

Escambia Children’s Trust
Board of Directors Special Meeting
January 3, at 11:00 AM



Open to the public at the Sunshine Health Welcome Room
2620 Creighton Road, Suite 401, Pensacola, FL 32504

AGENDA

I. Call to Order (Stephanie White, Chair)

The Escambia Children’s Trust respectfully asks that all attendees please turn off cell phones or set them to vibrate or silent.

II. Roll Call (Alma Ellis)

III. Approval of Agenda (Stephanie White, Chair)

IV. Public Comments*

V. Action Items

A. Alternating Times for Board Meetings

Staff recommends the Board continue to meet on the second Tuesday of each month and to alternate meeting times so that every other regular meeting is held during the day, beginning at 8 AM.

B. Grants Review Process

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Staff recommends the Board revise the policy PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS, 2.2 Competitive Funding to Community Organizations, Request for Proposal (RFP), as presented.

C. Advance Funds

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Staff recommends the Board revise the policy PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS, 2.3 Required Contract Clauses for Direct Community Services, as presented.

D. Construction/Renovations Funding

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Staff recommends the Board revise the policy PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS, 2.3 Required Contract Clauses for Direct Community Services, as presented.

E. Level II Screening Requirement

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Staff recommends the Board revise the policy PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS, 1.0 Policies pertaining to Funding of Community Organizations, 1.4 Funding Eligibility, as presented.

VI. Adjournment

* The Escambia Children's Trust allows any member of the public to speak regarding an item on the Agenda prior to Board action or regarding any related matter not on the agenda following the Legal Report near the end of the meeting. **Anyone who wishes to address the Board is asked to complete a Public Comment Speaker Form. Each speaker is limited to three (3) minutes**, unless otherwise determined by the Chairperson, to allow sufficient time for all speakers. Speakers shall refrain from abusive or profane remarks, disruptive outbursts, protests, or other conduct which interferes with the orderly conduct of the meeting. Upon completion of the public comment period, discussion is limited to Board members and questions raised by the Board.

Next Scheduled Meeting:

Board of Directors Meeting

January 10, 2023 at 5:30 p.m.

221 Palafox Place, Pensacola, FL 32502

1 PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS

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3 2.2 Competitive Funding to Community Organizations.

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5 B. Request for Proposal (RFP).

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7 1. Conditions for use. When the Trust determines that the use of competitive
8 sealed bidding is either not practicable or not advantageous to the Trust, a
9 contract for materials, supplies, services, construction, and equipment may
10 be entered into by the use of competitive proposals. Except as otherwise
11 stated in this policy, contracts for Direct Community Services shall be
12 entered into in response to a Request for Proposals. Determination to use
13 the RFP process include, but are not limited, whether the following
14 considerations apply:

- 15
16 a. Practicality of a fixed-price or cost contract under the circumstances.
17 b. The quality, availability, or capability is overriding in relation to price in
18 procurement of goods or services.
19 c. The need for initial installation to be evaluated, together with subsequent
20 maintenance and service capabilities and what priority should be given
21 these requirements in terms of the best interest of the community.
22 d. The marketplace will respond more favorably to a solicitation not only
23 permitting a range of alternate proposals, but also permitting evaluation
24 and discussion by the Trust with proposers before making the award.
25 e. A performance specification is deemed more appropriate than a technical
26 specification, thus taking advantage of vendor expertise and allowing the
27 purchase of standard items available in the marketplace as opposed to
28 custom-designed.

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30 1-2. Solicitation. Proposals shall be solicited through a request for proposals
31 (RFP).

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33 2-3. Release of Solicitation. For every competitive RFP, the Trust Board shall
34 approve the minimum qualifications, the scope of services, the evaluation
35 criteria, and the evaluation team for each competitive procurement
36 opportunity. The Executive Director or their designee will notify, via email,
37 all Board members of the release of the solicitation and of the imposition of
38 the Cone of Silence/Limitations on Communications.

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40 3-4. Public notice. Adequate public notice of the request for proposals and any
41 addenda shall be given in the same manner as provided for competitive
42 Invitations to Bid (ITBs).
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44 4.5. Evaluation criteria. The RFP shall clearly state the evaluation criteria, which may
45 include, but are not limited, the following factors:

- 46 a. Program Design.
- 47 b. Proposed outcomes and performance measures.
- 48 c. Quality of goods/services. Such a justification must be verifiable.
- 49 d. Plan to deliver the goods/services within the designated project period and to the
50 target audience, if applicable.
- 51 e. Quality of goods and after-sale services, including availability of parts/supplies,
52 maintenance, warranties, etc.
- 53 f. Records of prior performance and service.
- 54 g. Financial stability and capacity of proposer- to render high quality services as
55 outlined in the program design and as evidenced by supporting documentation
56 listed in section B-6 below.
57 ~~Financial stability of the proposer.~~
- 58 h. Comprehensive and cost-effective budget.

59
60 6. Proposer Capacity. The capacity of proposers to render high quality services
61 as outlined in their proposal will be evaluated by the Grants Committee, ECT
62 staff, and relevant subject matter experts (e.g., attorneys, certified public
63 accountants, etc.). The following documents will be submitted as part of the
64 RFP process, unless already on file with ECT (i.e., via the proposer's SAMIS
65 agency profile).

- 66
- 67 a. IRS 501(c)3 determination letter (if applicable)
- 68 b. State of Florida annual report from Sunbiz
- 69 c. List of current board members with contact information
- 70 d. Three most recent years of audited financial statement summaries and
71 disclosures to include internal control reports and any accompanying
72 management letters
- 73 e. Most recent balance sheet AND profit and loss/revenue and expense
74 statement
- 75 f. MOU's, contracts, or agreements for all proposed subcontracts
- 76 g. Board-approved line-item budget for the agency
- 77 h. Line-item budget for all proposed subcontracts
- 78 i. Corrective-action or Performance Improvement Plan reports if proposer had a
79 grant contract terminated OR proposer has been placed on any corrective
80 action or performance improvement plan in the last 3 years from any funders.
81 With this documentation, a response must be included regarding how the
82 proposer has addressed or is addressing the deficiencies (if applicable)
- 83 j. If proposer has been a defendant in any litigation or regulatory action in the
84 last 3 years, OR proposer has been a plaintiff in a bankruptcy, a brief
85 explanation for each instance must be provided.
- 86 k. Certificate of Insurance (COI) reflecting current levels; new COI will be
87 requested prior to contract execution.

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~~5.7.~~ Proposer Workshops: Trust staff may facilitate workshops to review and answer questions regarding the RFP at a publicly noticed meeting as specified in the RFP.

~~6.—8.~~ During the Cone of Silence, all communication between the proposer and Trust staff or Board members is prohibited with the exception of communication at the proposer workshop or questions submitted in writing and directed only to the point of contact identified by the RFP before the deadline for questions. All questions submitted at the workshop and to the designated contact will be posted along with the official responses from the Trust on the ECT website so that all proposers have equal access to the information.

9. Responsive submissions to RFPs shall be accepted via email or online portal, as designated in the RFP.

10. Review. Proposals are independently reviewed and scored by a Grants Committee, which is a team of reviewers that may include Trust Board members, local leaders in the field, and other subject matter experts. The composition of the Grants Committee is determined by the Trust Board. Using the scoring matrix included in the RFP, reviewers assess the soundness and completeness of each proposal as well as the proposer’s capacity to effectively deliver what is proposed. Responsive proposals are made available for public review through the Public Records Request process.

~~7.11.~~ Grants Committee Meeting. After individual reviewers have independently reviewed and scored proposals, the Grants Committee convenes in a publicly noticed meeting to discuss each proposal and record each reviewer’s rating, including explanatory comments. Proposers may attend the public Grants Committee meeting as observers. Cumulative scores are recorded for each proposal, and proposals are ranked according to scores. The Grants Committee votes on the cut-off score and the list of proposals to be recommended for funding. Consideration is also given to factors such as effective and economical distribution of funding across Escambia County and/or in underserved geographic areas/populations in Escambia County (if applicable) to address gaps in services while preventing duplication of services. All documents related to a competitive solicitation, such as reviewers’ proposal scoresheets, are public records and must be given to the Trust as part of the procurement process when the recommendations are presented to the Board. The Grants Committee Meeting will be recessed until proposer interviews and/or site visits are completed.

~~8.12.~~ Interview/site visit. As part of the review process ~~and following the Grants Committee meeting~~, publicly noticed interviews and/or site visits ~~may~~ will be conducted, ~~at the Trust’s discretion~~ as outlined in the RFP, for projects being considered for funding recommendation. These interviews or site visits may be held at either the proposer’s site or the ECT offices. Members of the public may attend

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interviews and/or site visits as observers. The Grants Committee will reconvene immediately in a public meeting following the last interview/site visit to confirm or revise the recommendation list. Public comments will be scheduled at the end of the Grants Committee meeting.

14.13. Funding recommendations. The list of recommendations from the Grants Committee will be posted on the Trust website within one (1) business day of the Grants Committee’s final recommendation. The list of recommendations will include a list of all proposals received including a brief synopsis of each proposed project, the scores and comments from all reviewers, the total cumulative scores for each proposal, the proposals selected for funding, the amount requested, and the total amount recommended for funding as well as any comments or notes regarding the recommendations. Recommendations will be posted as part of the Board packet for the Trust Board meeting at which the awards will be considered for approval.

9.14. Board review and award. The full proposals and the summary spreadsheet are forwarded to all Board members for their reference along with the Grants Committee scores, comments, and recommendations. The recommendations are reviewed and considered by the Board at a publicly noticed meeting. Proposers are encouraged to attend these meetings. Board approval of the recommendations will allow the contract negotiation process to begin, in an amount not to exceed the Board’s approved award.

15. Contract negotiation may include reframing the proposed services, revising the proposed budget, or any other changes necessary to comply with the requirements of the solicitation and resulting contract. Any future amendments, extensions or modifications to the contract that would exceed the Board’s approved award amount or the approved contracting period require further Board approval. The following documents will be collected as part of the contracting process:

- a. Program Methodology including targeted outcomes and performance measures
- b. Position profiles for all positions funded by ECT
- c. Copy of any deeds or leases for the provider’s property if construction, renovation, or rent reimbursement is included in the approved budget
- d. Certificates of Insurance naming ECT as additional insured at prescribed limits
- a.—e. Subcontract assessment checklist

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PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS

2.2 Competitive Funding to Community Organizations.

B. Request for Proposal (RFP).

1. Conditions for use. When the Trust determines that the use of competitive sealed bidding is either not practicable or not advantageous to the Trust, a contract for materials, supplies, services, construction, and equipment may be entered into by the use of competitive proposals. Except as otherwise stated in this policy, contracts for Direct Community Services shall be entered into in response to a Request for Proposals. Determination to use the RFP process include, but are not limited, whether the following considerations apply:
 - a. Practicality of a fixed-price or cost contract under the circumstances.
 - b. The quality, availability, or capability is overriding in relation to price in procurement of goods or services.
 - c. The need for initial installation to be evaluated, together with subsequent maintenance and service capabilities and what priority should be given these requirements in terms of the best interest of the community.
 - d. The marketplace will respond more favorably to a solicitation not only permitting a range of alternate proposals, but also permitting evaluation and discussion by the Trust with proposers before making the award.
 - e. A performance specification is deemed more appropriate than a technical specification, thus taking advantage of vendor expertise and allowing the purchase of standard items available in the marketplace as opposed to custom-designed.
2. Solicitation. Proposals shall be solicited through a request for proposals (RFP).
3. Release of Solicitation. For every competitive RFP, the Trust Board shall approve the minimum qualifications, the scope of services, the evaluation criteria, and the evaluation team for each competitive procurement opportunity. The Executive Director or their designee will notify, via email, all Board members of the release of the solicitation and of the imposition of the Cone of Silence/Limitations on Communications.
4. Public notice. Adequate public notice of the request for proposals and any addenda shall be given in the same manner as provided for competitive Invitations to Bid (ITBs).
5. Evaluation criteria. The RFP shall clearly state the evaluation criteria, which may include, but are not limited, the following factors:
 - a. Program Design.

- b. Proposed outcomes and performance measures.
 - c. Quality of goods/services. Such a justification must be verifiable.
 - d. Plan to deliver the goods/services within the designated project period and to the target audience, if applicable.
 - e. Quality of goods and after-sale services, including availability of parts/supplies, maintenance, warranties, etc.
 - f. Records of prior performance and service.
 - g. Financial stability and capacity of proposer to render high quality services as outlined in the program design and as evidenced by supporting documentation listed in section B-6 below.
 - h. Comprehensive and cost-effective budget.
6. Proposer Capacity. The capacity of proposers to render high quality services as outlined in their proposal will be evaluated by the Grants Committee, ECT staff, and relevant subject matter experts (e.g., attorneys, certified public accountants, etc.). The following documents will be submitted as part of the RFP process, unless already on file with ECT (i.e., via the proposer's SAMIS agency profile).
- a. IRS 501(c)3 determination letter (if applicable)
 - b. State of Florida annual report from Sunbiz
 - c. List of current board members with contact information
 - d. Three most recent years of audited financial statement summaries and disclosures to include internal control reports and any accompanying management letters
 - e. Most recent balance sheet AND profit and loss/revenue and expense statement
 - f. MOU's, contracts, or agreements for all proposed subcontracts
 - g. Board-approved line-item budget for the agency
 - h. Line-item budget for all proposed subcontracts
 - i. Corrective-action or Performance Improvement Plan reports if proposer had a grant contract terminated OR proposer has been placed on any corrective action or performance improvement plan in the last 3 years from any funders. With this documentation, a response must be included regarding how the proposer has addressed or is addressing the deficiencies (if applicable)
 - j. If proposer has been a defendant in any litigation or regulatory action in the last 3 years, OR proposer has been a plaintiff in a bankruptcy, a brief explanation for each instance must be provided.
 - k. Certificate of Insurance (COI) reflecting current levels; new COI will be requested prior to contract execution.
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 - b. Position profiles for all positions funded by ECT
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 - d. Certificates of Insurance naming ECT as additional insured at prescribed limits
 - e. Subcontract assessment checklist

PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS

2.3 Required Contract Clauses for Direct Community Services.

All contracts for Direct Community Services shall have the following clauses:

- a. Maximum Indebtedness
- b. Term of Service
- c. Contract Type: either fee-for-service, cost reimbursement, unit cost, or another method approved by the Trust

~~e.~~d. Advance Funding:

Funded providers may request an advance for up to 45 days of personnel costs only after execution of a signed agreement and full repayment of any previously issued advances. If the contracted agency is considered a lead agency that operates a program with subcontractors or if the budget methodology is based on unit cost of service or slots, the Provider may request up to 10% of the total budget only after execution of a signed agreement and full repayment of previously issued advances. All advances may be repaid at any point during the contract period but must be repaid within the last three months of the contract period. A request for advanced funding at a time other than at the beginning of the contract may be considered if extenuating circumstances exist and must be submitted with a written hardship request to the Director of Finance. The request must be made prior to the final three months of the contract period. Any request for advance funding must be accompanied by the most recent quarterly income statement, balance sheet, and statement of cash flows for the requesting agency, as was submitted to its Board of Directors.

~~e.~~e. Scope of Work, which may include incorporating by reference the response to the solicitation

~~e.~~f. Deliverables and Performance Measures

~~f.~~g. Reporting Schedule and Requirements

~~g.~~h. Trust's right to withhold or suspend payment, or terminate the contract, if the Provider has not met the performance measures contained in the contract

i. Trust's right to terminate for a lack of appropriations

~~h.~~j. Assurances (e.g., deed restrictions, commitment to use for a specific number of years, lien on property, etc.) for programs that are awarded funding for construction or renovations

PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS

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- e. Scope of Work, which may include incorporating by reference the response to the solicitation
- f. Deliverables and Performance Measures
- g. Reporting Schedule and Requirements
- h. Trust's right to withhold or suspend payment, or terminate the contract, if the Provider has not met the performance measures contained in the contract
- i. Trust's right to terminate for a lack of appropriations
- j. Assurances (e.g., deed restrictions, commitment to use for a specific number of years, lien on property, etc.) for programs that are awarded funding for construction or renovations

1 PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS

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3 **1.0 Policies pertaining to Funding of Community Organizations**

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5 **1.4 Funding Eligibility**

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7 d. ECT funded programs are required to:

8 1. Be in direct alignment with the goals and strategies of the Trust’s Strategic Plan.

9 2. Certify that Trust funds will not replace or supplant existing resources.

10 3. Serve children below the age of 18, or beyond if still in high school, or if
11 developmentally disabled as defined by the Individuals with Disabilities Education Act
12 (IDEA) and under 22 years of age, and the family members or primary caregivers of those
13 children and individuals in Escambia County, Florida.

14 4. Provide for adequate protection of youth and must comply with all state and federal
15 laws, rules, and regulations including, but not limited to, Chapter 435, Florida Statutes
16 regarding background screening, including criminal record checks, of its
17 employees/volunteers. Programs shall provide ECT with a copy of its policies indicating
18 their compliance with these laws and setting forth their policies regarding background
19 screening/criminal records checks of prospective, as well as current,
20 employees/volunteers. The program will also make available to ECT the results of all such
21 background screenings. ~~with all applicable laws and implementing regulations, including,~~
22 ~~but not limited to, Chapter 435, Florida Statutes.~~ All program staff and agency staff
23 (including employees, independent contractors, and staff of subcontractors), volunteers,
24 and those who may have access to youth participants supported through ECT funding are
25 required to undergo and pass a Level 2 or comparable background screening that
26 complies with Level 2 standards set forth in Sec. 435.04, Florida Statutes. Providers that
27 are not eligible to participate in the Care Provider Background Screening Clearinghouse
28 must undergo fingerprinting for statewide criminal history records checks through the
29 Florida Department of Law Enforcement, national criminal history records checks through
30 the Federal Bureau of Investigation, and/or local criminal records checks through the
31 Escambia County Sheriff’s Office.

32 5. Maintain participant records and have them available for inspection for five (5) years
33 after termination of ECT funded services.

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PART TWO: FUNDING OF COMMUNITY ORGANIZATIONS

1.0 Policies pertaining to Funding of Community Organizations

1.4 Funding Eligibility

d. ECT funded programs are required to:

1. Be in direct alignment with the goals and strategies of the Trust's Strategic Plan.
2. Certify that Trust funds will not replace or supplant existing resources.
3. Serve children below the age of 18, or beyond if still in high school, or if developmentally disabled as defined by the Individuals with Disabilities Education Act (IDEA) and under 22 years of age, and the family members or primary caregivers of those children and individuals in Escambia County, Florida.
4. Provide for adequate protection of youth and must comply with all state and federal laws, rules, and regulations including, but not limited to, Chapter 435, Florida Statutes regarding background screening, including criminal record checks, of its employees/volunteers. Programs shall provide ECT with a copy of its policies indicating their compliance with these laws and setting forth their policies regarding background screening/criminal records checks of prospective, as well as current, employees/volunteers. The program will also make available to ECT the results of all such background screenings. . All program staff and agency staff (including employees, independent contractors, and staff of subcontractors), volunteers, and those who may have access to youth participants supported through ECT funding are required to undergo and pass a Level 2 or comparable background screening that complies with Level 2 standards set forth in Sec. 435.04, Florida Statutes. Providers that are not eligible to participate in the Care Provider Background Screening Clearinghouse must undergo fingerprinting for statewide criminal history records checks through the Florida Department of Law Enforcement, national criminal history records checks through the Federal Bureau of Investigation, and/or local criminal records checks through the Escambia County Sheriff's Office.
5. Maintain participant records and have them available for inspection for five (5) years after termination of ECT funded services.