

Alameda County Behavioral Health

RFPQ No. 21-02

RESPONSES TO BIDDER QUESTIONS

General

Q1) Will there be additional locations for other parts of the County?

A1) Per page 3 of the RFPQ, ACBH intends to recommend one Bidder to provide first and multiple-offender DUI Programs in North County (which includes Alameda, Albany, Berkeley, Emeryville, Piedmont, Oakland), with preference for an Oakland-based location. ACBH may use the list of pre-qualified Bidders in subsequent fiscal years (FY) for additional programs, as needed, in the North County area.

Q2) Page 4 paragraph 3 Alameda County currently seeks a DUI Program Provider to complement its existing network of providers and fill a geographic gap in services in North County. Does this exclude current contracted providers from applying?

A2) No, current ACBH-contracted providers are not excluded from applying. Any bidders that meet RFPQ Section I. D. Bidder Minimum Qualifications are welcome to apply.

Enrollment

Q3) Can bidders obtain the census (number of enrollments) in the previous Oakland location?

A3) In July 2020, unique clients in the Oakland location were as follows:

Wet & Reckless – 24

3 Month – 192

6 Month – 17

9 Month – 87

12 Month – 4

18 Month – 457

A total of 779 active clients were open in the Oakland location in July 2020.

Q4) How many enrollments by program type (Wet Reckless, 3 month, 6 month, 9 month, 18 months) do you anticipate per month for the north Alameda County region?

A4) Enrollment is difficult to predict due to the COVID-19 public health emergency (PHE) and other factors such as start-up considerations and trends in number of DUI arrests and convictions. We expect that, at least during the first year of operations, enrollments will be less than what were previously experienced in the Oakland program. See the answer to Q3 for the Oakland numbers. For historical information on DUI arrests, convictions, and enrollment information in Alameda County, please see the California Department of Motor Vehicles (DMV) report at:

https://www.dmv.ca.gov/portal/uploads/2020/06/2019_Annual_Report_of_the_California_DUI-1.pdf

Q5) Is there a projected number of program participants for each level of service?

12 hours

3 months

6 months

9 months

18 months

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A5) See answers to Q3 and Q4.

Q6) Can a number or percentage of total program participants paying \$5 a month under the extended payment schedule be provided?

A6) No, this information is not available.

Budget/Fees

Q7) Page 6 (E) Program Requirements:

Paragraph 2 states payments to the county (approximately 5% of total gross program revenue). Is there an exact number available for budgeting calculations?

A7) The exact number is five percent of gross program revenue; however, per Section I.F. Fees for Programs of the RFPQ, the County may assess an amount in excess of five percent of gross program revenue only with approval by the DHCS.

Q8) Page 10 paragraph 3 states The DUI Program may also charge for the following additional services:

Leave of absence
Returned Check
Missed activity
Reschedule
Transfer out etc....

How are these fees for additional services calculated? Is there a cap or already established fee schedule?

A8) Title 9, Section 9878 allows administrative fees to be assessed based on justification for that fee. Except for participants who are eligible for a minimum fee of \$5.00 per month, the DUI Program may charge for the following additional services:

Leave of Absence;
Returned check (excluding bank charge);
Missed Activity;
Rescheduling;
Transfer-Out (excluding transfer of non-enrolled participants and administrative referrals);
Transfer-In;
Reinstatement;
Duplicate DL 101 (research);
Late Payment Fee; and
Alcohol/Drug Screening (positive result).

The DUI Program shall charge only for the above additional services. The DUI Program shall provide justification in writing to the Department for any additional service it proposes to charge pursuant to Section 9878(c). Such justification shall include the activity and time involved to perform the task, and the classification and hourly rate of pay for the staff performing the tasks.

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- Q9)** Page 10-11 quarterly reports shall include, at a minimum, the following data:
Is it possible to receive the rolled-up numbers for the County of the required report elements noted in this section for budget projection purposes?
- A9)** **No, the information is not available for the North County location.**
- Q10)** Page 8 iii The multiple offender program requires the program participant to complete the educational and group sessions within 12 months, the DUI program can charge an additional fee for any face to face interviews based on the approved unit of service fee. IS this a set rate or a negotiated rate?
- A10)** **The program fees are approved by DHCS at time of licensure. The face-to-face fee is a fee included in the program fee and must be submitted with the application on a cost-per-unit of service basis. If additional face-to-face interviews are required for a multiple offender (pursuant to Section 9851), the fee would be the approved face-to-face fee approved by DHCS (within the program fee).**
- Q11)** Page 10 states Program profit or surplus shall not exceed 10% of gross revenue from fees per annum. Is established indirect rates excluded from profit and counted as an operating expense?
- A11)** **Fees shall be set based on the costs to operate the program. ACBH will evaluate competitive fee structures, including the indirect cost rate, as part of its evaluation and selection of a DUI program.**

Program Requirements

- Q12)** Page 5 #2: "...this facility must have capacity to accommodate 35 individuals for education sessions and up to 15 individuals for group counseling."
The occupancy requirements must accommodate a capacity for 50 simultaneously or can groups and education session be staggered?
If facility has occupancy for 50 program participants simultaneously, can multiple sessions of 50 be conducted with a morning and evening session for groups and education?
- A12)** **Education and group counseling sessions can be staggered. The intention is to have a facility that can accommodate up to 35 individuals in a group type educational setting at one time. In addition, the facility should have suitable and appropriate spaces for individual and group counseling. These spaces must offer privacy for counseling to protect the patient-client confidentiality.**
- Q13)** Duration of program participation is set by the courts, Is attendance frequency set by the courts as well?
- A13)** **The duration of the program participation is set per Title 9, Section 9851, however the frequency of meetings can be determined by the DUI program so long as it adheres to the minimum set by Title 9, Section 9876.**
- Q14)** Are we required to submit a completed licensing package as a part of our submission, or can we move forward with that process after receiving an indication that we have been selected by the County?
- A14)** **No, the application package is not required as part of the bid submission. As noted in Section 1.E Program Requirements of the RFP, page 5: "The DUI Program must be licensed by DHCS within three months of contract start date to offer first**

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and multiple offender DUI Programs and must provide services in accordance with County and DHCS standards, including Title 9.”

Q15) Is the MADD Victim Impact Panel attendance an additional county requirement or ordered by the court in Alameda County for those convicted in Alameda County? Is a completion certificate not issued by a program if the Victim Impact Panel attendance is not provided? Or is it recommended but not mandated (Santa Clara County model).

A15) The MADD Victim Impact Panel completion certificate is required in Alameda County.

Q16) Bidders are required to procure a location in the North County capable of providing in person services for the bidding process and the initial Alameda County contract is for one year?

A16) Provided that the Contractor is in good standing the first year after contract award, and DUI services are being performed in accordance with State and County expectations, the contract is expected to renew after one year.

SLEB

Q17) As DUI Programs who do not receive county funding and are submitters of the RFPQ, are they still required to be a SLEB qualified company or subcontract with an SLEB qualified company to comply with the RFPQ requirements. If the answer to the above is yes, if a submitter is an exempt organization under the Small Local Emerging Business (SLEB) Provision for Informal and Formal Sealed Bids over \$25,000 requirement how is this indicated within the RFPQ as the included form, which is required to be completed, does not provide an option to show exemption.

A17) When a Bidder is exempted from or unable to meet the SLEB requirements, please note such on the SLEB Partnering Information Sheet. ACBH may request a SLEB waiver after a Contractor is recommended for an award, if appropriate. ACBH has been successful in obtaining approval from the Auditor-Controller’s Office to waive the County’s SLEB subcontracting requirements in the past.

Q18) SLEB preference points are referenced on Page 13, C. In the statement below on the reference page it states bidders must meet the SLEB requirement in order to be considered? Need clarification if SLEB is an absolute or if you can only obtain a maximum score of 90 percent as referenced on page 24 number 10. There is a box to mark if not local to Alameda County and not eligible for bid preference?

A18) The County is vitally interested in promoting Small, Local, Emerging Businesses (SLEBs). Preference points are awarded to Local Businesses (5%) and to certified SLEBs (5%) bidding as a prime. (10% total for Local and Certified), the County’s SLEB program applies to this project. According to the SLEB program requirements, the following entities are exempt from the SLEB requirements and are not required to subcontract with a SLEB:

- **non-profit community based organizations (CBO) that are providing services on behalf of the County directly to County clients/residents;**
- **non-profit churches or non-profit religious organizations (NPO);**
- **public schools; and universities; and**
- **government agencies.**

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However, even if your organization is exempt from SLEB, please note that you may be competing against SLEB-certified bidders that will receive the preference points. For this reason, in a competitive process, ACBH advises that it is in the interests of non-profit CBOs/NPOs to become certified.

Please refer to this link for additional information:

<http://www.acgov.org/auditor/sleb/overview.htm>

COVID

Q19) DHCS is backlogged from COVID-19, will there be any considerations given for securing DHCS licensure in 3 months post award?

A19) Yes, but only with well documented proof of substantive efforts to apply for and obtain the DUI license. Per RFPQ Section I. A. Intent “Contract is contingent upon successfully obtaining a DUI Program License, issued by the State of California Department of Healthcare Services (DHCS) at the address stated in the license application within three months of award.” Please see RFPQ Section II.F. Contract Evaluation and Assessment on page 16 for additional information. ACBH has the discretion to select a different bidder if, after three months post award, ACBH deems that the efforts to obtain licensing have not been substantial, or if substantial efforts are not well documented.

Q20) How does the recent decision to relax masking mandates impact the ability to deliver services via telehealth?

A20) DHCS sets requirements as well as determines DUI program flexibilities around telehealth utilization during the PHE. See DHCS Behavioral Health Information Notice [20-016](#) (page 5, question 3) for the latest DUI guidance, also attached to the RFPQ as Appendix H.