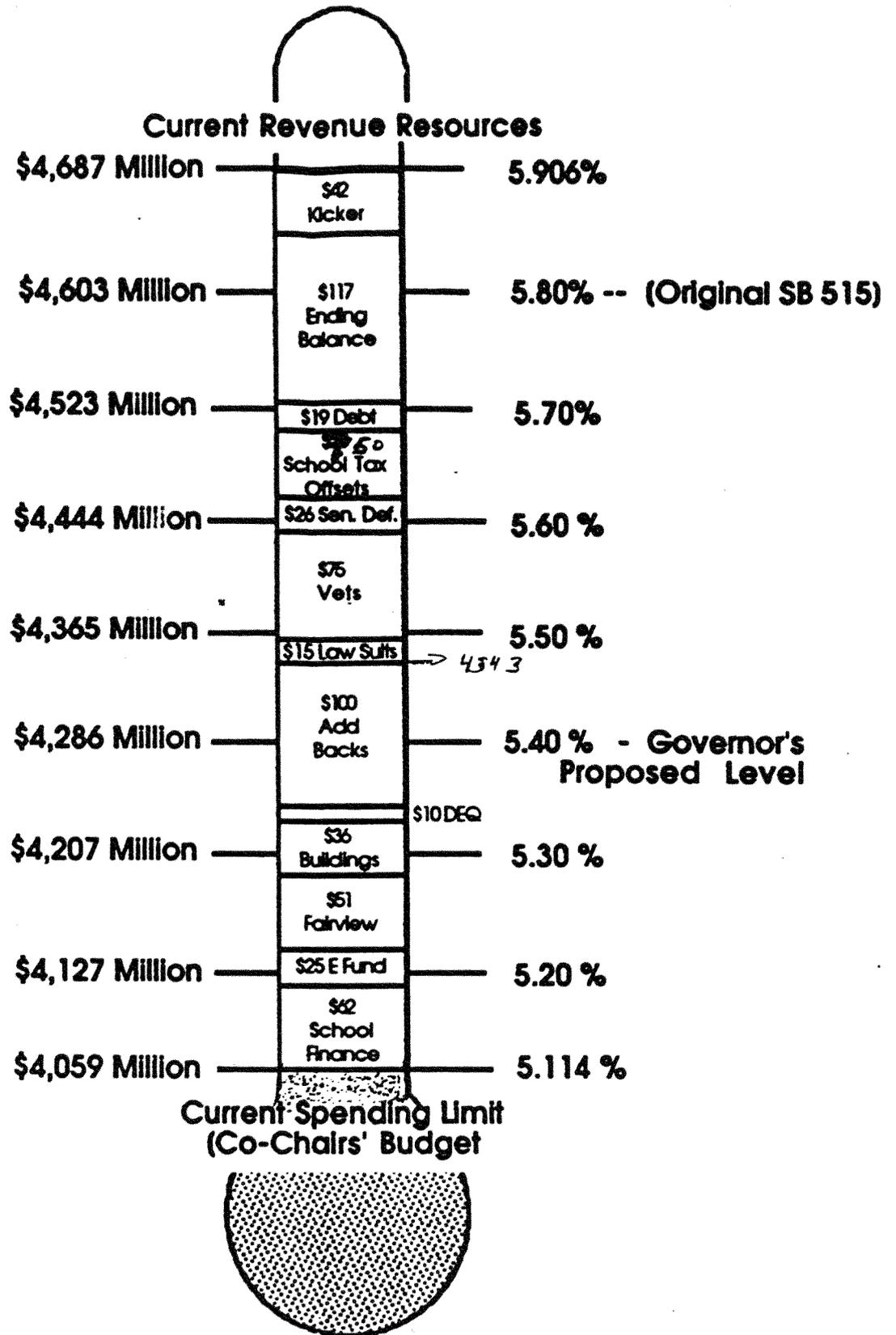


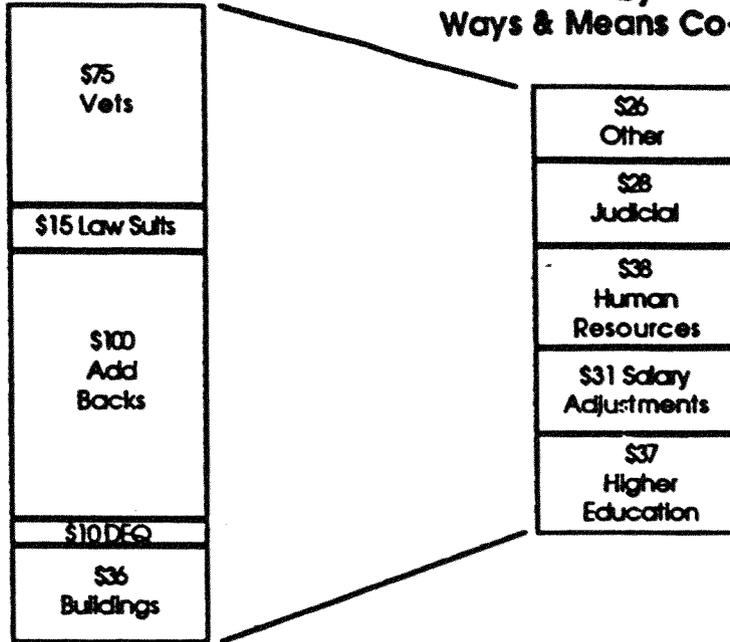
(Based on March Revenue Forecast  
 and  
 Ways & Means Spending Plan dated 3/29/89)



*Legislative  
 Update  
 4/18/89*

**Ways & Means Spending  
Plan dated 3/29/89)**

**Items Cut from Governor's  
Budget  
by  
Ways & Means Co-Chairs**



Available Resources* (3-1-89 estimate)	\$4,705,600,000
Less Supplemental 1987-89 Appropriations (schedule A)	<u>- 18,700,000</u>
1989-91 Available Resources	\$4,686,900,000

1989-91 Requirements:

Revenue	] Ending Balance (2.5%)	\$ 117,172,500
Reduction	] Veterans Transfer	75,000,000
	] Law Suit Reserve	15,000,000
	] Personal Income Tax Kicker Reserve	42,000,000
Outside Limit	] Debt Service	19,231,461
	] Senior Citizen Deferral	25,890,000
	] School Finance Tax Relief (SB 802)	49,800,000
Limit	] Co-Chair Budget	4,059,478,289
	] School Finance Program (SB 802)	62,500,000
Above Limit	] Emergency Fund	25,000,000
	] Fairview (schedule B)	50,650,000
	] Capital Construction/Imp. (Gov recommended)	10,652,058
	] Deferred Maintenance (Gov recommended 6.0)	15,000,000
	] Asbestos Abatement (Gov recommended)	10,000,000
	] DEQ (Alternative to Bond Fund exp)	9,750,000
	] Add-Back to Co-Chair**	<u>99,775,692</u>
Total Requirements		\$4,686,900,000

\* current law including Corp. kicker

\*\* from list of \$155 million

3-29-89

1987-89 Supplemental Appropriation Detail

1) SB 5574 Fairview & Seniors Audits	\$ 9,603,738*
2) SB 5571 DHR	4,200,000
3) HB 2136 School finance pkg. special election	863,953
4) SB 428 Log export special election	764,000
5) Indigent Defense deficit	<u>4,500,000</u>
	\$19,931,691**

\* above appropriation limit

\*\* original estimate of \$18,700,000 did not include log export election and assumed that balance could come from Indigent Defense. This estimate will require disappropriations of \$10,327,953 to stay within the 1987-89 limit. Current identified disappropriations total only \$8,718,000, which is \$1,610,000 short of the estimated need.

Fairview Appropriation

1. Co-Chair base budget	\$27,094,773
2. Governor's above base	8,050,191
3. 1987-89 Supplemental extended	9,847,282
4. SAIF increase	4,157,754
5. Workers' comp/safety investment	<u>1,500,000</u>
	\$50,650,000

BIDS



# MULTNOMAH COUNTY OREGON

4/18/89  
Inf #2

DEPARTMENT OF GENERAL SERVICES  
PURCHASING SECTION  
2505 S.E. 11TH AVENUE  
PORTLAND, OREGON 97202  
(503) 248-5111

GLADYS McCOY  
COUNTY CHAIR

MEMORANDUM

TO: Jane McGarvin, Clerk of the Board

FROM: Lillie M. Walker, Director, Purchasing Section

DATE: April 12, 1989

SUBJECT: FORMAL BIDS AND REQUESTS FOR PROPOSALS SCHEDULED FOR INFORMAL BOARD

BOARD OF  
 COUNTY COMMISSIONERS  
 1989 APR 12 PM 2:11  
 MULTNOMAH COUNTY  
 OREGON

The following Formal Bids and/or Professional Services Request for Proposals (RFPs) are being presented for Board review at the Informal Board on Tuesday, April 18, 1989.

Bid/RFP No.	Description/Buyer	Initiating Department
RFP# 9S1061	Weatherization Program, Installation and Training, Audits & Inspection	DHS
	Buyer: Franna Ritz Ex. 5111	Contact: Bill Thomas Phone: x3782
	Buyer: Ex. 5111	Contact: Phone:
	Buyer: Ex. 5111	Contact: Phone:

cc: Gladys McCoy, County Chair  
Board of County Commissioners  
Linda Alexander, Director, DGS

Copies of the bids and RFPs are available from the Clerk of the Board.

T0: Daily Journal of Commerce

Please run the following Classified Advertisement as indicated below, under your "CALL FOR BID" section

MULTNOMAH COUNTY

Proposals Due: May 11, 1989 at 2:00 P.M.

Proposal No. RFQ #9S1061

Sealed proposals will be received by the Director of Purchasing, 2505 S.E. 11th Ave., Portland, OR 97202 for:

Weatherization Program, Installation and Training and Weatherization Program, Audits and Inspection. There will be a MANDATORY pre-bid conference April 25, 1989 at 9:00 am, 426 SW Stark, 6th floor.

Multnomah County reserves the right to reject any or all proposals.

Specifications may be obtained at: Multnomah County Purchasing Section  
2505 S.E. 11th Avenue  
Portland, OR 97202  
(503) 248-5111

Lillie M. Walker, Director  
Purchasing Section

PUBLISH: April 20, 1989

RFQ #9S1061  
REQUEST FOR QUALIFICATIONS  
DEPARTMENT OF HUMAN SERVICES, DIRECTORS OFFICE CONTRACTS  
DEADLINE FOR SUBMISSION OF PROPOSAL IS 2:00 PM, MAY 11, 1989

I. GENERAL INFORMATION

A. Introduction

Multnomah County Department of Human Services (MCDHS), Director's Office, in order to comply with Federal, State and County requirements for selecting providers through an open, competitive bid process, is issuing a Request for Qualifications (RFQ) from vendors who wish to contract with MCDHS to provide one of the following service elements:

Weatherization Program - Installation and Training (direct services)

- o Countywide responsibility for proper installation (including labor and materials purchase) of weatherization materials, as identified by Federal and State regulations and requirements. Countywide responsibility for training minorities and low income youth for weatherization employment. Qualified vendor must perform services as integral and coordinated parts of the County's low income home weatherization program. These services may be provided through employee "crews" of the vendor, through subcontracts with other vendors, or through a combination of vendor crews and subcontractors. All activities funded under this service element are considered direct (client) services, except as paid for with administration funds.

Weatherization Program - Audits and Inspections (indirect services)

- o Countywide responsibility for conducting home energy audits. Countywide responsibility for conducting final inspections. Qualified vendor must perform services as integral and coordinated parts of the County's low income home weatherization program. These services must be provided by employees of the vendor, and may not be subcontracted without prior written approval of the County. All activities funded under this service element are considered indirect (non-client) services, except as paid for with administration funds.

See Attachment A for a detailed description of the above service elements. Please note that while a vendor could qualify for each service element, pursuant to Federal regulations no single vendor can be awarded contracts to provide both service elements.

This RFQ establishes minimum common qualifications for all vendors which would be eligible to compete in a Request for Proposals (RFP) process. The RFQ will pre-qualify providers in the areas of organizational capacity, governance, fiscal capability, program capability and quality assurance. Providers which pass the RFQ will be placed on a list of qualified vendors, and will be eligible to respond to an RFP for the service element(s) at a later time; evaluation of these subsequent program proposals will determine which vendors will be contractors. Services awarded in program RFP's must be provided within the geographical boundaries of Multnomah County.

Any agency or provider which wishes to provide any of the above listed services through a contract with MCDHS MUST participate in this RFQ. Current MCDHS subcontractors providing the above-mentioned services must respond to this RFQ and to subsequent program proposal solicitations in order to be eligible to continue providing the service for MCDHS.

It is the intent of MCDHS to enter into a contract effective from July 1, 1989 to June 30, 1990 with a qualified vendor for the installation and training service element. MCDHS may also enter into a contract effective from July 1, 1989 to June 30, 1990 with a different qualified vendor for the audits and inspections service element. However, MCDHS reserves the right not to award a contract for the audits and inspections service element if further analysis proves that it would be more fiscally prudent and/or more cost effective to perform these functions directly with County employees rather than to contract out these functions.

B. Timelines

April 18, 1989	Notice of Intent to RFQ before the Board of County Commissioners.
April 20, 1989	Notice of RFQ advertised.
April 20, 1989 8:00 a.m. - 4:30 p.m.	Copies of RFQ available from Purchasing Section, 2505 S.E. 11th Avenue, Portland, Oregon, 97202 (copies will be mailed upon request).
April 25, 1989 9:00 a.m.	<u>MANDATORY RFQ APPLICANTS CONFERENCE</u> J.K. Gill Building, 426 S.W. Stark, 6th floor.
May 11, 1989 <u>no later than 2:00 p.m.</u>	Applications are due to Purchasing Section, 2505 S.E. 11th Avenue, Portland, Oregon 97202.
May 19, 1989	Notice of qualifications mailed by Purchasing Section (date approximate).

C. ELIGIBLE APPLICANTS

Multnomah County will only enter into a contract with legal entities. Each application must be sponsored by a single entity. No joint responses will be accepted for this RFQ.

II. GENERAL INSTRUCTIONS FOR SUBMISSION OF APPLICATION

A. Completed applications must be received by the Purchasing Section, 2505 S.E. 11th Avenue, Portland, Oregon 97202, NO LATER THAN 2:00 PM, MAY 11, 1989. A signed original and three (3) copies of the application plus one copy of the applicant's Personnel Policies and Procedures must be submitted. NO LATE APPLICATIONS WILL BE ACCEPTED.

- B. All applications must be in the form specified in this request and all required information must be included and signed by the Executive Director and Board Chair (if applicable) of the proposing organization or a duly authorized agent.
- C. Applications must include all required documentation to be considered. Applications which are incomplete or fail to include all items will be rejected. Please follow the sequence in the RFQ. Clearly label your responses so that they correspond to the question being answered. Restate the question or use the same numbering and lettering in the application as in this RFQ.
- D. All applications must be clearly typewritten, single spaced, on 8 1/2 x 11 paper and typed on only one side of the paper.
- E. An application may be withdrawn by written request if such request is received prior to the scheduled closing date for applications. Change of a filed application may be made by submitting the change in writing prior to the scheduled closing date for filing.
- F. A mandatory applicants meeting will be held on April 25, 1989 at 9:00 a.m. at J.K. Gill Building, 426 S.W. Stark, 6th floor. Only vendors who attend and sign the attendance roster will be eligible to submit an application. Applicants may also request clarification by contacting Franna Ritz, Purchasing Program Coordinator, Multnomah County Purchasing Section, 2505 S.E. 11th Avenue, Portland, Oregon 97202, 248-5111.
- G. If additional substantive information is provided in response to the inquiry, an addendum will be issued to all vendors in attendance at the April 25 applicants meeting. Any written information issued by the County forty-eight (48) hours or more before the scheduled closing time for applications (Saturdays, Sundays and Legal Holidays not included) shall be binding upon the applicant. Oral instructions or information given by County officers, employees or agents to prospective applicants concerning this Request for Qualifications shall not bind the County.
- H. The applicant is presumed to be familiar with all Federal, State and local laws, ordinances, regulations and policies which in any manner affect the administrative, management and fiscal operations of the service elements for which this application is made.

### III. REQUIREMENTS FOR COMPLETED APPLICATION

In response to this RFQ, each applicant must provide the following requested documentation, either by a brief narrative statement or by photocopying the documents mentioned. If requested information listed below does not apply to applicant, please note "not applicable" with brief explanation.

- A. An Applicant Identification Form. Complete and submit Attachment B.

Indicate on this form which service element(s) your agency wants to be qualified for under this RFQ.

B. Transmittal Letter. Complete and submit Attachment C.

Submit the letter signed by appropriate chief administrator and chairperson of the Board of Directors (if applicable) indicating organizational and Board approval for responding to this RFQ.

C. Power to Contract.

A respondent must be a legal entity with which Multnomah County may contract, and which is not prohibited by its incorporation or By-Laws from contracting for public funds to provide the service element(s).

Required Documentation - provide photocopies of:

1. Corporate Certificate or Articles of Incorporation.
2. Agency By-Laws if applicable.
3. 501.C.3 Certificate if a private non-profit.
4. Other documentation to identify applicant as legal entity with which Multnomah County may contract.

D. Insurance.

Each organization must meet State and County insurance requirements.

Required documentation - provide photocopies of:

1. Applicant's standard liability insurance policy, which identifies the scope and amount of coverage, or a declaration that applicant is self-insured. Public liability and property damage must be at or above the limits established in ORS 30.270.
2. Certificate of workers compensation insurance covering all employees.
3. Certificate of fidelity bonding coverage and a list of all staff positions covered under this policy.

E. Organizational Capacity.

1. Administrative Structure. A respondent is expected to have an administrative capacity to manage the scope of services and to provide appropriate accountability for contract compliance.

Required Documentation:

- a. A brief narrative description of the duties of executive director and fiscal officer and current professional resumes detailing their qualifications and experience.
  - b. A current agency organizational chart which illustrates how this service element(s) would relate to the rest of the organization.
  - c. A current staffing chart which identifies all staff positions and lines of supervision.
2. Personnel Policies and Procedures. A respondent must have personnel policies and procedures that are in compliance with Federal, State, and County requirements.

Required Documentation:

- a. A copy of agency's current Personnel Policies and Procedures.

F. Board of Directors.

Where applicable, all respondents must have a Board of Directors or other appropriate governance structure that is independent of management personnel, is active and is responsible, and which provides overall accountability for the organization's activities through periodic performance evaluations of agency Director and other oversight activities.

Required Documentation:

1. Describe in brief narrative form the functions of the Board, including its responsibilities for fiscal oversight, planning, budget approval and program advocacy. Include a description of the working relationship between the Board and Executive Director.
2. Describe the Board's responsibility to review the performance of the Executive Director and indicate the date of the last evaluation by the full Board of Directors.
3. Provide Board of Directors membership list. Give breakdown indicating ethnicity of members, consumer members, specific service areas professional members, specifically designated community representation stipulated in the agency By-Laws.
4. Provide names of Board officers and describe their responsibilities, if not already described in Agency's By-laws.
5. Identify any Board committees, how often they meet and briefly describe their role and function within the Board and the organization.
6. Identify how often the Board has met over the past 12 months and the attendance for each of these meetings.
7. Describe the process for recruiting Board members.

G. Fiscal Capability.

Each organization must show evidence of a fiscal management system which complies with general accounting procedures and governmental regulations, and is sufficient: to assure sound fiscal accountability and ability to comply with regulations pertaining to the utilization and maintenance of records, books, accounts and other documents; to make said documents available when requested; and to provide timely and accurate reporting.

Required Documentation:

1. Briefly explain your fiscal system and procedures for fiscal management, accountability and internal control as well as the responsibilities and qualifications required of fiscal staff.
2. Submit statement from a CPA specifying that the accounting system is sufficient to meet Federal, State, and County requirements. Note: System must have the capacity to identify income and expenses related to each funded service element.
3. Submit copy of the most recent and appropriate external audit or financial review for fiscal year ending no earlier than December 31, 1987, including the management letter if applicable.
4. Submit copy of current year line item budget.

5. Describe all budgets and financial reports submitted to Board committees and to the full Board for review, and the frequency with which have been submitted this fiscal year. Submit copies of the most recent budgets and financial reports reviewed by the full Board.
6. Describe all budgets and financial reports which were required to be submitted for review under contracts of a similar scope during the last three years, and the frequency with which they were to be submitted. Describe any problems in meeting established timelines for submission. Submit copies of the most recent budgets and financial reports submitted for review under such contracts. Identify contracting agencies and contact persons.

#### H. Program Capability

Each respondent must document demonstrated knowledge, experience and competency for delivery of service element(s) applicant seeks to be considered for under the RFQ.

##### Required Documentation:

1. Provide a brief description of the organization's purpose, philosophy and experience in service delivery for low income residents, including services currently delivered, delivery method, parties served, and geographic service areas as these relate to the service element(s) for which applicant seeks qualification under this RFQ. Describe how the service element(s) applied for relates to the organization's purpose.
2. Provide a narrative description of the duties and numbers of staff positions that would be assigned to carry out the service element(s). Provide current resumes detailing qualifications and experience of principal staff who would be so assigned.
3. For installation and training RFQ: Provide a brief description of the service delivery model which would be employed to deliver each of these services. In order for the County to test cost efficiencies of different service delivery models, agencies will be evaluated on their ability to implement a model employing a combination of both employee crews and subcontractors.
4. For audit and inspection RFQ: Provide a description of training and certifications of persons to be employed as inspectors which would meet the requirements of Federal and State standards.

#### I. Quality Assurance

Each respondent must have in place a Program Evaluation/Quality Assurance process.

##### Required Documentation:

1. Provide a description of your agency's Program Evaluation/Quality Assurance process, which minimally must include procedures for:
  - a. Monitoring contract performance indicators and utilization;
  - b. Identifying the person(s) responsible for monitoring the contract and initiating corrective action if warranted, based on the evaluation data; and
  - c. Providing the Board of Directors with periodic performance reports.

2. Provide a narrative description of how the agency's Program Evaluation/Quality Assurance process would be applied to the service element(s), identifying principal staff who would be assigned to this process. Provide current resumes detailing their qualifications and experience (if not otherwise provided).

#### IV. EVALUATION

Per County Administrative Procedure #2703, the screening committee will contain at least three (3) objective persons to evaluate the applications. No more than one-third of the screening committee shall be from the MCDHS Director's Office. Applications must include all the required documentation to be considered. Any application not including all required documentation will be rejected. All applications must receive a "pass" score on Sections A-D to qualify. For Sections E-I, applicants must receive at least 75% of the maximum available points in each section to qualify. Scoring will be adjusted to reflected sections not applicable for all respondents (e.g., not required to have Board of Directors). If one subsection fails to receive a pass score or at least 75% of the maximum available points, the application will be rejected.

- A. Applicant Identification Form (Pass/Fail; applicant must receive a "pass" to qualify). Assure that requested information is provided and service element(s) are identified.
- B. Transmittal Letter (Pass/Fail; applicant must receive a "pass" to qualify.) Assure that documentation is provided for appropriate approvals to submit RFQ, with a signed statement that the information included in the application is truthful and accurate.
- C. Power to Contract (Pass/Fail; applicant must receive a "pass" to qualify.) Assure that applicant is a legal entity with which Multnomah County may contract and is not prohibited by its incorporation or By-Laws from contracting for public funds to provide the service element(s).
- D. Insurance (Pass/Fail; applicant must receive a "pass" to qualify.) Assure that applicant meets State and County insurance requirements.
- E. Organizational Capacity (maximum 20 points possible; applicant must receive 15 points or higher to qualify.) Assure that applicant has the administrative capacity to manage the proposed scope of services and to provide appropriate accountability for contract compliance, and that applicant has personnel policies and procedures that are in compliance with Federal, State and County requirements.
- F. Board of Directors (maximum 15 points possible; applicant must receive 11 points or higher to qualify.) Assure that applicant has an appropriate governance structure (e.g. Board of Directors), which is independent of management personnel, is active and is responsible, and which provides overall accountability for the organization's activities through periodic performance evaluations of the agency Director and other oversight activities.

- G. Fiscal Capability (maximum 25 points possible; applicant must receive 19 points or higher to qualify.) Applicant shows evidence of a fiscal management system which complies with general accounting procedures and governmental regulations, and is sufficient: to assure sound fiscal accountability and ability to comply with regulations pertaining to the utilization and maintenance of records, books, accounts and other documents; to make documents available as requested; and to provide timely and accurate reporting.
- H. Program Capability (maximum 25 points possible; applicant must receive 19 points or higher to qualify.) Assure that applicant has demonstrated knowledge, experience and competency for delivery of service element(s) applicant seeks to be considered for under this RFQ.
- I. Quality Assurance (maximum 15 points possible; applicant must receive 11 points or higher to qualify.) Program Evaluation/Quality Assurance system which will assure contract compliance, appropriate Board involvement and corrective action plan development when required.

V. NOTIFICATION OF VENDORS

After MCDHS has evaluated all applications received and established the lists of qualified vendors, all applicants will be notified of the decision in writing. Notices will be mailed on or after May 19, 1989 by the Multnomah County Purchasing Section.

VI. APPLICANT AS A POTENTIAL SUBCONTRACTOR OF MCDHS

Multnomah County makes no representations or guarantees that vendors will receive contract awards as a result of successfully qualifying through this RFQ. The applicant assumes the sole risk and responsibility for all expenses connected with the preparation of its application.

Prior to awarding any contract resulting from future program RFP's, applicant must meet Multnomah County subcontract general conditions and provide assurances and certifications as identified in Attachments D and E. Please note these may be subject to change.

Attachment A

DESCRIPTION OF SERVICE ELEMENTS

Weatherization Program - Installation and Training (direct services)

Countywide responsibility for proper installation (including labor and materials purchase) of weatherization materials, as identified by Federal and State regulations and requirements. Countywide responsibility for training minorities and low income youth for weatherization employment. Qualified vendor must perform services as integral and coordinated parts of the County's low income home weatherization program. These services may be provided through employee "crews" of the vendor, through subcontracts with other vendors, or through a combination of vendor crews and subcontractors. All activities funded under this service element are considered direct (client) services, except as paid for with administration funds.

This service element will require the vendor to carry out the following tasks:

develop weatherization employment training program for minorities and low income youth; schedule installation jobs and install materials on a timely basis, in accordance with the audit vendor's work orders and approved change orders; obtain and maintain required client file information; as appropriate, provide information to clients and referral to intake agencies or other appropriate agencies for client needs identified in course of installation process; coordinate vendor (and subcontractor) activities with audit and inspection vendor, including phone and onsite (as needed) coordination during the installation process for specific jobs; prepare change orders during installation process; provide job records to audit and inspection vendor prior to inspections; following inspections, ensure corrections for any substandard work are made on a timely basis; submit all required documentation to MCDHS on a timely basis, including budgets, financial reports, program reports and billings.

MCDHS anticipates that approximately \$1,000,000 in weatherization funds will be available to contract for installation and training services in FY 89-90.

Administrative Costs for Service Element

Funds awarded to a vendor for installation and training services will include a maximum of approximately five percent (5%) contract administration funds.

Regulating Authority for Service Element

Single Audit Act of 1984 PL 98-502; OMB Circulars A-87, A-102, A-110, A-122 and A-128; Title VI of the Human Services Authorization Act PL 98-558; Instructions and Stipulations of the Department of Energy; 10 CFR 440.18, 440.21 and 440.22; 10 CFR 600.103, 600.104, 600.105, 600.107, 600.109, 600.110, 600.111, 600.112, 600.113, 600.114, 600.115, 600.117, 600.118, 600.119, 600.120, 600.124; OAR 410-50-000 et. seq.; and the FFY 1989 Oregon DOE State Plan and LIEAP State Plan.

## Weatherization Program - Audits and Inspections (indirect services)

Countywide responsibility for conducting home energy audits. Countywide responsibility for conducting final inspections. Qualified vendor must perform services as integral and coordinated parts of the County's low income home weatherization program. These services must be provided by employees of the vendor, and may not be subcontracted without prior written approval of the County. All activities funded under this service element are considered indirect (non-client) services, except as paid for with administration funds.

This service element will require the vendor to carry out the following tasks:

determine homes to be weatherized by screening lists of eligible Low Income Energy Assistance Program (LIEAP) clients, and other clients identified by LIEAP intake agencies, on the basis of predetermined County priorities; coordinate paper screening as appropriate with intake agencies; obtain and maintain required client file information; ensure continued client need/interest and verification of eligibility; ensure reasonable geographic distribution of jobs; schedule and conduct energy audits on a timely basis; as appropriate, provide information to clients and referral to intake agencies or other appropriate agencies for client needs identified in course of audit; prepare detailed work order of State approved weatherization measures to be performed by installation vendor; coordinate activities with installation vendor (and any subcontractors), including phone coordination and revisits as needed during the installation process for specific jobs; inspect 100% of work performed by installation vendor on a timely basis, to ensure work meets USDOE/LIEAP standards; ensure appropriate corrections are made for any substandard work; prepare and submit reports to MCDHS for review and approval by MCDHS of payments to installation vendor; submit all required documentation to MCDHS on a timely basis, including budgets, financial reports, program reports and billings.

MCDHS anticipates that sufficient weatherization funds will be available relative to funds contracted for installation and training to contract for necessary audit and inspection services in FY 89-90.

### Administrative Costs for Service Element

Funds awarded to a vendor for audit and inspection services will include a maximum of approximately five percent (5%) contract administration funds.

### Regulating Authority for Service Element

Single Audit Act of 1984 PL 98-502; OMB Circulars A-87, A-102, A-110, A-122 and A-128; Title VI of the Human Services Authorization Act PL 98-558; Instructions and Stipulations of the Department of Energy; 10 CFR 440.18, 440.21 and 440.22; 10 CFR 600.103, 600.104, 600.105, 600.107, 600.109, 600.110, 600.111, 600.112, 600.113, 600.114, 600.115, 600.117, 600.118, 600.119, 600.120, 600.124; OAR 410-50-000 et. seq.; and the FFY 1989 Oregon DOE State Plan and LIEAP State Plan.

Attachment B

APPLICANT IDENTIFICATION FORM

Applicant Agency:

Name \_\_\_\_\_

Address \_\_\_\_\_

Contact Person(s) \_\_\_\_\_

Telephone Number \_\_\_\_\_

State of Oregon Tax Number: \_\_\_\_\_

Date of Incorporation: \_\_\_\_\_

Internal Revenue Service Number: \_\_\_\_\_

Type of Organization:

Public

Private/Non-Profit

Private/Profit

Other \_\_\_\_\_

Service Element(s): \_\_\_\_\_

\_\_\_\_\_



EXHIBIT D--Part I

ASSURANCES

Subgrantee hereby assures and certifies that it will comply with federal regulations, policies, guidelines, and requirements, including OMB Circulars Nos. A-87, A-102, A-110, and A-122, as they relate to the application, acceptance, and use of Federal funds for this federally assisted project. Subgrantee also assures and certifies that with respect to funds delegated under this agreement:

1. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Subgrantee receives Federal financial assistance. Subgrantee will immediately take any measures necessary to effectuate this agreement.
2. It will comply with Title VII of the Civil Rights Act of 1964 (42 USC § 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefitting from the grant-aided activity.
3. It will comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in Department of Labor Regulations (41 CFR Part 60).
4. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs.
5. It will comply with the provisions of the Hatch Act which limits the political activity of employees.
6. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of state and local governments.
7. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the

appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

8. It will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the work program(s) are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Department of Energy or Health and Human Services of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

9. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat 975, approved December 31, 1976. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, direct or indirect Federal assistance.

10. It will assist the Department of Energy or Health and Human Services in their compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC § 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity and notifying the Department of Energy or Health and Human Services of the existence of any such properties, and by (b) complying with all requirements established by the Department of Energy or Health and Human Services to avoid or mitigate adverse effects upon such properties.

\_\_\_\_\_  
(Subgrantee)

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

## U.S. Department of Energy

## Assurance of Compliance

## Nondiscrimination in Federally Assisted Programs

(Hereinafter called the "Subgrantee") HEREBY AGREES to comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), Section 16 of the Federal Energy Administration Act of 1974 (Pub. L. 93-275), Section 401 of the Energy Reorganization Act of 1974 (Pub. L. 93-438), Title IX of the Education Amendments of 1972, as amended, (Pub. L. 92-318, Pub. L. 93-568, and Pub. L. 94-482), Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), the Age Discrimination Act of 1975 (Pub. L. 94-135), Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), the Department of Energy Organization Act of 1977 (Pub. L. 95-91), and the Energy Conservation and Production Act of 1976, as amended, (Pub. L. 94-385). In accordance with the above laws and regulations issued pursuant thereto, the Subgrantee agrees to assure that no person in the United States shall, on the ground of race, color, national origin, sex, age, or handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity in which the Applicant receives Federal assistance from the Department of Energy.

**Applicability and  
Period of Obligation**

In the case of any service, financial aid, covered employment, equipment, property, or structure provided, leased, or improved with Federal assistance extended to the Subgrantee by the Department of Energy, this assurance obligates the Subgrantee for the period during which Federal assistance is extended. In the case of any transfer of such service, financial aid, equipment, property, or structure, this assurance obligates the Subgrantee for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Subgrantee for the period during which the Federal assistance is extended to the Applicant by the Department of Energy.

## Employment Practices

Where a primary objective of the Federal assistance is to provide employment or where the Subgrantee's employment practices affect the delivery of services in programs or activities resulting from Federal assistance extended by the Department, the Subgrantee agrees not to discriminate on the ground of race, color, national origin, sex, age, or handicap, in its employment practices. Such employment practices may include, but are not limited to, recruitment, recruitment advertising, hiring, layoff or termination, promotion, demotion, transfer, rates of pay, training and participation in upward mobility programs, or other forms of compensation and use of facilities.

## Subcontractors' Assurance

The Subgrantee shall require any individual, organization, or other entity with whom it subcontracts, subgrants, or subleases for the purpose of providing any service, financial aid, equipment, property, or structure to comply with laws cited above. To this end, the subcontractor shall be required to sign a written assurance form.

## Data Collection and Access to Records

The Subgrantee agrees to compile and maintain information pertaining to programs or activities developed as a result of the Subgrantee's receipt of Federal assistance from the Department of Energy. Such information shall include, but is not limited to, the following: (1) the manner in which services are or will be provided and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination; (2) the population eligible to be served by race, color, national origin, sex, age and handicap; (3) data regarding covered employment including use or planned use of bilingual public contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English; (4) the location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any person on the basis of prohibited discrimination; (5) the present or proposed membership by race, color, national origin, sex, age and handicap, in any planning or advisory body which is an integral part of the program; and (6) any additional written data determined by the Department of Energy to be relevant to its obligation to assure compliance by recipients with laws cited in the first paragraph of this assurance.

The Subgrantee agrees to submit requested data to the Department of Energy regarding programs and activities developed by the Subgrantee from the use of Federal assistance funds extended by the Department of Energy. Facilities of the Subgrantee (including the physical plants, buildings, or other structures) and all records, books, accounts, and other sources of information pertinent to the Subgrantee's compliance with the civil rights laws shall be made available for inspection during normal business hours on request of an officer or employee of the Department of Energy specifically authorized to make such inspections. Instructions in this regard will be provided by the Director, Office of Equal Opportunity, U.S. Department of Energy.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts (excluding procurement contracts), property, discounts or other Federal assistance extended after the date hereto, to the Subgrantee by the Department of Energy, including installment payments on account after such date of application for Federal assistance which are approved before such date. The Subgrantee recognizes and agrees that such Federal assistance will be extended in reliance upon the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Subgrantee, its successors, transferees, and assignees, as well as the person whose signature appears below and who is authorized to sign this assurance on behalf of the Subgrantee.

\_\_\_\_\_  
(Subgrantee)

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

EXHIBIT E

Certification Regarding Debarment, Suspension,  
and Other Responsibility Matters

1. MULTNOMAH COUNTY DEPARTMENT OF HUMAN SERVICES  
(SUBGRANTEE) certifies to the best of its knowledge and belief, that neither it nor any of its principals:
  - (a) Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) Have within a three-year period preceding this agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 1(b) of this certification; and
  - (d) Have within a three-year period preceding this agreement had one or more public transactions (Federal, State or local) terminated for cause or default.
  
2. Where the prospective SUBGRANTEE is unable to certify to any of the statements in this certification, such prospective SUBGRANTEE shall attach an explanation to this proposal.

\_\_\_\_\_  
(Director)

\_\_\_\_\_  
(Chairperson)

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

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



# MULTNOMAH COUNTY OREGON

*Bids*

DEPARTMENT OF HUMAN SERVICES  
426 S.W. STARK, 7TH FLOOR  
PORTLAND, OREGON 97204  
(503) 248-3782

BOARD OF COUNTY COMMISSIONERS  
GLADYS McCOY • CHAIR OF THE BOARD  
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER  
GRETCHEN KAFOURY • DISTRICT 2 COMMISSIONER  
RICK BAUMAN • DISTRICT 3 COMMISSIONER  
POLLY CASTERLINE • DISTRICT 4 COMMISSIONER

## MEMORANDUM

TO: Gladys McCoy, Multnomah County Chair

VIA: Duane Zussy, Director, Department of Human Services *Duane Zussy*

FROM: Bill Thomas, Emergency Basic Needs Coordinator *Bill Thomas*

DATE: April 18, 1989

SUBJECT: Revised Recommendations For Reorganizing the Weatherization Program

## RECOMMENDATION:

In order to bring the County's low income weatherization program into compliance with federal regulations as of July 1, 1989, the Director's Office recommends that the Board:

- 1) Authorize the Purchasing Division to proceed with advertising and issuing the Request-For-Qualifications only for the weatherization installation and training service element, involving labor and materials and employment training for minorities and low income youth. Thus, Purchasing would not issue that part of the RFQ addressing the audit and inspection service element.

If more than one qualified response is received, then a Request-For-Proposal would be issued only to qualified respondents. A contract award would be made following responses to the RFP, or could be made immediately if there is only one qualified vendor. In order to test cost efficiencies of different service delivery models, the contract would be awarded to a vendor that provides services through both employee crews and subcontracts.

- 2) Authorize the Department to work with the Budget Office in order to develop a budget amendment for the Board's consideration which anticipates that the County direct operate the audit and inspections service element. The budget would pay for all new positions with federal weatherization program funds, and reflect a savings in County General Funds by paying for portions of current positions in the Chair's budget with weatherization funds as well as paying associated indirect costs with weatherization funds. If the Board incorporates this budget amendment into the April 27 Approved Budget, Personnel could initiate a hiring process for filling approved positions for this program as of July 1, thus insuring a smooth transition from the current system.

ANALYSIS:

On March 30, the Board of Commissioners approved a competitive bidding procedure to bring the County's low income weatherization program into compliance with federal regulations. As part of that procedure, the Department recommended that the County reserve the right not to award a contract to conduct weatherization audits and inspections if it proves more fiscally prudent and/or more cost effective for the County to perform such audits and inspections with County employees.

During the last month, this office has interviewed managers at State Community Services (SCS), and the weatherization program managers for the three public community action agencies in Oregon (Consortium for Benton/Linn/Polk Counties, Clackmas County and Lane County). These managers have unanimously recommended that the County not contract out the audit and inspection component of the weatherization program. (In fact, they all recommended that the County direct operate the installation and training service element, but this office still believes that there are good reasons for contracting out that service element.) In addition, private contractor Paul Olson has stated that he, and he believes that other contractors, would have no objections to the County direct operating the audit and inspection program.

Moreover, recently the only vendor which had expressed an interest in bidding on this service element has reevaluated its position. Yesterday the Board Chair of Metropolitan Community Action, Lou Savage, indicated that he is planning to recommend to the MCA Board that MCA not bid on either the installation and training or the audit and inspection service elements. According to Lou, that possibility was discussed at MCA's April 12 Board meeting and no objection was raised. MCA would no longer be involved in provision of weatherization services and could focus all energies on other emergency basic needs and community action services. Finally, yesterday MCA Director Michael Jans joined the State and the public CAA's in recommending that the County not contract out the audit and inspection service element.

The following reasons stand out among a variety cited as to why the County should direct operate audit and inspections:

Contracting out diminishes the County's fiscal and program controls, increases the County's risk and liability exposure, and increases the potential both for substandard work and for collusion between inspectors and installers.

Contracting out would be more costly; the County would have to reaudit and reinspect 5-10% of all homes in order to certify compliance with federal and state standards.

Contracting out would require additional County staff time to ensure appropriate coordination between the two vendors and, as needed, to mediate disputes between the vendors; it also still would require County staff to review each inspection report in order to approve final payments.

Given both the above noted reasons and recent developments, this office believes that it would be most advantageous to resolve the policy issue of the County's role in this program prior to issuing the RFQ. Of particular concern is the need to make as smooth a transition as possible between current arrangements and staffing for audit and inspections services and staffing for these services after July 1, 1989.

There are currently six auditor/inspectors employed by MCA and HSI, and this office has been advised that it should be possible to reduce that number to three auditor/inspectors in order to operate a countywide program with 50% less weatherization funds next fiscal year. County Counsel is presently determining what reemployment rights, if any, that HSI's three employees would have if the County reestablishes auditor/inspector positions. At the same time, we understand that if HSI were successful in being awarded the installation and training contract those three persons could remain employed at HSI as crew leaders rather than auditor/inspectors, and would be likely to do so. Moreover, the State has strongly recommended that the County give serious consideration to hiring the MCA staff in those positions. While these would be civil service positions, presumably MCA's current staff would be strong candidates. Thus, if the Board approves direct operation of audits and inspections, in the interests of a smooth transition the County as well as current employees at both MCA and HSI would be best served by a hiring procedure that could ensure new hires as of July 1. That can only be accomplished if this policy decision is made now and these positions are incorporated in the Approved Budget.

BACKGROUND:

On March 8, 1989, State Community Services (SCS) notified DHS that the County cannot continue its current contract for operation of the weatherization program through both Metropolitan Community Action (MCA) and Human Solutions Inc. (HSI). For the same reasons, the County could not implement MCA's plan to consolidate all weatherization functions at MCA. Either course would result in audit disallowances, because a subcontractor that is responsible for installation is not allowed to inspect its own work. At the latest (federal approval of current arrangements has been extended from March 31, 1989 to the end of the fiscal year), the County's weatherization program must be in compliance with federal regulations by July 1, 1989.

DHS reviewed options with the Purchasing Division and determined that sole source procurement, which would require both County approval and US Department of Energy (USDOE) approval, cannot be justified and is not an option for the County with regard to either the installation and training or the audit and inspection service elements. Thus, Purchasing recommended an RFQ/RFP procedure, which the Board approved on March 30, as the most expeditious and efficient method of contracting for one or both services.