



**DISTRICT OF COLUMBIA DEPARTMENT OF MENTAL HEALTH
CONTRACTS AND PROCUREMENT SERVICES
609 H STREET, NE, 4TH FLOOR, WASHINGTON, DC 20002
PHONE: (202) 671-3171 ♦ FAX: (202) 671-3395**

July 10, 2012

**PSYCHIATRIC CRISIS BEDS SERVICES
REQUEST FOR PROPOSAL (RFP)
AMENDMENT NUMBER TWO (2) – RM-13-RFP-097-CSB-000-BY4-SC**

TO ALL PROSPECTIVE OFFERORS:

The above-reference Request for Proposals (RFP) is hereby amended as follows:

SECTION J.8:

Please ADD and INCLUDE in your RFP submission the attached “**Bidder/Offeror Certification Form**” which originally was omitted from RFP. Effective on November 16, 2011 this document was made mandatory by the DC Office of the Attorney General for use in determining whether a prospective contractor is responsible. Section 302 of the Procurement Practices Reform Act (PPRA) requires that all contracts that exceed \$100,000.00, prospective bidder/offeror must submit this form as part of the requirement. The web link to the Bidder/Offeror Certification form is attached for your convenience. In addition, web link for the PPRA Act is also attached for your review.

Bidder/Offeror Certification Form

<http://ocp.dc.gov/DC/OCP/Vendor+Support+Center/Solicitation+Attachments/Solicitation+Attachments>

PPRA Act

<http://ocp.dc.gov/DC/OCP/e-Library/Procurement+Practices+Reform+Act+of+2010>

The purpose of following information being provided is to help prospective bidder/offeror who have a need to fulfill a 35% CBE utilization requirement based upon the Total Value exceeding \$250, 000.00 for a given project, to search for responsible subcontractors. Click on the following link, and on the left side of page, select “Doing Business in the District of Columbia,” scroll down list, select “Request for CBE Firms Listing,” this shall take bidders/offerors to a form (see attached) to complete and submit on line to begin a search. Request may take up to 24-72 hours depending on the scope of work categories needed. Subcontracting information may also be obtained from the above link for the Bidder/Offeror Certification Form. **<http://dslbd.dc.gov>**

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED

Only one copy of this amendment is being sent to potential Offerors. Offerors shall sign below and attach a signed copy of this amendment to each proposal to be submitted to the place specified for receipt of proposals. Proposals shall be mailed or delivered in accordance with the instructions provided in the original RFP document. In the event your proposal has been previously deposited with the Department of Mental Health, Contracts and Procurement Services (DMH/CPS), submit this amendment in a sealed envelope, identified on the outside by the RFP number and submission date. This amendment together with your Proposal must be received by the DMH/OCP no later than the date and time for closing.

Failure to acknowledge receipt of Amendment Two (2) for solicitation #RM-13-RFP-097-CSB-000-BY4-SC may be cause for rejection of any proposal submitted in response to the subject RFP.

Signed:


Samuel J. Feinberg, CPPO, CPPB
Director, Contracts and Procurement
Agency Chief Contracting Officer

Amendment Number Two (2) is hereby acknowledged and is considered a part of the Proposal for RM-13-RFP-097-CSB-000-BY4-SC.

Signature of Authorized Representative

Date

Title of Authorized Representative

**OFFICE OF CONTRACTING AND PROCUREMENT
 BIDDER/OFFEROR CERTIFICATION FORM**

COMPLETION

The person(s) completing this form must be knowledgeable about the bidder's/offeror's business and operations.

RESPONSES

Every question must be answered. Each response must provide all relevant information that can be obtained within the limits of the law. Individuals and sole proprietors may use a Social Security number but are encouraged to obtain and use a federal Employer Identification Number (EIN). Provide any explanation at the end of the section or attach additional sheets with numbered responses. Include the bidder's/offeror's name at the top of each attached page.

GENERAL INSTRUCTIONS

This form contains four (4) sections. Section I concerns the bidder's/offeror's responsibility; Section II includes additional required certifications; Section III relates to the Buy American Act (if applicable); and Section IV requires the bidder's/offeror's signature.

SECTION I. BIDDER/OFFEROR RESPONSIBILITY CERTIFICATION

Instructions for Section I: Section I contains eight (8) parts. Part 1 requests information concerning the bidder's/offeror's business entity. Part 2 inquires about current or former owners, partners, directors, officers or principals. Part 3 relates to the responsibility of the bidder's/offeror's business. Part 4 concerns the bidder's/offeror's business certificates and licenses. Part 5 inquires about legal proceedings. Part 6 relates to the bidder's/offeror's financial and organizational status. Part 7 requires the bidder/offeror to agree to update the information provided. Part 8 relates to disclosures under the District of Columbia Freedom of Information Act (FOIA).

PART 1 - BIDDER/OFFEROR INFORMATION

| | | |
|--|-----------------------|--------|
| Legal Business Entity Name: | Solicitation #: | |
| Address of the Principal Place of Business (street, city, state, zip code) | Telephone # and ext.: | Fax #: |
| Email Address: | Website: | |

Additional Legal Business Entity Identities: If applicable, list any other DBA, Trade Name, Former Name, Other Identity and EIN used in the last five (5) years and the status (active or inactive).

| Type: | Name: | EIN: | Status: |
|-------|-------|------|---------|
| | | | |
| | | | |

1.1 Business Type (Please check the appropriate box and provide additional information if necessary.):

| | |
|---|--|
| <input type="checkbox"/> Corporation (including PC) | Date of Incorporation: |
| <input type="checkbox"/> Joint Venture | Date of Organization: |
| <input type="checkbox"/> Limited Liability Company (LLC or PLLC) | Date of Organization: |
| <input type="checkbox"/> Nonprofit Organization | Date of Organization: |
| <input type="checkbox"/> Partnership (including LLP, LP or General) | Date of Registration or Establishment: |
| <input type="checkbox"/> Sole Proprietor | How many years in business?: |
| <input type="checkbox"/> Other | Date established?: |

If "Other," please explain:

1.2 Was the bidder's/offeror's business formed or incorporated in the District of Columbia? Yes No

If "No" to Subpart 1.2, provide the jurisdiction where the bidder's/offeror's business was formed or incorporated. Attach a Certificate or Letter of Good Standing from the applicable jurisdiction and a certified Application for Authority from the District, or provide an explanation if the documents are not available.

State _____ Country _____

1.3 Please provide a copy of each District of Columbia license, registration or certification that the bidder/offeror is required by law to obtain (other than those provided in Subpart 1.2). If the bidder/offeror is not providing a copy of its license, registration or certification to transact business in the District of Columbia, it shall either:

- (a) Certify its intent to obtain the necessary license, registration or certification prior to contract award; or
- (b) Explain its exemption from the requirement.

PART 2 - INDIVIDUAL RESPONSIBILITY

Additional Instructions for Section 1, Parts 2 through 3: Provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).

Within the past five (5) years, has any current or former owner, partner, director, officer, principal or any person in a position involved in the administration of funds, or currently or formerly having the authority to sign, execute or approve bids, proposals, contracts or supporting documentation on behalf of the bidder/offeror with any government entity:

| | |
|---|--|
| 2.1 Been sanctioned or proposed for sanction relative to any business or professional permit or license? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.2 Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.3 Been proposed for suspension or debarment? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.4 Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.5 Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or plea bargain for: (a) Any business-related activity; or (b) Any crime the underlying conduct of which was related to truthfulness? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.6 Been suspended, cancelled, terminated or found non-responsible on any government contract, or had a surety called upon to complete an awarded contract? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Please provide an explanation for each "Yes" in Part 2.

PART 3: BUSINESS RESPONSIBILITY

Within the past five (5) years, has the bidder/offeror:

| | |
|---|--|
| 3.1 Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal, District or state statutes? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.2 Been proposed for suspension or debarment? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.3 Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.4 Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or plea bargain for: (a) Any business-related activity; or (b) Any crime the underlying conduct of which was related to truthfulness? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.5 Been disqualified or proposed for disqualification on any government permit or license? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.6 Been denied a contract award or had a bid or proposal rejected based upon a non-responsibility finding by a government entity? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.7 Had a low bid or proposal rejected on a government contract for failing to make good faith efforts on any Certified Business Enterprise goal or statutory affirmative action requirements on a previously held contract? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.8 Been suspended, cancelled, terminated or found non-responsible on any government contract, or had a surety called upon to complete an awarded contract? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Please provide an explanation for each "Yes" in Part 3.

PART 4: CERTIFICATES AND LICENSES

Within the past five (5) years, has the bidder/offeror:

| | |
|---|--|
| 4.1 Had a denial, decertification, revocation or forfeiture of District of Columbia certification of any Certified Business Enterprise or federal certification of Disadvantaged Business Enterprise status for other than a change of ownership? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--|

Please provide an explanation for "Yes" in Subpart 4.1.

4.2 Please provide a copy of the bidder's/offeror's District of Columbia Office of Tax and Revenue Tax Certification Affidavit.

PART 5: LEGAL PROCEEDINGS

Within the past five (5) years, has the bidder/offeror:

| | |
|--|--|
| 5.1 Had any liens or judgments (not including UCC filings) over \$25,000 filed against it which remain undischarged? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|--|--|

If "Yes" to Subpart 5.1, provide an explanation of the issue(s), relevant dates, the Lien Holder or Claimant's name, the amount of the lien(s) and the current status of the issue(s).

| | |
|---|--|
| 5.2 Had a government entity find a willful violation of District of Columbia compensation or prevailing wage laws, the Service Contract Act or the Davis-Bacon Act? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--|

| | |
|---|---|
| 5.3 Received any OSHA citation and Notification of Penalty containing a violation classified as serious or willful? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Please provide an explanation for each "Yes" in Part 5. | |
| PART 6: FINANCIAL AND ORGANIZATIONAL INFORMATION | |
| 6.1 Within the past five (5) years, has the bidder/offeror received any formal unsatisfactory performance assessment(s) from any government entity on any contract? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If "Yes" to Subpart 6.1, provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s). | |
| 6.2 Within the past five (5) years, has the bidder/offeror had any liquidated damages assessed by a government entity over \$25,000? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If "Yes" to Subpart 6.2, provide an explanation of the issue(s), relevant dates, the government entity involved, the amount assessed and the current status of the issue(s). | |
| 6.3 Within the last seven (7) years, has the bidder/offeror initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If "Yes" to Subpart 6.3, provide the bankruptcy chapter number, the court name and the docket number. Indicate the current status of the proceedings as "initiated," "pending" or "closed". | |
| 6.4 During the past three (3) years, has the bidder/offeror failed to file a tax return or pay taxes required by federal, state, District of Columbia or local laws? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If "Yes" to Subpart 6.4, provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount the bidder/offeror failed to file/pay and the current status of the tax liability. | |
| 6.5 During the past three (3) years, has the bidder/offeror failed to file a District of Columbia unemployment insurance return or failed to pay District of Columbia unemployment insurance? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other |
| If "Yes" to Subpart 6.5, provide the years the bidder/offeror failed to file the return or pay the insurance, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s). | |
| 6.6 During the past three (3) years, has the bidder/offeror complied with any payment agreement with the Internal Revenue Service, the District of Columbia Office of Tax and Revenue and the Department of Employment Services | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If "Yes" to Subpart 6.6, provide the years the bidder/offeror failed to comply with the payment agreement, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s). | |
| 6.7 Indicate whether the bidder/offeror owes any outstanding debt to any state, federal or District of Columbia government. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If "Yes" to Subpart 6.7, provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s). | |
| 6.8 During the past three (3) years, has the bidder/offeror been audited by any government entity? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| (a) If "Yes" to Subpart 6.8, did any audit of the bidder/offeror identify any significant deficiencies in internal controls, fraud or illegal acts; significant violations of provisions of contract or grant agreements; significant abuse; or any material disallowance? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| (b) If "Yes" to Subpart 6.8(a), provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s). | |
| PART 7: RESPONSE UPDATE REQUIREMENT | |
| 7.1 In accordance with the requirement of Section 302(c) of the Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-353.02), the bidder/offeror shall update any response provided in Section I of this form during the term of this contract: (a) Within sixty (60) days of a material change to a response; and (b) Prior to the exercise of an option year contract. | |
| PART 8: FREEDOM OF INFORMATION ACT (FOIA) | |
| 8.1 Indicate whether the bidder/offeror asserts that any information provided in response to a question in Section I is exempt from disclosure under the District of Columbia Freedom of Information Act (FOIA), effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code §§ 2-531, et seq.). Include the question number(s) and explain the basis for the claim. (The District will determine whether such information is, in fact, exempt from FOIA at the time of request for disclosure under FOIA.) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

SECTION II- ADDITIONAL REQUIRED BIDDER/OFFEROR CERTIFICATIONS

Instructions for Section II: Section II contains three (3) parts. Part 1 requests information concerning District of Columbia employees. Part 2 applies to the bidder/offeror's pricing. Part 3 relates to equal employment opportunity requirements.

PART 1- DISTRICT EMPLOYEES NOT TO BENEFIT

The bidder/offeror certifies that:

1.2 No person listed in clause 13 of the Standard Contract Provisions, "District Employees Not To Benefit", will benefit from this contract.

1.3 The following person(s) listed in clause 13 of the Standard Contract Provisions may benefit from this contract. (For each person listed, attach the affidavit required by clause 13.)

(a) _____

(b) _____

PART 2- INDEPENDENT PRICE DETERMINATION REQUIREMENTS

The bidder/offeror certifies that:

2.1 The signature of the bidder/offeror is considered to be a certification by the signatory that:

(a) The contract prices have been arrived at independently without, for the purpose of restricting competition, any consultation, communication or agreement with any bidder/offeror or competitor related to:

- (i) Those prices;
- (ii) The intention to submit a bid/proposal; or
- (iii) The methods or factors used to calculate the prices in the contract.

(b) The prices in this contract have not been and will not be knowingly disclosed by the bidder/offeror, directly or indirectly, to any other bidder/offeror or competitor before bid/proposal opening unless otherwise required by law; and

(c) No attempt has been made or will be made by the bidder/offeror to induce any other concern to submit or not to submit a contract for the purpose of restricting competition.

2.2 The signature on the bid/proposal is considered to be a certification by the signatory that the signatory:

(a) Is the person in the bidder's/offeror's organization responsible for determining the prices being offered in this contract, and that the signatory has not participated and will not participate in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above; or

(b) Has been authorized, in writing, to act as an agent for the following principal in certifying that the principal has not participated, and will not participate, in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above:

[Insert full name of person(s) in the organization responsible for determining the prices offered in this contract and the title of his or her position in the bidder's/offeror's organization]

(i) As an authorized agent, certifies that the principals named in subparagraph 2.2(b) above have not participated, and will not participate, in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above; and

(ii) As an agent, has not participated and will not participate in any action contrary to subparagraphs 2.1(a)(i) through (a)(iii) above.

2.3 If the bidder/offeror deletes or modifies subparagraph 2.1(b) above, the bidder/offeror must furnish with its bid a signed statement setting forth in detail the circumstances of the disclosure.

PART 3- EQUAL OPPORTUNITY OBLIGATIONS

3.1 I hereby certify that I am fully aware of the contents of Mayor's Order 85-85 and the Office of Human Rights' regulations in Chapter 11 of the DCMR, and agree to comply with them while performing this contract.

SECTION III- BUY AMERICAN ACT CERTIFICATION

Instructions for Section III: Section III contains one (1) part which should only be completed if goods are being provided that are subject to the requirements of the Buy American Act.

PART 1- BUY AMERICAN ACT COMPLIANCE

1.1 The bidder/offeror certifies that each end product, except the end products listed below, is a domestic end product (as defined in Paragraph 23 of the Standard Contract Provisions, "Buy American Act"), and that components of unknown origin are considered to have been mined, produced or manufactured outside the United States.

EXCLUDED END PRODUCTS

COUNTRY OF ORIGIN

SECTION IV. CERTIFICATION

Instruction for Section IV: This section must be completed by all bidders/officers.

I, [_____], as the person authorized to sign these certifications, hereby certify that the information provided in this form is true and accurate.

| | | |
|--------|----------------|--------|
| Name: | Telephone #: | Fax #: |
| Title: | Email Address: | |

The District of Columbia government is hereby authorized to verify the above information with appropriate government authorities. Penalty for making false statements is a fine of not more than \$1,000.00, imprisonment for not more than one year, or both, as prescribed in D.C. Official Code § 22-2514. Penalty for false swearing is a fine of not more than \$2,500.00, imprisonment for not more than three (3) years, or both, as prescribed in D.C. Official Code § 22-2513.

100%

Printable Version



DC Department of Small & Local Business Development

**DIVISION OF BUSINESS OPPORTUNITIES AND ACCESS TO CAPITAL
REQUEST FORM
SEARCH FOR CERTIFIED BUSINESS ENTERPRISE (CBE) FIRMS**

Instructions: Use this form if you need to a) fulfill a 35% CBE utilization requirement for a given project or b) your company desires to inform CBE firms about projects, programs, or services for advancing their business opportunities and/or access to capital. Requests may take up to 24-72 hours depending on the desired scope of work categories needed.

1. Date of Request:

2. Requestor Information (Check the option that is applicable and provide the name of the entity

- District Government Agency Requesting Information (if applicable):
- Division/Department requesting Information (if applicable):
- Development Company or Prime Contractor (if applicable):

3. Does this request involve a CBE Agreement with DSLBD?(Check one) Yes No

4. Does this request involve a private sector or federal government business opportunity that does not involve a CBE Agreement? (Check one) Yes No

5. Name and Position of Person Requesting Information:

6. Phone: Email:

7. Project Title:

8. Brief Description of Scope of Work Desired) (e.g. Construction, Masonry, Electrician, or Business Consulting):

Information needed by: Date (MM/DD/YY) and Time (AM/ PM)

ADDITIONAL COMMENTS:

Submit

Go

STAFF USE ONLY:

Date/ Time Form Received: By BOAC Staff: