



Policy: Procurement of Program Services

ChildNet Number: CN 015.010

Original Approved Date: June 2, 2003

Policy Revised Date(s): April 20, 2010, May 20, 2010, July 9, 2014

Policy Sunset Date:

COA Standard(s): FIN 5.06, 7.04, HR 3.06, 3.07, RPM 9.01, 9.02, 9.03, NET 2.04, 3.01, 3.02, 3.03, 3.04 NET 4.04, 9.01, 9.02, 10.01, 10.02, 10.03 ASE 3.03, ETH 2.03

Statement of Policy:

ChildNet is dedicated to maintaining a comprehensive array of effective services and supports for abused children and their caregivers, offered by a diverse and qualified network of service providers. Contracted program services are procured in a manner that maximizes their quality and benefit to clients, minimizes the disruption of their delivery and is cost effective. Procurement of these services is guided by a system of uniform purchasing procedures that encourage public confidence by promoting fair and open competition, impartial and well-justified decisions and full consideration of ethical and best practices.

Board Chair's Signature:

Date: 07-29-14



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ChildNet Number: CN 015.010

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Definitions:

Competitive Solicitation – The process of requesting and receiving two or more sealed bids, proposals, or replies submitted by respondents in accordance with the terms of a competitive process, regardless of the method of procurement.

Electronic Posting - or "electronically post" means the noticing of solicitations, agency decisions or intended decisions, or other matters relating to procurement on a centralized Internet website.

Emergency Purchases - The purchase of services without utilization of a competitive bidding process as necessitated by an immediate risk to clients' health, safety, or well-being.

Exempt Services Purchase - The purchase of services which are not subject to the competitive procurement process due to their exemption status.

Invitation to Bid (ITB) - A formal procurement solicitation for competitive bids used primarily for the purchase of services in excess of \$250,000.00. This solicitation process is used when ChildNet is specifically defining the scope of work for which a contractual service is required, and price is the key determinant in making an award.

Invitation to Negotiate (ITN) - A formal competitive procurement solicitation used primarily for the purchase of services in excess of \$250,000.00 when ChildNet does not desire, or it is not practical to specifically define in detail the scope of work required. Instead, ChildNet requests that respondents propose a service or program to meet general specifications of the solicitation document. These solicitations are generally issued when: price is not the primary consideration in selection, working relationships are more critical than the price, work to be performed is not well-defined, qualifications and value are factors for selection, negotiations are allowed for any aspect of solicitation, and sealed bids are received. These solicitations are used when negotiation may be necessary in order to achieve the best value. ChildNet evaluates and ranks responsive replies against all evaluation criteria given in the invitation to negotiate and then selects, based on the ranking, one or more vendors with which to negotiate. ChildNet conducts negotiations and awards the contract to the responsible and responsive provider that will provide the best value.

Micro-purchases - The acquisition of services, the aggregate dollar amount of which does not exceed \$3,000. Micro-purchases may be awarded without soliciting competitive quotations and



ChildNet considers the price to be reasonable. To the extent possible, micro-purchases are distributed equitably among qualified suppliers.

Minority Business Enterprise - Any small business concern as defined in s. 288.703(6), F.S. which is organized to engage in commercial transactions, which is domiciled in Florida, and which is at least 51-percent-owned by minority persons who are members of an insular group that is of a particular racial, ethnic, or gender makeup or national origin, which has been subjected historically to disparate treatment due to identification in and with that group resulting in an underrepresentation of commercial enterprises under the group's control, and whose management and daily operations are controlled by such persons.

Request for Applications (RFA) - An informal competitive procurement solicitation used for values under \$250,000.00 that provides a general description of the program objectives and specifications and solicits input from providers as to the availability of products and services to meet ChildNet's needs. This solicitation is simplistic in nature and requires advertisement only on ChildNet's website. Applications may be received via fax, e-mail or by mail. Such informal applications are typically requested from local providers.

Request for Proposals (RFP) - A formal competitive procurement solicitation that is used for values \$250,000.00 or over, where sealed proposals are received. Such responses require services to be customized to fit unique circumstances and/or outcome measures. The solicitation includes detailed specifications or scope of work, terms and conditions, and a closing date and time at which time those proposals received will be opened and recorded. Specifications are often complex, and the evaluations of proposals consequently take significantly longer than evaluations of normal bids. This solicitation is primarily utilized when cost is not the main consideration, but rather, fulfilling programmatic criteria is of primary concern.

Single Source Purchases- The purchase of services without utilization of a competitive bidding process where it can be reasonably established that availability of service provision is only attainable from one provider and for a justifiable reason.

Small Business - An independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As applicable to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

Small Purchases – Small purchase procedures are relatively simple and informal used for securing services that do not cost more than the simplified acquisition threshold small purchases threshold of \$3,501 to \$149,999 as outlined in 2 CFR 200. If small purchase procedures are used, price or rate quotations must be obtained from a minimum of two (2) qualified sources. A cost analysis is not required.

Statement of Procedure:

I. Planning and Assessment

- A. As part of the agency's strategic planning process, every three years ChildNet reviews its entire subcontracted service delivery system to assess its strengths and weaknesses. Included in this review is an analysis of changes in the funding environment, regulatory



environment, and input from service recipients. From this review, goals, objectives, and strategies are established to direct allocated resources supporting ChildNet's missions, values, and mandates. ChildNet furthermore identifies appropriate strategies for meeting the identified goals which includes consideration of the network's continued sustainability and possible need to redirect, eliminate, or expand service to respond to changing community demographics and client needs.

- B. ChildNet's schedule for the procurement of services is sensitive to the need for continuity of existing services for the children and families who receive them. Each program service category will be considered for new competitive solicitation every three years.
- C. Annual Assessment of Community Capacity and Gaps in Services
 - 1. In developing and maintaining services, ChildNet annually reviews the full range of services within the network and the network's capacity to meet its goals and responsibilities. Specifically, information on quality of care, consumer satisfaction, current demographic profile of clients, number and type of service providers, and location and access to services are all collected. Findings may identify the following:
 - a. Services that are in short supply needing to be increased.
 - b. Services that need to be created.
 - c. Services that are under-utilized or no longer necessary.
 - 2. Prior to contracting for new services, ChildNet determines the need for additional services or modifications of the current service delivery system based on a collective review of the above findings and other planning documents. Such documents may include short term annual plans, input from service recipients, and utilization and outcome reports. An annual procurement plan is established that ultimately supports the achievement of the networks' long term goals and objectives.
 - 3. ChildNet personnel are encouraged to solicit feedback from community partners and stakeholders as to new or enhanced creative services and programming. However, at any given point in which a particular service is identified as necessary, all communication with potential subcontractors immediately ceases.
 - 4. ChildNet encourages contracts with provider organizations that are responsive to the needs of clients including needs related to geographic location and cultural and linguistic diversity. Additionally, ChildNet recognizes the value of implementation of best practice models and evidence based and evidence-informed practices and may include these principles in procurement documents.

II. Methods of Procurement

- A. **Micro-purchases.** The acquisition of services with an aggregate dollar amount of which does not exceed \$3,000. Micro-purchases may be awarded without soliciting competitive quotations and ChildNet considers the price to be reasonable. To the extent possible, micro-purchases are distributed equitably among qualified suppliers.
- B. Non-Competitive Procurement



Given the nature of the industry and the need to swiftly initiate services for clients, purchases may be authorized for the procurement of services without competition. All services procured non-competitively must be authorized in writing by ChildNet's Chief Executive Officer (CEO) prior to the execution of a contract. ChildNet utilizes its Non-Competitive Procurement Form to document authorization and the form is maintained in the contract file. Such purchases will only be made if one of the following situations applies:

1. Emergency contracted purchases are made when necessitated by an immediate danger or imminent need to ensure the safety or well-being of children and families.
2. Exempt Service purchases may be made if the service is determined to be exempt from the competitive solicitation requirements. In acquiring Exempt Services, ChildNet shall consider the ability of the provider, past performance, and their willingness to meet specific programmatic requirements and price. Written authorization of exempt status is maintained in the contract file. The following is a list of exempt services:
 - a. Artistic Services.
 - b. Academic Program Reviews.
 - c. Lectures by Individuals.
 - d. Legal Services, including attorney, paralegal, expert witness, appraisal, or mediator services.
 - e. Health Services involving examination, diagnosis, treatment, prevention, medical consultation, or administration.
 - f. Services provided to persons with mental or physical disabilities by not-for-profit corporations which have obtained exemptions under the provisions of s. 501(c)(3) of the United States Internal Revenue Code or when such services are governed by the provisions of Office of Management and Budget Circular A-122.
 - g. Medicaid services delivered to an eligible Medicaid recipient unless the agency is directed otherwise in law.
 - h. Family placement services
 - i. Prevention services related to mental health, including drug abuse prevention programs, child abuse prevention programs, and shelters for runaways, operated by not-for-profit corporations.
 - j. Training and education services provided to injured employees.
 - k. Services or commodities provided by governmental agencies.
 - l. Statewide public service announcement programs provided by a Florida statewide nonprofit corporation under Section 501(c)(6)
3. Single Source purchases are made because of a service or an agency's specialized or unique characteristic which make the service obtainable from only one source. When purchasing services available from a single source, a description of the services sought will be electronically posted on ChildNet's website for at least seven (7) business days. The posted description includes a request that the prospective respondents provide information regarding their ability to supply the services described. Upon receipt of proposals, ChildNet's CEO makes a determination in writing that the service is only available from a single source and the intent to enter into a single source purchase contract. Examples of circumstances which may necessitate a single source purchase may include, but are not limited to the following:

- a. The item or service is available from only one source within a geographic area.
- b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation
- c. The item or service is protected by patents or copyright.
- d. A court or federal entity or funder has authorized the use of noncompetitive proposals.
- e. After a competitive solicitation of a number of sources, competition is determined to be inadequate.
- f. The item or service requires a supplier with unique skills or experience.

C. Competitive Procurement

Any purchase not covered under the non-competitive procurement guidelines will be competitively procured. Purchases anticipated to be \$250,000.00 or less may be entered under an informal procurement process. Purchases greater than \$250,000.00 will be procured using one of the formal solicitation processes. When determined by ChildNet's CEO that a competitive procurement process is required or desired, ChildNet utilizes methods of procurement including the Small Purchases procedures, Request for Applications (RFA), Request for Proposals (RFP), Invitation to Negotiate (ITN), and Invitations to Bid (ITB) solicitation processes.

Competitive Procurements are conducted in a manner that provides full and open competition and eliminates unfair competitive advantages. ChildNet staff involved in the development or drafting of specifications, requirements and statement of work are excluded from competing for such procurements. Situations considered restrictive of full and open competition may include but not be limited to:

- o Placing unreasonable requirements on firms in order for them to qualify to do business;
- o Requiring unnecessary experience and excessive bonding;
- o Noncompetitive pricing practices between firms or between affiliated companies;
- o Noncompetitive contracts to consultants that are on retainer contracts;
- o Organizational conflicts of interest;
- o Specifying only a "brand name" product to be offered and describing the performance or other relevant requirements of the procurement; and
- o Any arbitrary action in the procurement process.

1. Informal Competitive Procurement

ChildNet's utilizes two (2) informal methods of competitive procurement Small Purchase procedure and Request for Application (RFA).

- a. **Small Purchase** procedures are relatively simple and informally used for securing services that do not cost more than \$150,000.00, the Simplified Acquisition Threshold outlined in 2 CFR 200 for small purchases. If small purchase procedures are used, price or rate quotations must be obtained from a minimum of two (2) qualified sources. A cost analysis is not required.

Request for Applications may only be used for purchases that are for purchases less than \$250,000.00. This solicitation process is utilized when ChildNet seeks to procure a service that qualifies for exempt status, but ChildNet nonetheless desires to procure it through a simplified, competitive process. Cost and service effectiveness are the

main considerations in the selection process. Selection decisions made through this procurement process are not subject to appeal.

2. Formal Competitive Procurement

a. Formal types of procurement include:

- (i) Invitation to Bid (ITB)
- (ii) Invitation to Negotiate (ITN)
- (iii) Request for Proposal (RFP)

b. Formal competitive procurement solicitation documents minimally contain the following information:

- (i) ChildNet avoids procuring unnecessary items and where appropriate, an analysis is made of least and purchase alternatives to determine which would be the most economical and practical procurement.
- (ii) A general description of the nature of the services being sought.
- (iii) The date, time, and location of the first official posting.
- (iv) The date and time for the beginning and the ending of the response period, and a statement that responses must be in writing to be considered.
- (v) A statement encouraging responses from small businesses and organizations, and by minority and women's business enterprises certified as such by the State of Florida.
- (vi) All mandatory contract award and performance criteria.
- (vii) Contract award and performance criteria are desired, but not mandatory.
- (viii) A statement that any contract or agreement with ChildNet will require respondent's performance to be in compliance with all applicable federal and state laws, regulations, agency rules and procedures, and ChildNet policies and procedures.
- (ix) A Conflict of Interest Declaration.
- (x) Anticipated record keeping and reporting requirements.
- (xi) Anticipated outcome measures.
- (xii) The amount of anticipated funding if known, and a statement that actual payment will be contingent on ChildNet's receipt of funding.
- (xiii) A statement that the evaluation process will include consideration of the price, total cost for each year of the contract, including renewal years, as submitted by the respondents.
- (xiv) Anticipated contract renewal timeframes and renewal price for each year for which the contract may be renewed.
- (xv) The Procurement Manager's name, ChildNet's mailing address, phone number and e-mail address.
- (xvi) A statement that all inquiries and protests regarding the competitive procurement announcement or solicitation document must be made in writing to the Procurement Manager and received before a specified deadline.
- (xvii) A statement that contract award will include consideration of the respondent's prior relevant experience.
- (xviii) A date, time, and location for official posting of the contract award.

c. Each procurement solicitation minimally includes the following provisions:

- (i) Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer concerning any aspect of this solicitation, except in writing to the Procurement Manager or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.
- (ii) Convicted Vendors. A person or affiliate placed on the convicted vendor list following a conviction for a public entity crime is prohibited from doing any of the following for a period of 36 months from the date of being placed on the convicted vendor list:
 - 1. submitting a bid on a contract to provide any goods or services to a public entity;
 - 2. submitting a bid on a contract with a public entity for the construction or repair of a public building or public work;
 - 3. submitting bids on leases of real property to a public entity;
 - 4. being awarded or performing work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and
 - 5. transacting business with any public entity in excess of \$3,500.
- (iii) Discriminatory Vendors. An entity or affiliate placed on the discriminatory vendor list pursuant to section 287.134, F. S. may not:
 - 1. submit a bid on a contract to provide any goods or services to a public entity;
 - 2. submit a bid on a contract with a public entity for the construction or repair of a public building or public work;
 - 3. submit bids on leases of real property to a public entity;
 - 4. be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with any public entity; or
 - 5. transact business with any public entity.
- (iv) Pursuant to 2 CFR 200.216, Prohibition on certain telecommunications and video surveillance services or equipment.
 - 1. ChildNet is prohibited from obligating or expending loan or grant funds to:
 - a. Procure or obtain;
 - b. Extend or renew a contract to procure or obtain; or
 - c. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law, 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - i. For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and

- telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
 - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
2. In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.
- (v) Clarifications/Revisions. Prior to contract award, ChildNet reserves the right to seek clarifications or request any information deemed necessary for proper evaluation of submissions from all respondents deemed eligible for Contract award. Failure to provide requested information may result in rejection of the response.
 - (vi) Minor Irregularities/Right to Reject. ChildNet reserves the right to accept or reject any and all bids, or separable portions thereof, and to waive any minor irregularity, technicality, or omission if ChildNet determines that doing so will be in the best interests of ChildNet, the network and its clients. ChildNet may reject any response not submitted in the manner specified by the solicitation documents.
 - (vii) Contracts will be awarded to the responsible and responsive respondent whose proposal is determined to be the most advantageous to ChildNet and its clients, taking into consideration the price and other criteria set forth in the solicitation.
- d. If ChildNet determines that it is advisable to change any substantial element of the advertising or competitive procurement solicitation document after posting, ChildNet will communicate the change to all parties who have already responded and make all changes available on ChildNet's website.
- e. General steps in the procurement process will include, but are not limited to:
- (i) Development of an Advertisement. All solicitations for contractual services are advertised on ChildNet's website and are also posted in the Public Notice section of local newspapers. Advertisement may also include notifying providers of the existence of a posting by use of other methods or other venues advertising business opportunities. Additionally, ChildNet maintains an

electronic procurement notification distribution list that is utilized to notify individuals and organizations of all procurement opportunities.

- (ii) Development of a Procurement Timetable. This minimally includes a solicitation release date, solicitation conference date if applicable, proposal submission deadline date, review dates for rating team, date for announcement of award, projected contract start date and renewal timeframes.
- (iii) Development of a rating tool and scoring guidelines.
- (iv) A solicitation conference may be held to consider questions from potential applicants so that areas of ambiguity may be clarified. All applicant questions and ChildNet responses are posted electronically on ChildNet's website for public access.
- (v) Selection of the rating team members (where applicable). Rating teams may be comprised of ChildNet Board members and ChildNet staff with the most relevant related skills associated with project. The rating team minimally consists of three (3) reviewers.
- (vi) All potential reviewers complete and sign ChildNet's Conflict of Interest Questionnaire Form. Additionally, all ChildNet personnel holding the position of a Director level or higher, regardless of participation in the review panel, also complete and sign such form. No employee, officer, or agent of ChildNet shall participate in the selection, award, or administration of a contract if there is a real or apparent conflict of interest. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an agency considered for a contract. ChildNet's officers, employees, and agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from subcontractors, or parties to subcontracts except for where the financial interest is not substantial or the gift is an unsolicited item of nominal value as outlined in ChildNet's "Conflict of Interest" Policy and Procedure, CN 011.005.
 - a. If a conflict of interest exists with any potential reviewer, that person is prohibited from participating in the review panel and another reviewer is selected.
 - b. If a conflict of interest exists with any person holding a Director level position or higher, that employee and any other employee under such person is prohibited from participating in any part of the procurement process including the review, evaluation, or scoring of proposals and the subsequent negotiation of the contract document.
 - c. If at any time it becomes uncertain as to whether or not a conflict of interest exists, such situation shall be described in writing to ChildNet's Chief Legal Officer for a determination pursuant to ChildNet's "Conflict of Interest" Policy and Procedure, CN 011.005.
- (vii) ChildNet maintains records sufficient to document the rationale for the procurement that includes:
 - 1. Method of procurement;

2. Selection of contract type
 3. Provider selection or rejection; and
 4. Basis for contract price.
- (viii) All rating team members evaluate and score proposals that ChildNet considers for contract award.
- (ix) Recommendations are made based upon the scores from the rating team and consideration of all other relevant factors outlined in the procurement document. Recommendations for contract awards shall be made by the Chief Financial Officer and the Chief Financial Officer and presented to the CEO.

III. Selection of Service Providers

- A. Providers are selected for their capability to meet the needs of ChildNet and its clients in the most economical and efficient manner possible. Contract awards from competitive solicitations are made to the service provider whose proposal is determined by ChildNet's CEO to be the most advantageous to ChildNet and its clients. The CEO will review and certify the decision in writing and at a minimum the following is taken into consideration during the decision process:
1. Adequate financial resources to operate the contracted program or the ability to obtain them.
 2. Ability to meet the specifications or conditions of the program at a reasonable cost.
 3. Ability to meet performance goals.
 4. A satisfactory record of past performance, including demonstrated quality.
 5. A satisfactory record of business ethics and fiscal accountability.
 6. The necessary organization, experience, accounting and operational controls, and the technical skills to perform the required work.
 7. Consideration of the total cost for each year of the contract including renewal years, as submitted by the provider.
- B. For related party transactions, ChildNet prohibits any conflicts of interest among the Lead Agency, its staff, its board of directors, and its subcontractors. Additionally, ChildNet may not enter into a contract with a related party for officer-level or director-level staffing to perform management functions as defined in its Contract with the Department of Children and Families.
- C. Posting of all awards is done on ChildNet's website according to the timetable established in the solicitation document. Notice of Awards are posted for a minimum of 72 hours (Excluding Saturday, Sunday, State Holidays).
- D. Contracted providers must comply with the various state and federal laws, Florida administrative rules and performance measures noted in the contract agreements. Additionally, all contracts, including small purchases, awarded by ChildNet, shall contain the following provisions as applicable.
1. Equal Employment Opportunity - All contracts, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as



- amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
2. Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended - Contracts and subgrants of amounts in excess of \$100,000, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall contain a provision that requires the recipient to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
 3. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contacts for an amount above \$100,000, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall include a certification by the contracting parties that they have not and will not use Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. and to further require disclosure of any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.
 4. Debarment and Suspension - If this Subcontract contains \$25,000 or more of federal funds, provider shall comply with Executive Order 12549, Debarment and Suspension, signed February 18, 1986, and published in the May 29, 1987 Federal Register (52 Fed. Reg., pages 20360 - 20369).
- E. Providers will be screened to ensure they have at a minimum: current insurance, licensure, tax identification, and any other document or qualification that ChildNet deems necessary to provide the requested service, before ChildNet issues a contract or agreement. This shall be done through ChildNet's credentialing and application process as referenced in section IV. A.
- F. ChildNet utilizes the following language and processes providing recourse to any bidders who desire to protest an award:
1. The following language is included in all formal competitive procurement solicitations:
 - a. All bidders have the right to protest the award. Parties wishing to protest a contract award shall file a notice of protest in writing to ChildNet's Procurement Manager within 72 hours after the award is posted on ChildNet's website. The formal written protest shall be filed within 10 days calendar days after the date the notice of protest is filed.
 - b. When protesting a decision, the protesting party must post a bond equal to one percent (1%) of the estimated contract amount. The estimated contract amount shall be based upon the contract price submitted by the protestor. If no contract price was submitted, ChildNet shall provide the estimated contract amount to the protestor within 48 hours of the receipt of the protest notice (excluding Saturdays,

Sunday, and State Holidays). Failure to file the proper bond at the time of filing the formal written protest will result in a rejection of the protest. In lieu of a bond, ChildNet will accept a cashier's check, official bank check, or money order in the amount of the bond.

- c. Upon receipt of the formal written protest and 1% bond, all negotiations with the selected service provider (s) ceases until the protest is resolved.
2. The Procurement Manager will provide the protest information to ChildNet's CEO to be reviewed with ChildNet's Senior Management committee. This committee will investigate the complaint and issue a written finding and resolution to the protesting party. This protest procedure provides recourse to bidders who believe that their proposal did not receive proper consideration. Bidders entering a protest should be prepared to document specific factors, which put the aggrieved bidder at a competitive disadvantage, and/or document violations of specific sections of state or federal regulations and the procedures set forth in the respective competitive procurement solicitation document. ChildNet reserves the right to refuse to consider an appeal that does not identify specific procedural shortcomings.

IV. Subcontracting and Credentialing Process

- A. ChildNet requires any individual or organization wishing to hold formal network status with ChildNet to undergo an application and credentialing process. The written application requests program information from organizations to ensure that continuity of care can be established. The application also requires independent practitioners to submit information to assess and confirm their appropriate qualifications. The basic steps of the credentialing process are as follows:
 1. The individual or organization completes and submits ChildNet's Network Provider Application Forms, documenting where applicable their service or program description, their service experience, licensure and accreditation; education and training, professional references, pending litigation or professional liability actions, and liability insurance coverage. An Affidavit of Service Provider Standards form must also be submitted by the individual or organization enabling ChildNet to determine whether or not approval must be granted by the Department of Children and Families prior to any subcontracting with such individual or organization.
 2. All individuals and/or organizations must also complete a Conflict of Interest Disclosure Form. The Conflict of Interest Disclosure Form is reviewed and evaluated as part of the above evaluation process in order to become a Network Provider. All Network Providers must ensure that business conducted on behalf of ChildNet be done in a manner which is impartial and always maintains the best interest of the children and families served. Network Providers are required to have a process for employees to disclose any and all relationships that exists with services being managed or provided through ChildNet.
 3. ChildNet's Contract Management staff review the Network Provider Application Form for completeness and verify documentation (i.e., copy of current license(s) and accreditation(s), copy of proof of insurance, reference checks). This review and verification process includes gathering public information to confirm the submitted documentation as well as reviewing any external monitoring reports from other funding entities.

4. In the event that the provider is located outside of ChildNet's geographic area, the service is unique or specialized, there are limited service providers available or if the service is court ordered and will be used on a limited basis, an exception to the above credentialing process can be made on a case-by-case basis. However, the provider will be required to submit proof of licensure and liability insurance and approved by the Director of Service Coordination prior to providing services. Services provided by organizations holding contracts or formal agreements with other funding agencies such as but not limited to State of Florida and County agencies, Community-based Care lead agencies, Managing Entities or accredited organizations shall be exempt from the credentialing process. However, each agency shall be required to provide proof of current contract and/or accreditation with the respective accrediting body (i.e., Council on Accreditation, The Joint Commission, and Commission on Accreditation of Rehabilitation Facilities).
 5. The Chief Financial Officer or designee approves and signs all Network Providers application forms allowing the individual or organization to hold formal network status. If an application is denied, the reason for the denial is documented on the form and sent by certified mail to the applicant notifying them of the denial.
 6. A Network Provider file is kept which contains the approved or denied application form and all application documents and relevant licenses.
 7. All applicants have the right to appeal the denial of an application to hold formal network status with ChildNet. Individuals or organizations wishing to appeal such denial shall file a notice of appeal in writing to ChildNet's CEO within 72 hours after receiving the certified letter notifying them of the denial. The Chief Financial Officer or designee will provide the appeal information to ChildNet's CEO for review with ChildNet's Senior Management committee. This committee will review the appeal information and reason for the denial and issue a written finding and resolution to the appealing individual or organization. ChildNet reserves the right to deny an appeal that does not identify or document violations of specific sections of state or federal regulations.
 8. In order to be re-credentialed as a formal network provider, providers are required as part of the contract renewal process to submit verification of any pertinent changes in the information attested to on the Network Provider Application Form or in the executed contract document. The assigned Contract Manager/Specialist informs the Chief Financial Officer or designee of any problems with re-credentialing. In making a determination about re-credentialing, Contract Management staff may consider utilization information, reviews of site visits, reviews of client complaints/grievances, satisfaction data, and review of all quality assurance and improvement reports.
- B. ChildNet conducts a cost analysis to ensure costs associated with a service provision are allowable, reasonable, necessary, and allocable. The cost analysis is the review and evaluation of each element of cost and at minimum, involves reviewing quotations or pricing structures from other similar service providers or sources to determine their reasonableness. ChildNet staff document an assessment of the appropriateness, necessity, and allocation of the costs.
 - C. A detailed cost analysis is required for any purchase greater than \$100,000.00 annually, although it may be conducted for purchases of a lesser dollar amount if decided upon by

the CEO or designee. A detailed cost analysis involves a documented review/analysis of the Provider's budget and each line item (along with narrative detail of the line item) to determine if the costs are allowable, reasonable, necessary, and allocable. Cost analysis may be performed as part of a formal or informal procurement process as well as any time during the provision amendment or renewal of a current contracted service.

- D. ChildNet utilizes a standard core contract with additional Attachments that collectively make up the contract document. Execution of a contract signifies that both ChildNet and the provider agree to abide by the terms of all applicable laws and procedures as well as the terms and conditions outlined in the Master Services Agreement between ChildNet and the Department of Children and Families. Details of ChildNet's contract elements, guidelines and standards are found in CN Policy 015.004, Contractual Program Standards and Relationships. The process of contract execution includes:
1. ChildNet's contract management staff develop with the provider a contract for the provision of services which will include the scope of services, major program goals, deliverables, method of payment and performance expectations based on outcome measures.
 2. The contract is reviewed by the Chief Financial Officer or designee. All new and renewal contracts which contain substantive changes as determined by the Chief Financial Officer or designee are submitted to the Chief Legal Officer for review.
 3. Subrecipient and contractor determination. Pursuant to 2 CFR 200.331, on a case-by-case basis, it is determined whether each contract with the disbursement of federal funds casts the party receiving the funds in the role of a subrecipient or a contractor.
 4. The provider agency signs the contract.
 5. Upon receipt from the provider, the contract is re-submitted to General Counsel or designee for final review.
 6. The contract is presented to ChildNet's CEO for execution.
- E. Every contract is supported by a contract file containing documentation which records and justifies ChildNet's decisions in the procurement of the service. Contract files are maintained in accordance with ChildNet's Policy and Procedure CN 015.003, Contract File Management. All pertinent information relating to the contract is maintained in the contract file regardless of the method of procurement. The files are maintained for a minimum of six years following termination of a contract, or pursuant to applicable law. If an audit has been initiated and audit findings have not been resolved at the end of six years, the records must be retained until resolution of the audit.

President's Signature: _____

Date: _____