

Request for Proposals

County of Ventura Area Agency on Aging

Fiscal Year 2023-2024

IIIB Legal Assistance, FAST and HICAP Legal Services



COUNTY of VENTURA
Area Agency on Aging

**Deadline for Required
Letter of Intent to Submit Proposal:
Friday, February 10, 2023 – 5 p.m.**

**Completed Proposals Must Be Received No Later Than:
Sunday, March 6, 2023 – 4 p.m.**

Ventura County Area Agency on Aging (VCAAA)
646 County Square Drive, Suite #100
Ventura, CA 93003-9086
(805) 477-7311
www.vcaaa.org

January 2023

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- Budget Proposal – Title III B*

I. INTRODUCTION

A. Purpose of RFP

By submitting a proposal for funding under the Older Americans Act of 1965, as amended in 2020, you will be indicating your desire and commitment to meet the varied needs of older adults throughout the county. Therefore, it is essential that you understand the philosophy and priorities of the agency issuing this Request for Proposal. The Ventura County Area Agency on Aging (VCAAA) is mandated under the Older Americans Act to establish a comprehensive, coordinated system of services for persons aged 60 and older in its planning and service area (PSA 18), with particular emphasis on reaching those seniors in greatest need due to their age, economic situation, physical or mental condition, racial or ethnic background, or geographic isolation.

VCAAA recognizes that funding for service programs is inadequate to meet the needs of the older adult population. Therefore, applicants for funding will be expected to demonstrate their ability to engage in activities that are in addition to the administration and provision of funded services. Such activities include making maximum use of community resources and volunteers; coordinating with other service agencies to avoid duplication of effort; and providing information about resources available to the elderly. The performance of these and other similar activities described in the Request for Proposal are essential to the success of a comprehensive and coordinated service system. We appreciate your interest in serving our seniors and accepting the challenges that such service entails.

The purpose of this Request for Proposal (RFP) is to solicit bids from qualified public, nonprofit, or for-profit organizations to provide the following services to older adults in Ventura County for the contract period of July 1, 2023, through June 30, 2024. (See Contract Period section for more details about duration of funding and annual renewals.):

OAA Funding Category	Project/Service	Annual Grant Amount*	Catalog of Federal Domestic Assistance (CFDA) Number	Required Local Match**
Title III B: Legal Services	Family Caregiver Resource Center – East Ventura County (i.e., Thousand Oaks, Simi Valley, Moorpark, the portion of Westlake Village in Ventura County, and unincorporated areas of east Ventura County, including Newbury Park)	\$65,000	93.052	10%
Title VII B: FAST Legal Assistance Services	Family Caregiver Resource Center – West Ventura County (i.e., Camarillo, Oxnard, Ventura, Ojai, and unincorporated areas of west Ventura County)	\$6,000	93.041	0%
HICAP Legal Assistance Services	Senior Support Line – Countywide	\$3,000	93.324	0%

*Grant amounts are contingent upon the availability of state and federal monies and may be subject to revision.

**Match can be met with cash and/or in-kind services. Match must be included in the grant application budget.

B. Agency Mission and Vision Statements

VCAAA Mission – The Ventura County Area Agency on Aging’s mission is to serve Ventura County’s aged 60+ population, adults with one or more disabilities (as defined by the Americans with Disabilities Act Amended 2008), and their unpaid caregivers, by:

- Providing leadership in addressing issues that relate to older Californians, adults with disabilities, and their caregivers.
- Developing and maintaining community-based systems of care that provide services, which support independence within California’s interdependent society, and which protect the quality of life of older persons and persons with functional impairments.
- Enhancing and supporting existing community-based service providers systems of care and long-term services and supports; and
- Promoting citizen involvement in the planning and delivery of services for Ventura County’s older population, adults with disabilities, and their caregivers.

This mission shall be accomplished through a network of education, advocacy, problem solving, program planning and funding.

VCAAA Vision – Ventura County Area Agency on Aging (VCAAA) envisions that it will be the focal point of aging in the county, identifiable to seniors and caregivers; a leader in the aging industry that is innovative and responsive to the changing and varied needs of older adults.

C. Agency Background

In 1980, VCAAA was formed as a public agency under the auspices of the County of Ventura. VCAAA, like area agencies on aging nationwide, assesses the needs of older individuals and their informal family caregivers in their Planning and Service Area and develops a variety of services and programs through planning, coordinating, advocating, interagency agreements, information sharing, monitoring, and evaluating. The efforts of the VCAAA and its Advisory Council are directed toward developing a comprehensive and coordinated community-based service delivery system and ensuring access to services.

D. About the Planning and Services Area (PSA 18)

Planning and Service Area (PSA) 18 is a single county planning and service area consisting entirely of Ventura County. Ventura County is one of 58 counties in California. The total area of the county is 2,208 square miles, which includes 1,845 square miles of land and 363 square miles of water. In the state, the county ranks 26th out of 58 in land size. According to Ventura County Public Health¹, the current total population of Ventura County is 860,013, an increase of 3,558 people from FY 2017-2018. An estimated 38.5% of the population speak a language other than English at home. People over the age of 65 make up 14.48% of the population in the county versus 13.69% of the state population. The poverty rate remains around 8% of the total population versus 12% statewide.

There are 10 incorporated cities, and all are in the southern half of the county. Ventura County is known as the “Gold Coast” because of its scenic beauty, fertile lands, and Mediterranean-type climate. Tourists and homebuyers alike enjoy the climate and lifestyle of Ventura County. The principal employment clusters in Ventura County are biotechnology, information technology, agriculture, healthcare services, financial services, and government.

¹ Ventura County Public Health, www.healthmattersinvc.org

II. PROJECT TIMELINE

<u>PROPOSAL TIMELINE</u>	
<p>RFP Packets Available at these locations:</p> <ul style="list-style-type: none"> • Ventura County Area Agency on Aging 646 County Square Drive, Suite 100 Ventura, CA 93003 • VCAAA website: https://www.vcaaa.org/for-providers/grantee-service-tools • Interested parties may request a packet be mailed or emailed to them; however, VCAAA cannot assume responsibility for, nor assure timely delivery of, mailed information. 	February 3, 2023
Mandatory Letter of Intent due via email to alyssa.corse@ventura.org , U.S. mail, or delivered in person (e-mail is preferred)	February 10, 2023, by 5 p.m.
<p>Mandatory Bidders' Conference: An organization planning to apply must send a representative to the Bidders' Conference at 646 County Square Drive, Suite 100, Ventura, CA.</p>	February 17, 2023, at 2 p.m.
Last Day to Submit Questions in Writing via e-mail to alyssa.corse@ventura.org	February 24, 2023, by 5 p.m.
<p>Proposal Applications Due: Applications may be submitted in person, via courier service, or mailed (not recommended) at:</p> <p style="padding-left: 40px;">ATTN: Alyssa Corse Ventura County Area Agency on Aging 646 County Square Drive, Suite 100 Ventura, CA 93003</p> <p>Required for submission: 1 original and 3 copies <i>Applications received after the deadline will not be considered.</i></p>	March 6, 2023, by 4:00 p.m.
VCAAA Task Force to review applications	March 7, 2023
VCAAA Advisory Council Award Approval	March 8, 2023
Applicant Award Notification	March 17, 2023
Deadline for Appeals	March 31, 2023
Contract Mailing (Tentative)	April 28, 2023
Due date for grantees to return executed contracts	June 26, 2023
Start Date of Contract	July 1, 2023

Interested parties are expected to read the entire RFP, submit a Letter of Intent, attend the Bidders' Conference, and submit an Application and Proposal Budget. Application and Budget forms are in the RFP application package, which is separate from this document and can be found on the VCAAA website.

III. GENERAL INFORMATION

A. How to Apply

Interested organizations must complete and submit the application and detailed budget forms associated with this RFP and submit required attachments. Applicants applying for more than one grant MUST submit a separate application and budget for each grant. The RFP and application forms are available the VCAAA website:

<https://www.vcaaa.org/for-providers/grantee-service-tools>

B. RFP Correspondence and Contact Information

All correspondence must be submitted to:

Ventura County Area Agency on Aging
646 County Square Drive, Suite #100
Ventura, CA 93003-9086

Contact: Alyssa Corse, Grants Administrator
Phone: 805-477-7311
E-Mail: alyssa.corse@ventura.org

The grant application and request for proposal (RFP) are available on the VCAAA website <https://www.vcaaa.org/for-providers/grantee-service-tools> by hard copy or via e-mail. The RFP is not available by fax.

C. Minimum Requirements Summary

Any public, nonprofit or for-profit organization may apply. Before contracts can be awarded to for-profit organizations, the VCAAA must receive prior approval from the California Department of Aging (CDA). **Private individuals are not eligible to apply for this grant.** See [Eligible Applicants](#) section for more information.

In addition to meeting deadline for [Notice of Intent](#), attending the [Bidders' Conference](#), and meeting the [Proposal Submission Deadline](#), all applicants must:

1. Have no current or past record of unsatisfactory performance with the County of Ventura or the VCAAA.
2. Have the ability to maintain adequate files and records and meet program administrative and reporting requirements.
3. Have the administrative and fiscal capability to provide and manage the proposed services, including compliance with all applicable laws and maintaining an adequate audit trail.
4. Demonstrate the ability to secure additional funding sources to supplement the grant funding allocated by the County.

D. Mandatory Notice of Intent

Organizations intending to apply for all or a portion of the services described in this RFP must submit a **Notice of Intent** letter to the VCAAA on **Friday, February 10, 2023, by 5 p.m.**, via email, U.S. mail, or delivered in person.

E. Mandatory Bidders’ Conference – Question & Answer Period

A Bidders’ Conference/Grant Workshop will be held **Friday, February 17, 2023, at 2:00 p.m.** Attendance is mandatory for contractors interested in applying for the grant, if held. Applicants must be represented at the Bidders’ Conference unless cancelled due to lack of competition. The workshop is scheduled to be held at the VCAAA offices located at 646 County Square Drive, Suite #100, in Ventura, California, 93003. At the workshop, general information about the grant requirements will be provided to applicants and questions about completing the application will be addressed. Written questions may be submitted up to 24 hours before the meeting to the VCAAA via email to: alyssa.corse@ventura.org. These questions will be addressed at the workshop.

In the interest of fairness to all applicants, VCAAA staff cannot accept verbal questions except at the mandatory Grant Workshop. Questions regarding the RFP posed outside of the Grant Workshop must be submitted in writing and responses to those questions will be posted on the VCAAA website at <https://www.vcaaa.org/for-providers/grantee-service-tools> for all potential applicants to see.

F. Proposal Submission Deadline

All Proposal Packets **must be received** at the address listed in Section I-C **no later than 4:00 p.m. on March 6, 2023.**

Proposals may be mailed or hand-delivered. Postmarks will not be accepted in lieu of actual receipt. Proposal packages sent by fax or e-mail will not be accepted.

G. Terminology

<u>Acronyms</u>	
AAA	Area Agencies on Aging
AC	Advisory Council of the VCAAA
AoA	Administration on Aging (federal government agency)
CDA	California Department of Aging, a state agency
CFDA	Catalog of Federal Domestic Assistance
FCSP	Family Caregiver Support Program – Title III E of the OAA
FCRC	Family Caregiver Resource Center
OAA	Older Americans Act (federal)
PSA	Planning and Service Area (There are 33 PSAs or AAAs in California. VCAAA is PSA 18.)
RFP	Request for Proposal
VCAAA	Ventura County Area Agency on Aging, a unit of County government

<u>Definitions</u>	
Addendum	An amendment or modification to the RFP (request for proposal)
Bid	The proposal submitted by a Bidder on the Bid Form consistent with the instructions to bidders to complete the work for a specified sum of money and within a specified period of time.
Bid Form	Application form
Bidder	A public agency, 501(c)(3) nonprofit corporation or for-profit corporation that submits a qualified Bid for the Work, either directly or through a duly authorized representative.
Contractor	Contractor shall mean any employee, agent, or representative of the contract company used in conjunction with the performance of the contract. For the purposes of this RFP, Contractor and Grantee and Bidder are used interchangeably.
County	County of Ventura and its Ventura County Area Agency on Aging.
Indirect Costs	Costs incurred for a common or joint purpose benefitting more than one cost objective and are not readily assignable to the cost objective specifically benefitted without effort disproportionate to the results achieved.
Matching Contributions	Local cash and/or in-kind contributions by the Applicant subcontractor, or other local resources that qualify as match for the contract funding. Cash and/or in-kind contributions may count as match, if such contributions are used to meet program requirements. Matching contributions must be reported monthly and be verifiable from the records of the Contractor or a subcontractor. Matching contributions must be used for allowable costs in accordance with the Code of Federal Regulations.
Non-Matching Contributions	Local funding that does not qualify as matching contributions and/or is not being budgeted as matching contributions. (e.g., federal funds, overmatch, etc.).
Program Income	Revenue generated by the Contractor or subcontractor from contract-supported activities and may include: <ul style="list-style-type: none"> • Voluntary contributions received from a participant or responsible party as a result of services. • Income from usage or rental fees of real or personal property acquired with grant funds or funds provided under a contract agreement. • Royalties received on patents and copyrights from contract-supported activities. • Proceeds from sale of items fabricated under a contract agreement.

IV. KEY CONTRACT PROVISIONS

A. Eligible Applicants

Organizations currently providing services in Ventura County that are a public agency, 501(c)(3) nonprofit corporation or for-profit corporation are eligible. Priority preference will be given to nonprofit and public agencies. This is because any contract with a for-profit entity must be approved in advance by the California Department of Aging (CDA), which could substantially delay the commencement of the project; and before a contract award, the VCAAA would be required to submit significant written justification to CDA as to why a for-profit entity was selected as the best applicant. No awards will be made to individuals.

NOTE: Priority preference may be given to applicants who have a proven track record (minimum of three years) of providing proposed program services for adults aged 60 and over in Ventura County.

Current Contractors of the VCAAA

A Contractor with one or more other grants continuing into FY 2023-24 is eligible to apply for any services being solicited in this RFP provided that at the time of application the Contractor is (1) in good standing with the VCAAA and is (2) free of any sanctions. The Contractor must be current with all reports and insurance certifications. If the Contractor has been a recipient of a Corrective Action Plan (CAP) during the past twelve months, the Contractor must have satisfied all requirements in the CAP.

Former Contractors of the VCAAA

The reviewing Task Force will be advised if any former contractor submitting an application has a previous history with the VCAAA of noncompliance with contract requirements.

B. Contract Period

The contract period will be July 1, 2023, through June 30, 2024. The Applicant agency must assure that a resolution from the Board of Directors, identifying the person authorized to sign and approve agreements, is on file with VCAAA prior to the release of funds pursuant to this contract. Funding for Title III E and Title III B is contingent upon the availability of federal, state, and local funds. VCAAA reserves the right to annually renegotiate the contract and funding amount with sub-recipients of this funding, contingent upon performance and funding availability, as follows.

Title IIIB Legal Services, Title VIIB and HICAP Legal Assistance: For the initial 12-month funding level in FY 2023-24, and for up to three (3) subsequent contract period, i.e., FY 2024-25, FY 2025-26, and FY 2026-27.

Annual renewals are contingent upon emerging needs, the availability of funds, and satisfactory performance by the Contractor. Annual renewals are not guaranteed; they are at the discretion of the VCAAA and are subject to renegotiation and the availability of

federal, state and local funding. Renewing contractors will be required to submit a renewal application and budget; and to execute a contract or contract amendment. VCAAA reserves the right to reissue a Request for Proposals prior to FY 2023-2024 for Title III E and Title III B services.

C. Grant Funding

The amount and availability of funds for these grants are contingent upon receipt of state and federal monies and may be subject to revision. The amount of grant funds awarded to a Contractor may be renegotiated to reflect any funding additions or reductions that the VCAAA might receive for any fiscal year of the grant cycle.

Funding Sources

The agency receives its primary funding from the federal Older Americans Act (OAA). In California, these funds are distributed among 33 planning and service areas (PSAs) by the California Department of Aging (CDA) to provide programs and services for older adults. The Ventura County Area Agency on Aging is known as PSA 18. The Older Americans Act of 1965 established the federal Administration on Aging (AoA) to oversee the development of programs and services for older people in every community across the nation. Below are the specific funding sources and Catalog of Federal Domestic Assistance (CFDA) numbers for each project service.

Title III E – Family Caregiver Support Programs:

- a. Older Americans Act, Title III E
- b. CFDA Number – 93.052

Title III B – Senior Support Line:

- a. Older Americans Act, Title III B
- b. CFDA Number – 93.044

Required Applicant Match

Applicants must provide a local in-kind and/or cash match of the grant award. The match cannot include federal dollars. The required amounts of match are as follows:

Title III E – Family Caregiver Resource Center: 25% match, cash or in-kind services.

Title III B – Senior Support Line: 10% match, cash and/or in-kind services.

Payments to Contractor

Payment to a Contractor will be done on a reimbursement basis after the Contractor has submitted a Monthly Expenditure Report, Monthly Request for Funds and Monthly Program Report. All payments must be in accordance with the provisions of the grant contract (Agreement) and the “Authorized Total Budget.”

Expenditure of Funds

Contractors are expected to expend all grant funds by the end of the contract period. There is no provision for carryover of unexpended grant funds at the end of the contract period. Unexpended grant funds must be returned to the VCAAA.

D. Service Categories, Units and Number of Unduplicated Clients to Be Served

Applicants are required to complete the application utilizing the service categories, units and number of unduplicated clients specified in the RFP. Please read the [Project Descriptions](#) for more information about each program.

E. Targeting & Outreach

The successful applicant must make a special effort to reach, i.e. “target” specific segments of the population; and may be required to prioritize the delivery of services. Please refer to the section below on [Targeting Priorities](#).

VCAAA Partners and Senior Network

All VCAAA contractors are considered VCAAA Partners in the delivery of services and programs to Ventura County’s older population and their family caregivers. The VCAAA Partners meet in July to review current contract requirements and for VCAAA Contractors Manual training. Additional meetings may be held in the fiscal year as needed. A VCAAA Contractor is automatically a member of the VCAAA Senior Network. The network meets quarterly for networking and information. It is comprised of representatives from the aging services network that serve seniors and family caregivers.

F. Other General Contract Requirements

This RFP has been prepared in compliance with California Code of Regulations Title 22, Division 1.8, California Department of Aging regulations including but not limited to the §7360 Non-competitive Awards, in the event of inadequate competition.

If awarded the grant, the successful applicant must comply with the following requirements:

1. Agreement to Provide Services – Board approval to award a contract is required. An applicant selected for funding will be required to execute an Agreement (contract) prior to commencement of the project. Each applicant is subject to the performance standards stated in the Agreement, which are tied to the requirements listed in the RFP and the application submitted by the Contractor. Accepted grant application (proposal) and RFP specifications become a part of the Agreement (contract) between VCAAA and Contractor/Grantee. VCAAA may negotiate changes to the project narrative and budget, including service categories, to the number of service units, and the number of unduplicated clients, after the RFP selection process is completed and prior to signing the official subcontracts in order to ensure that all program and fiscal requirements are met. After award, if service levels are not being met, then the budget may be reduced to reflect the current levels.
2. Status of Contractor – Contractor agrees that during the terms of their Agreement that they are (1) of sound financial status; (2) have quality control procedures that are sufficient to ensure competent service and maintenance of professional standards. A Contractor that is a private corporation, Joint Powers Agreement (JPA) or private non-profit must be in good standing with the Secretary of State of California and must maintain that status throughout the term of the Agreement.
3. Costs – Costs incurred by the Contractor must be verifiable from the records of the Contractor or subcontractor and must be allowable as outlined in Office of Management and Budget (OMB) circulars and may be cash or in-kind contributions. <https://www.whitehouse.gov/omb/information-for-agencies/circulars/>

4. Use of Funds/Supplanting – Funds cannot be used to pay for any existing services or to replace services that can be provided by another organization or agency or services already in the applicant’s budget. Funds must be used solely to provide a new service or for expansion an existing service. *An applicant that seeks to expand an existing service must clearly explain the methodology for expansion in the application.*
 - *Title IIIB (including VIIA and HICAP) Applicants:* Funds requested must supplement and not supplant any federal, state, or local funds expended by a state or unit of general purpose local government to provide Title III, Title VII, or HICAP Programs.

Publicity – An applicant must include a line item in the project budget to pay for advertising and publicizing the *specific grant-funded program*. The Contractor is responsible for developing and distributing flyers, brochures, press releases, media campaigns, public service announcements, etc. to advertise the specific grant-funded services. In all publicity (brochures, press releases, flyers, public service announcements, posters, etc.) relating to the provision of the grant funded service, the Contractor must acknowledge the funding source with an appropriate statement such as: Funding for this project has been provided by a grant from the Ventura County Area Agency on Aging through the Older Americans Act. Prior to issuing any news release pertaining to this grant award the Contractor must obtain prior written approval from the VCAAA Grants Administrator.
5. Information Integrity and Security – All VCAAA contractors are required to protect from unauthorized disclosure the names and other identifying information of persons receiving grant funded services (except for statistical information that does not identify any client) unless required to do so by court order or under the terms of the Agreement. Contractor is required to use 128-Bit encryption for data collected under this Agreement that is confidential, sensitive, and/or personal information including data stored on all computing devices (including but not limited to, workstations, servers, laptops, personal digital assistants, notebook computers and backup media) and/or electronic storage media (including but not limited to, discs, thumb/flash drives, portable hard drives, and backup media). Contractor agrees to comply with the privacy and security requirements of the Health Insurance Portability and Accountability Act (HIPAA) to the extent applicable to make all reasonable efforts to implement HIPAA requirements.
<http://www.hhs.gov/ocr/privacy/hipaa/understanding/srsummary.html>
6. Licenses – Prior to the commencement of provided grant-funded services, the Contractor must possess all necessary and required licenses, permits, notices and certificates to provide the services stipulated in the Agreement. If using a subcontractor to provide any portion of the services, the Contractor must ensure that the subcontractor also meets this requirement.

7. Participant/Client Contributions – Contractor is required to provide persons receiving services the opportunity to contribute to all or part of the costs of the services provided. Methods used to solicit voluntary contributions shall be non-coercive. Donation letters and all printed materials mentioning donations shall state that contributions are voluntary and are not required to receive the service. No person eligible to receive services will be denied services because of his/her failure to contribute. A means test shall NOT be used by any contractor to provide grant-funded services.

8. Program Income – If program income (e.g., donations) is generated from the grant-funded service, it must be reported in the Monthly Expenditure Request for Funds Report and must be used to expand services and pay for current allowable costs. For programs funded by Title III B, Title III C, Title III D, Title III E, Title VII Ombudsman and Title VII Elder Abuse Prevention programs, program income must be spent *before* contract funds and may reduce the total amount of contract funds payable to Contractor in the month they are reported. Program income may not be used to meet the matching requirements of this contract.

9. Nondiscrimination – Contractor shall comply with all federal and state statutes relating to non-discrimination, including those contained in the Contractor Certification Clauses (CCC1005) which is hereby incorporated by reference, which include, but are not limited to:
 - c. Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et. seq.)
<http://www.eeoc.gov/laws/statutes/titlevii.cfm> , as amended by the Equal Opportunity Act of March 24, 1972 (Public Law 92-261)
<https://www.gpo.gov/fdsys/pkg/STATUTE-86/content-detail.html>
 - d. Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin:
http://www.ssa.gov/OP_Home/comp2/F088-352.html
 - e. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1688), which prohibits discrimination on the basis of sex:
<http://www.dol.gov/oasam/regs/statutes/titleix.htm>
 - f. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicap;
<http://www.dol.gov/oasam/regs/statutes/sec504.htm>
 - g. Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age:
http://www.dol.gov/oasam/regs/statutes/age_act.htm
 - h. Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to non-discrimination on the basis of drug abuse
 - i. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to non-discrimination on the basis of alcohol abuse or alcoholism:
<http://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter60&edition=prelim>
 - j. §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3) as amended, relating to confidentiality of alcohol and drug abuse patient records
 - k. Government Code sections 11135-11139.5:
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=11135;

- Section 98000 et seq. of Title 22 of the California Code of Regulations: <http://ccr.oal.ca.gov/linkedslice/default.asp?SP=CCR-1000&Action=Welcome>, which prohibits recipients of state financial assistance from discriminating against persons based on race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability (22 CCR 98323)(Chapter 182, Stats. 2006);
<http://government.westlaw.com/linkedslice/search/default.asp?tempinfo=find&RS=GVT1.0&VR=2.0&SP=CCR-1000>
 - I. Title VII of the Civil Rights Act of 1968 (42 U.S.C. §§ 43601 et seq.) as amended, relating to nondiscrimination in the sale, rental or refinancing of housing; <https://www.justice.gov/crt/fair-housing-act-2>
 - m. Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and,
 - n. The requirements of any other nondiscrimination statute(s) which may apply to this agreement. Contractor shall comply with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. §§ 12101 et seq.)
<http://www.ada.gov/pubs/ada.htm>
10. Training & Technical Assistance for Contractors – If requested to do so, Contractor agrees to participate in staff training and development programs provided by the Area Agency on Aging, the California Department of Aging, and the Administration on Aging, or any of their agents. If awarded the grant, the VCAAA will be pleased to assist any Contractor needing help with grant-related issues such as forms, outreach, etc.
11. Subcontracting – A Contractor intending to subcontract any services must obtain written permission from the VCAAA in advance. If permission is granted, the Contractor is responsible for making sure that the subcontractor meets performance standards and is in compliance with requirements for insurance, licenses and certifications. The Contractor must monitor the performance of the subcontractor.
12. Independent Contractor – Contractor is an independent contractor and shall hold the VCAAA and the County of Ventura harmless from all claims that may be made against the VCAAA or County of Ventura based upon any contention by any third party that an employer-employee relationship exists. Contractor is solely responsible for its employment, social security, state and Federal income taxes.
13. Equipment – The State shall retain title to all equipment purchased wholly or in part with federal and/or state funds and described as “Equipment” in the Total Authorized Budget of the grant application.
14. Planning Efforts – Contractor agrees to fully cooperate with the VCAAA in any efforts toward developing a comprehensive and coordinated system of services for the elderly. Contractor agrees to participate in joint planning efforts that may include the shared use of grant funded equipment, service coordination and other activities as determined by the VCAAA.

15. Personnel – Contractor agrees to maintain adequate staffing levels to perform the grant funds services specified in the Agreement.
16. Debarment, Suspension and Other Responsibility Matters – Contractor certifies to the best of its knowledge and belief, that it or its agents:
 - Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency.
 - They have not, within a three-year period preceding the grant contract with VCAAA, 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 embezzlements, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - Are not 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 (a)(2) of this certification; and,
 - Have not, within a three-year period preceding the grant contract with VCAAA, had one or more public transactions (federal, state, or local) terminated for cause or default: www.sam.gov/SAM/
17. Living Wage Ordinance – For-profit applicants executing a contract for \$25,000 or more for services in a twelve (12) month period, may be subject to the County of Ventura Ordinance 4233 and 4236, as amended, Chapter 9.5, known as the Living Wage Ordinance. <http://www.ventura.org/government-affairs/living-wage-ordinance>
18. Grievance Procedure for Clients – Contractors are required to establish a written grievance procedure for reviewing and attempting resolve complaints made by older individuals. Complaints may involve the amount or duration of service, denial or discontinuance of a service or dissatisfaction with the service being provided or with the service provider. (22 CFR 7400)
[https://govt.westlaw.com/calregs/Document/I762A2230D4B711DE8879F88E8B0DAAAE?viewType=FullText&originationContext=documenttoc&transitionType=Cate-goryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I762A2230D4B711DE8879F88E8B0DAAAE?viewType=FullText&originationContext=documenttoc&transitionType=Cate-goryPageItem&contextData=(sc.Default))
19. Computer Technology – For compliance and reporting, Contractor must possess or have the ability to purchase the following computer equipment and software (or similar compatible equipment) prior to the start of the grant cycle: PC/IBM compatible; Microsoft Excel and Explorer or Netscape Navigator (email accessibility); 400 MHz operating speed or higher; 64 RAM or higher; CD ROM; and, Windows 95 or higher.
20. Reporting – For the duration of the grant cycle, Contractor is required to have a systematic means of capturing and reporting all required program, service and fiscal data as well as have one or more individuals (staff) assigned to provide this information. At a minimum, the Contractor will be required to submit a monthly program report; a monthly expenditure report/request for funds; a year-end close-

out report; plus complete and submit an annual self-assessment if asked to do so. Forms and more information will be supplied by the VCAAA.

21. “Q” Database Reporting System – Participation will be required of the Title III E Contractor and may be required of the Title III B and contractors, which involves obtaining a Q license (through VCAAA). If an applicant currently does not have a Q license, the cost of the license is approximately \$1,200, while the annual maintenance cost for the license is approximately \$900. Grant funds may be used to purchase the initial license and to pay annual renewal costs. The successful applicant is expected to contact the VCAAA Grants Administrator for more information.
22. Monitoring/Site Visits – A VCAAA staff representative will conduct an onsite monitoring visit at least once a year and a separate fiscal audit. Any Contractor may be subject to site visits by representatives from the California Department of Aging and U.S. Administration on Aging.
23. Coordination – As needed, the Contractor agrees to coordinate services with other agencies to avoid duplication of effort.
24. Emergency Operations or Disaster Management Plan – Contractor agrees to have a written Emergency Operations or Disaster Management Plan that can be activated in a declared emergency and it is updated annually.
25. Project Self-Sufficiency – The policy of the VCAAA is to encourage, to the extent possible, the project self-sufficiency of its contractors. This project should demonstrate a reasonable and adequate plan for becoming self-sufficient when grant funds under this project are no longer available.
26. Compliance with Applicable Laws and Regulations – All agencies making applications for funds will be subject to conformance to all applicable laws and regulations. These shall include, but not be limited to the:
 - a. Older Americans Act of 1965, as amended;
 - b. Mello-Granlund “Older Californians Act” of 1996;
 - c. California Code of Regulations, Title 22 (Social Security), Division 1.8 (California Department of Aging), Chapter 4 (Title III Programs-Program and Service Provider Requirements),;
 - d. Code of Federal Regulations (CFR), Title 45, Part 74 (Administration of Grants);
 - e. OMB Circulars A-87, A-102, A-110, A-122, and A-133;
 - f. Section 15630, Welfare & Institutions Code Reporting Requirements for Elder & Dependent Adult Abuse;
 - g. Federal Civil Rights Act of 1964, 1968 and 1991;
 - h. Rehabilitation Act of 1973; State law contained in W&I Code, Section 9542;
 - i. California Fair Employment and Housing Act;
 - j. Federal, State and County and regulations applicable to Affirmative Action and Sexual Harassment;
 - k. VCAAA Contractors Manual;
 - l. CDA Program Memos available at www.aging.ca.gov/pm;
 - m. Americans with Disabilities Act of 1990, Sections 503 and 505: <http://www.ada.gov/pubs/ada.htm>;

- n. All federal and state statutes relating to non-discrimination, as itemized in the Non-Discrimination list item above.

VCAAA's Contractor Manual, the VCAAA's Policies and Procedures Manual, contractor reporting and assessment procedures, and other informational materials are also available for review at the VCAAA office.

27. *Distribution of Services During the Fiscal Year* – Contractor is expected to provide services over the entire fiscal period of each grant that is specified in the Agreement. This may require the Contractor to maintain a waiting list.
28. *Security Awareness Training* – All employees and volunteers of the Contractor who handle personal, sensitive or confidential client or grant related information are required to annually complete the CDA's Security Awareness Training. Training must be completed within 30 days of the start of the contract and within 30 days of any new employee's or volunteer's start date. The training module is online at <http://www.aging.ca.gov/ProgramsProviders/#Resources>. (The training takes about five minutes and is a Power Point presentation that can be downloaded.) Upon completion of the training, the trainee should print a Certificate of Completion. ***The Contractor must maintain Certifications of Completion on file and provide them to the VCAAA upon request.*** The Contractor may substitute the California Department of Aging's Security Awareness Training program with its own Security Training provided such training meets or exceed CDA's training requirement. VCAAA must approve any substitute training beforehand.
29. *Inquiries and Complaints Regarding National Origin* – Contractor must designate an employee to whom initial complaints or inquiries regarding national origin can be directed. The name of the individual shall be provided to the VCAAA's Grants Administrator within 30 days of this contract being in effect. Any subsequent changes in the designation must be reported as soon as possible. Complaints relating to national origin discrimination shall be handled by the Contractor. If the complaint is not resolved the complainant shall be provided with the name and phone number of the person of the VCAAA who handles complaints regarding national origin. Christine Voth is the designated staff person at the VCAAA who handles these types of complaints and can be reached at (805) 477-7300. If a complaint is made by a program participant alleging discrimination based upon a violation of State of Federal Law (22 CCR 98211, 98310, 98340), the Contractor agrees to notify the VCAAA immediately.
<http://government.westlaw.com/linkedslice/search/default.asp?tempinfo=find&RS=GVT1.0&VR=2.0&SP=CCR-1000>
30. *Insurance Requirements* – The County of Ventura requires that all contractors (grantees) indemnify and defend the County for liability incurred as a result of actions associated with the proposed project, and carry insurance as required for the proposed contract. Contractor, at its sole cost and expense, shall obtain and maintain in full force during the term of this agreement, adequate liability insurance to cover all activities of Grantee necessary to fulfill Grantee's obligations under this Agreement. It is understood and agreed that the Area Agency reserves the right to

determine the type and extent of insurance that may be required. Prior to commencement of any contract, contractor shall provide the VCAAA proof of the following insurance:

- 1) Commercial General Liability “occurrence” coverage in the minimum amount of \$1,000,000 combined single limit (CSL) bodily injury & property damage each occurrence and \$2,000,000 aggregate, including personal injury, broad form property damage, products/completed operations, broad form blanket contractual and \$50,000 fire legal liability.
- 2) Commercial Automobile Liability coverage in the minimum amount of \$1,000,000 CSL bodily injury & property damage, including owned, non owned, and hired automobiles. Also to include Uninsured/Underinsured Motorists coverage in the minimum amount of \$100,000 when there are owned vehicles. Contractor must have on file evidence of auto insurance in the minimum amount of \$100,000 CSL bodily injury & property damage for all employees and volunteers associated with the contract.
- 3) Workers’ Compensation coverage, in full compliance with California statutory requirements, for all employees of Contractor and Employer's Liability in the minimum amount of \$1,000,000.
- 4) Professional Liability coverage in the minimum amount of \$1,000,000 each occurrence and \$2,000,000 aggregate. Does not apply to all contractors.

V. TARGETING PRIORITIES – ALL CONTRACTORS

While all persons age 60 and older are eligible to receive Older Americans Act (OAA) services, the Older Californians Act (OCA) and the California Code of Regulations, Article 3, Section 7310 (CCR.3§7310) require that specific segments of the population be “targeted” as having priority for services funded or provided by the VCAAA. The successful applicant will be required to target these populations when delivering grant-funded services. The targeted populations are as follows:

- Older individuals² with the greatest economic need (i.e., an income level at or below the federal poverty line), with particular attention to low-income minority individuals;
- Older individuals with the greatest social need with particular attention to low-income minority individuals. Social need is caused by non-economic factors, including:
 - Physical and mental disabilities, especially severe disabilities;
 - Language barriers, which include limited English-speaking ability among older adults;
 - Cultural, social or geographical isolation including isolation caused by (1) racial or ethnic status that: (a) restricts the ability of an individual to perform normal daily tasks, or (b) threatens the capacity of the individual to live independently; and (2) isolated, abused, neglected and/or exploited older individuals.
- Older Native Americans (aged 45 and older)
- Older individuals who reside in rural areas
- Older individuals at risk for institutional placement
- Family or informal (unpaid) caregivers
- Older individuals with Alzheimer’s disease or related disorders with neurological and organic brain dysfunction and their caregivers.

Greatest Social Need

A social need is the result of non-economic factors such as physical and mental disabilities, language and cultural barriers, social isolation and/or racial and ethnic status. They restrict a person’s ability to perform normal daily tasks or threaten his/her capacity to live independently. A senior is in greatest social need if the individual has two (2) or more of the following characteristics: is physically and/or mentally disabled, has a language or communication barrier, lives alone, or is aged 75 or older.

Greatest Economic Need

Any person 60 years of age or older whose income level is estimated to be at or below the current Department of Health and Human Services guidelines for the federal poverty level (<http://aspe.hhs.gov/poverty-guidelines>), which are shown in the following table:

² Older individuals = Non-Native Americans aged 60 and older; and Native Americans aged 45 and older.

NOTE: The poverty guideline figures below are NOT the figures the Census Bureau uses to calculate the number of poor persons. The figures that the Census Bureau uses are the poverty thresholds.

<u>2022 Poverty Guidelines for the 48 Contiguous States and the District of Columbia</u>	
Persons in Family/Household	Poverty Guideline
1	\$13,590
2	\$18,310
3	\$23,030
4	\$27,750
5	\$32,470
6	\$37,190
7	\$41,910
8	\$46,630
For families/households with more than 8 persons, add \$4,720 for each additional person.	

Source: <http://aspe.hhs.gov/poverty-guidelines>

PSA 18 Population Growth Projections

The California Department of Finance projects that over the next several decades (2010 – 2060) that Planning and Service Area 18 will experience an increase of 67% in the 60-and-older population, while the total population will increase at a much slower rate of 14%.³ Looking only at the fiscal years this RFP addresses (2023-2423), the rate of increase for the senior population in PSA 18 is projected at 9%, while the total population is expected to increase by only 1%.

PSA 18 Population Growth Projections (2023-2027)			
Ventura County (PSA 18)	2023	2027	% Increase
60+ Population	218,769	239,250	9%
Total Population	853,957	865,185	1%

Source: Projections Prepared by Demographic Research Unit, California Department of Finance, January 2018

As this baby boomer population continues to age, the need for services to support seniors in Ventura County is essential to their health and the health of our communities.

Limited English-Speaking Participants – Contractor agrees to provide the VCAA with the following information regarding program participants: number or proportion of limited English-speaking (LEP) persons likely to be encountered by the program, frequency that LEP individuals come in contact with the program, nature and importance of the services provided to people’s lives. *Contractor shall take reasonable steps to ensure that*

³ California Department of Finance, Total Estimated and Projected Population for California Counties: July 1, 2010 to July 1, 2060 in 1-year Increments, Retrieved, February 26, 2019:
http://www.dof.ca.gov/Forecasting/Demographics/projections/documents/P2_Age_1yr_Nosup_interim.xlsx

“alternative communication services” are available to non-English speaking or LEP beneficiaries of services under this Agreement. “Alternative communication services” include, but are not limited to, the provision of services and programs by means of the following: interpreters or bilingual providers and provider staff, contracts with interpreter services, use of telephone interpreter lines, sharing of language assistance materials and services with other providers, translated written information materials, including but not limited to, enrollment information and descriptions of available services and programs and referral to culturally and linguistically appropriate community service programs.

Services to Lesbian, Gay, Bisexual and Transgender Older Adults⁴

All Contractors must ensure that programs and services are available to all older adults regardless of sexual orientation and gender identity. Evaluation of outreach efforts to gay, lesbian, bisexual, and transgender older adults will be included in the VCAAA contract monitoring requirements.

VI. PROPOSAL EVALUATION AND SELECTION PROCESS

A. Evaluation Process

All proposals will be subject to an initial review by VCAAA staff to determine if the proposal is complete, presented in the required format, and in compliance with all the RFP requirements. Failure to meet all these requirements may result in a rejected proposal. No proposal shall be rejected because of an irregularity, defect or variation, if the irregularity, defect or variation is considered by VCAAA to be immaterial or inconsequential. In such cases, the applicant will be notified of the deficiency and given an opportunity to correct the irregularity, defect, or variation, or VCAAA may elect to waive the deficiency and accept the proposal.

All compliant proposals will be reviewed and rated by a Task Force comprised of members of VCAAA’s Advisory Council and/or other qualified reviewers. The Task Force will consider all applications for provision of services described in this RFP. Preference may be given to contractors submitting responsive proposals who are already operating well-established programs within their communities. The Task Force will submit recommendations for contract awards to the full Advisory Council. Proposals that are incomplete or received after the deadline will be treated as non-responsive to the RFP. Proposals responsive to the RFP will be evaluated and ranked in accordance with the

⁴ Pursuant to the Older Californians Equity and Protection Act, AB 2920 and the Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act, AB 959

evaluation criteria shown below.

B. Evaluation Criteria

All submissions will be evaluated to determine if they meet the following requirements:

1. The submission is complete, in the required format, and in compliance with all the requirements of this RFP.
2. Prospective Contractor (or Vendor) meets the requirements as stated in the Minimum Requirements as outlined in [Section III-C](#).
3. Services and costs included are reasonable and meet the requirements as stated in this RFP.

Proposals meeting the above requirements will be evaluated on the basis of the following criteria:

EVALUATION CRITERIA ASSESSED BY TASK FORCE	
<i>Based upon contents of the bid/application, the AC Task Force shall award points based on the criteria shown below.</i>	Points
SECTION 1 – Organizational Capacity: Applicant has the capacity to provide the services and meet all requirements in the RFP, as evidenced by responses to the RFP’s specifications. The applicant organization must be based in Ventura County.	0 to 25
SECTION 2 – Fiscal: Applicant’s budget is appropriate for the services specified in the RFP. There is no evidence of supplanting. Indirect costs, if applicable, do not exceed 8% of the grant funds. Applicant demonstrates sound fiscal management and is financially secure.	0 to 15
SECTION 3 – Staffing: Applicant currently has or can enlist appropriate staff and volunteers (if applicable) to provide the service and effectively manage and train staff and volunteers (if applicable).	0 to 20
SECTION 4 – Service Delivery: Applicant demonstrates a full understanding of the project and services being requested in the RFP.	0 to 15
SECTION 5 – Targeting and Public Relations: Applicant understands the requirements to outreach/serve <i>Target Populations</i> and to publicize the project.	0 to 15
SECTION 6 – Service History: Applicant has a history of providing services for older adults (aged 60 and older) in Ventura County for at least the past three years. If a nonprofit agency, applicant has had its 501(c)(3) designation for at least three (3) years.	0 to 10
TOTAL POSSIBLE SCORE – Family Caregiver Resource Center	100
TOTAL POSSIBLE SCORE – Senior Support Line	100

C. Contract Award

Contract(s) will be awarded based on a competitive selection of Proposal Packets received.

The contents of the Proposal Packet of the successful Applicant will become contractual obligations and failure to accept these obligations in a contractual agreement may result in cancellation of the award.

D. Protests and Appeals

Grounds for protest are that the VCAAA failed to follow the selection procedures and adhere to requirements specified in the RFP or any addenda or amendments; there has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq; or violation of State or federal law. Protests will not be accepted on any other grounds. ***Applicants must deliver the protest in writing to the VCAAA office by 4:00 p.m. on March 31, 2023.*** Protest letters must contain original or electronic signatures; letters sent by fax will not be accepted. A written response will be directed to the protesting Applicant within fourteen calendar days of receipt of the protest letter, advising of the VCAAA decision and the basis for it.

E. Disclaimer/Final Authority

The VCAAA reserves the right to reject any and all proposals, or any part of any proposal, to postpone the proposal deadline date, to make an award in its own best interest, to award more than one grant, to waive any informalities or technicalities that do not significantly affect or alter the substance of an otherwise responsible proposal and that would not affect an agency's ability to perform the work adequately as specified, to amend the RFP and to change the amount of the grant award. Requests to contract are subject to review and approval by the VCAAA Advisory Council. The Ventura County Board of Supervisors makes all final decisions on the award of contracts. Contracts will be issued by the County's Purchasing Agent.

The County of Ventura has the final authority to award contracts relative to this RFP.

VII. PROJECT DESCRIPTIONS

TITLE III B – Legal Services (plus VII B and HICAP Legal Assistance)

Interested applicants must submit a Notice of Intent letter to the VCAAA by Friday, February 10, 2023

Program Purpose

To provide legal advice and assistance, counseling and/or representation by an attorney, or other person acting under the supervision of an attorney. This is targeted mainly to low-income older adults. The services are described below

Legal Services

1. Service Category:	Legal Assistance	
Description:	Legal advice, counseling and/or representation by an attorney or other person acting under the supervision of an attorney.	
NAPIS ¹ Category:	NAPIS 11 – Legal Assistance	
Funding Source:	Title III B	
Priority Service? (Yes/No):	Yes ²	
Registered Service? (Yes/No):	No	
One Service Unit Equals:	One (1) Hour	
Minimum Number of Units to be Provided:	1,400 hours	
Minimum Number of Unduplicated Clients to be Served:	800 clients unduplicated	

2. Service Category:	Community Education	
Description:	Educating groups of older persons, their families, friends, and community organizations/facility staff on rights, benefits, entitlements, and health and wellness information for older persons either residing at home or in an institutional setting.	
NAPIS Category:	NAPIS 15 – Other	
Funding Source:	Title III B	
Priority Service? (Yes/No):	No	
Registered Service? (Yes/No):	No	
One Service Unit Equals:	One (1) Activity	
Minimum Number of Units to be Provided:	8 activities	
Minimum Number of Unduplicated Clients to be Served:	208 clients unduplicated	

¹ NAPIS = National Aging Program Information System

² YES = The California Code of Regulations, Article 3, Section 7312, requires that the AAA allocate an “adequate proportion” of federal funds to provide services considered a ‘priority’ by the California Department of Aging and federal Administration on Aging. The minimum allocation is determined by the AAA through the planning process.

3. Service Category:	Elder Abuse Prevention, Education and Training	
Description:	Public education and training of professionals to develop, strengthen, and carry out programs for the prevention, detection, assessment, and treatment of, intervention in, investigation of, and response to elder abuse, neglect, and exploitation including financial exploitation.	
NAPIS Category:	NAPIS 15 – Other	
Funding Source:	Title VII B	
Priority Service? (Yes/No):	No	
Registered Service? (Yes/No):	No	
One Unit Equals:	One (1) Session	
Minimum Number of Units to be Provided:	8 Sessions	
Minimum Number of Unduplicated Clients to be Served:	88 (professionals)	

The Contractor shall ensure that the Elder Abuse Prevention program shall do some or all of the following [OAA § 721]:

1. Provide for public education and outreach to identify and prevent elder abuse, neglect, and exploitation.
2. Provide for public education and outreach to promote financial literacy and prevent identity theft and financial exploitation of older individuals.
3. Ensure the coordination of services provided by AAAs with services instituted under the State adult protective service program, State and local law enforcement systems, and courts of competent jurisdiction.
4. Promote the development of information and data systems, including elder abuse reporting systems, to quantify the extent of elder abuse, neglect, and exploitation in the PSA.
5. Conduct analyses of local Adult Protective Services and Long-Term Care Ombudsman information concerning elder abuse, neglect, and exploitation and identifying unmet service, enforcement, or intervention needs.
6. Conduct training for individuals, including caregivers described in part E of Title III, professionals, and paraprofessionals, in relevant fields on the identification, prevention, and treatment of elder abuse, neglect, and exploitation, with particular focus on prevention and enhancement of self-determination and autonomy.
7. Provide technical assistance to programs that provide or have the potential to provide services for victims of elder abuse, neglect, and exploitation and for family members of the victims; and
8. Conduct special and ongoing training, for individuals involved in serving victims of elder abuse, neglect, and exploitation, on the topics of self-determination, individual rights, State and federal requirements concerning confidentiality, and other topics determined by CDA to be appropriate.

Health Insurance Counseling and Advocacy Program (HICAP) Legal Services

4. Service Category:	Health Insurance Counseling and Advocacy Program	
Description:	HICAP legal representation and technical program support by an attorney or other person acting under the supervision of an attorney.	
Funding Source:	HICAP Legal Services	
Priority Service? (Yes/No):	No	
Registered Service? (Yes/No):	No	
One Unit Equals:	One (1) Hour	

Minimum Number of Units to be Provided:	24 hours
Minimum Number of Unduplicated Clients to be Served:	8 clients unduplicated

Ensure that if providing contracted legal representation services, the following conditions must be met:

- a. HICAP legal representation and technical program support shall be provided by or under the direction of a Supervising Attorney who is trained in Medicare law and who is in good standing with the California Bar. [W&I Code, Section 9541 (c) (3)]
- b. Legal representation services shall be limited to Medicare, Medicare Part D issues, Medicare savings programs, low-income subsidy issues, long-term care insurance, managed care, and related health care coverage plans. [Welf. & Inst. Code § 5941(c)(3)]
- c. HICAP legal representation shall be subject to the understanding that the legal representation and legal advocacy shall not include the filing of lawsuits against private insurers or managed health care plans. [Welf. & Inst. Code § 5941(c)(3)].
- d. Subcontracted or separately contracted legal representation services shall not commence without a formal referral from the HICAP Program Manager to the Supervising Attorney, and only after a preliminary counseling session determines the need for referral.
- e. The Supervising Attorney shall report the performance of Legal Services in accordance with HICAP reporting instructions.

LEGAL SERVICES PRIORITIES*

Listed in alphabetical order by category.

Conservatorship/Abuse/Neglect/Exploitation

- Elder Abuse/Exploitation Cases
- Financial Abuse Specialist Team (FAST)

Consumer

- Debt and/or Collections
- Harassment by Creditors
- Consumer Fraud

Health/Long-Term Care

- Medi-Cal
- Long-term Care Facility Issues (quality of care, resident rights, contract issues)
- Home Health Care
- Nursing Home/Long Term Care (in conjunction with Ombudsman)
- Health Insurance Advocacy Program (HICAP)

Housing/Utilities

- Reverse mortgage foreclosures
- Home repair fraud
- Predatory lending

Income/Nutrition Benefits

- SSI/SSP
- Social Security

Other – Collaborations

- Adult Protective Services (APS)
- Local Federal Bureau of Investigation (FBI)

Planning/Personal Autonomy

- Advance Directives
- Powers of Attorney
- Wills, Estate Planning, Probate

*Relative to California Statewide Guidelines for Legal Assistance, April 2005, pages 9 through 12; Substantive Legal Issues of Concern to the Target Populations.

PROGRAM DESCRIPTION – FINANCIAL ABUSE SPECIALIST TEAM (FAST)

The Financial Abuse Specialist Team, known as the FAST, is a countywide partnership of public and private organizations that work together to resolve cases of elder and dependent adult financial abuse. The FAST is a multidisciplinary team (MDT) of private and non-profit professionals who volunteer their time to offer comprehensive services to victims of elder and dependent adult financial abuse.

FAST's mission is to provide victims with comprehensive, multidisciplinary services to resolve cases and make victims "whole." FAST consultants consist of (1) those who investigate abuse (such as Adult Protective Services, Law Enforcement, and the Long Term Care Ombudsman); (2) those who are experts in law, mental / medical health, finance, and real estate; and (3) representatives from non-profits who offer free services to victims. We offer case consultation, training for professionals who serve victims, and awareness education on financial abuse prevention and victim resources for the public at large.

This multidisciplinary combination of expertise and services is necessary because of the nature of financial abuse. These cases involve financial and legal documents, victim capacity (which must be viewed from both legal and medical perspectives), victim medical issues, and interpersonal dynamics between the victim and the abuser (for example, if the perpetrator is family. Financial abuse is a crime (PC 368) and yet it is complicated to prosecute. Even in those cases that are prosecuted, the victim may still be vulnerable to other predators, or may have lost emotional, "companion" support when the abuser is removed.

To fill this need, the FAST provides a multidisciplinary forum of experts with a precise focus on financial abuse. Prosecutors and local law enforcement advise on whether the act in question is a prosecutable crime, and what evidence is needed to build a case. We have attorneys, financial planners, and real estate professionals who will help examine documents to identify contract validity, responsibility of the involved parties, and civil remedies. Mental and medical health experts are also needed to advise on client medications, medical conditions, and unmet health needs. Non-profit service providers recommend free services that range from legal assistance, insurance counseling, grief counseling, case management, caregiver respite, family mediation, and conflict resolution.

The most vital activity of the FAST is case review. FAST consultants meet 10 times a year and review two to five cases per meeting. There are several benefits of face-to-face group case review.

- When FAST Consultants are collaborating on a case plan, many different views and suggestions can be heard before determining priority of actions, in the best interest of the victim.
- The FAST is a time-savings tool for those who investigate financial abuse. It would take hours of phone calls to get a fractured version of the comprehensive case plan that we are able to expedite as a team in less than an hour.
- Awareness builds among each team member on how to deal with similar cases in the future, and who to contact for advice on specific topics. This has a residual effect that results in a community that is knowledgeable and ready to respond quickly to new cases of financial abuse.
- An additional benefit comes from those cases where, because of system gaps or case complexity, a resolution cannot be reached. Through collaborative discussion, the FAST is a forum for problem solving and creating long-term systemic solutions.

What does the FAST do?

Case Review. The FAST meets 10 times a year to review cases of financial abuse and create case plans that consist of recommendations, referrals, and direct assistance. The main benefit of a multidisciplinary approach is that diverse perspectives and areas of expertise bring a wider range of alternative solutions with both short and long-term interventions. The FAST is distinct from other MDTs in the selection of private professionals who are experts on topics of estate documents, civil litigation, financial instruments, capacity issues, and real estate matters. Case review has three added benefits: (1) they inform team members on how to respond to similar cases between meetings; (2) facilitated discussions increase inter-agency

communication and overall cooperation; (3) abuse patterns and system gaps are identified, leading to coordinated solutions.

Education. Each FAST meeting includes a formal educational topic selected by team members that provides technical guidance on financial, medical, and legal issues, as well as information on resources for victims. These presentations are usually given by FAST consultants and strengthen the network under the focus of helping victims of financial exploitation. The FAST also offers education on financial abuse recognition, reporting, and victim resources to the community at large. Tailored education is also given to professionals such as attorneys, clergy, law enforcement, and medical / mental health providers. These services have enhanced the

Why does Ventura County need a FAST?

Financial abuse is the fastest growing form of abuse, it can be life threatening to victims, and it is very difficult to prosecute. The FAST provides assistance to case workers and victims to expedite comprehensive case resolution that no one agency or discipline could provide. Financial abuse is also the most underreported form of abuse. Community education is essential to assure that citizens and professionals are aware of the warning signs of abuse, how to report, and have knowledge of victim resources. The FAST requires little time to maintain, but if the current momentum were lost, it would be time consuming and costly to recapture the commitments of FAST volunteers.

Geographic Area to Be Served –

Ventura County (including unincorporated areas).

Eligible Service Population – The successful applicant’s program must serve the Eligible Service Population, who are adults age sixty (60) years of age or older, with emphasis on those in greatest economic and social need with particular attention to low-income minority older individuals, older individuals with Limited English Proficiency (LEP), and older individuals residing in rural areas who meet one or more of the following criteria:

- live alone;
- are isolated and/or depressed,
- have few or no connections to family and/or friends;
- are at risk of losing their independence; and
- have been recently discharged from a hospital setting.

Costs Not Allowed

Additional Requirements of Applicant

The service provider will be expected to:

1. Demonstrate that it has the personnel and fiscal resources to launch the program no later than 120 days of the contract being signed.
 - a. Screen volunteers, including background checks.
 - b. Be culturally sensitive to clients and volunteers.
 - c. Develop agreements and provide policies, procedures and training manuals for volunteers*;
 - d. Develop and implement a marketing program to ensure the aging service network; hospitals; the media; and older adults know about the program*;
 - e. Work closely with the aging services network in Ventura County;

- f. Adhere to Targeting Priorities.

**Service provider will be required to present and review these items with the VCAAA Grants Administrator prior to implementation.*

2. The service provider will be expected to have a Volunteer Coordinator who has:
 - a. A minimum of five years of experience recruiting and training volunteers;
 - b. Full knowledge of community resources and the aging network in Ventura County;

¹¹ NAPIS = National Aging Program Information System

¹² CCR, Article 3, Section 7312, requires that the AAA allocate an “adequate proportion” of federal funds to provide Access, In-Home Services, and Legal Assistance in the PSA. The annual minimum allocation is determined by the AAA through the planning process.

- c. Education and/or experience in a social service environment and/or counseling experience and/or working with older adult volunteers.

Bonus points may be awarded to applicants who demonstrate the capacity to recruit volunteers who speak English and Spanish within the first six months of the contract period.

- 3. Service provider is welcome to augment program with other services such as sending greeting cards (birthday, get well, sympathy and friendship card, etc.). Services cannot include medication reminders due to liability issues. This grant will not fund friendly visiting.
- 4. Collaborations with other organizations are encouraged.
- 5. Grant funds cannot be used to supplant existing services provided by the applicant.