform Administrative Procedure Act;
3. Possess knowledge of conducting a fair, impartial hearing;
4. The ability to write clearly and concisely;
5. Possess knowledge of issues regarding persons with disabilities and/or background and experience in, and knowledge of, the delivery of vocational rehabilitation services;
6. Possess knowledge of conducting mediations;
7. The ability to arrange for and conduct a mediation; and
8. The ability to write a clear and concise mediated agreement.

The Department reserves the right to reject the submission of any Respondent in default of any current or prior contract.

To submit a responsive submission, the following information about the Respondent's qualifications and experience must be provided.

a. A copy of the Respondent's admission to the practice of law in the State of Connecticut as **Appendix 1**;

b. A description of the Respondent's qualifications to perform the services required by this RFQ including demonstrated experience in C. Qualification Submission, 2 - 8 above. **A responsive submission must include** information addressing each qualification requirement, **2-8, individually and not exceed a total of ten (10) single-sided pages**.

c. A current resume, not exceeding two (2) single-sided pages, as **Appendix 2**. The resume must reflect the Respondent's qualifications including related experience and education; and

d. Three (3) letters of reference, as **Appendix 3**. The letters of reference must be from persons able to provide adequate information about the Respondent's qualifications. References must include their name, mailing address, telephone number, and e-mail address. If during the past five years the Respondent has directly or indirectly through a subcontract, performed services for or through a contract with the Department, the Respondent must include a Department reference.

   The Department expects to use these references in its evaluation process.

D. PAYMENT INFORMATION

By submitting qualifications in response to this RFQ, the Respondent explicitly agrees to the following payment terms:

1. The resultant contractor shall be compensated for conducting hearings or mediation and attending training required by BRS: $250.00 per half-day session up to four (4) hours, including travel, $500.00 per full-day session over four (4) hours, including travel.

2. The resultant contractor shall be compensated for preparation and writing of reports: $60.00 per hour, billable in increments of one-quarter hour. Preparation time may include reviewing of any materials directly related to the case, phone calls or related duties required in preparing for a specific case to which the Contractor is assigned by the DORS/BRS.

All payments to the contactor shall be contingent upon the Department's receipt and approval of completed W-1270 forms, which shall be provided by the Department, and itemized invoices detailing time spent on contractually-required activities and a description of the work completed. Specific terms and conditions pertaining to the payment process shall be set forth in the terms of the PSA.

IV. SUBMISSION OUTLINE

This section presents the **required** outline that must be followed when submitting qualifications in response to this RFQ. Submissions must include a Table of Contents that exactly conforms to the required submission outline (below). Submissions must include all the components listed below, in the order specified, using the prescribed lettering and numbering scheme. Incomplete submissions will not be evaluated.

Your page #

A. Cover Sheet . . . . . 1.

B. Table of Contents . . . . . 2.

C. Declaration of Confidential Information . . . . 3.

D. Conflict of Interest - Disclosure Statement . . . .

E. Executive Summary . . . . . .

F. Qualification Submission . . . . . .

1. Responses to C. Qualification Submission b. 2. - 8. . .

G. Appendices . . . . . .

1. Appendix 1 - Copy of admission to the practice of law in the State of Connecticut

2. Appendix 2 - Resume. . . . . .

3. Appendix 3 - Letters of Reference . . . .

H. Forms. . . . . .

1. Addendum Acknowledgement. . . . . .

2. Certification Regarding Lobbying [1] . . . . .