



**Request For Proposal
for
County of La Crosse, Wisconsin**

Tuesday, September 24, 2024

**HUMAN SERVICES DEPARTMENT
Adult Protective Services**

Corporate Guardianship Services

Proposals must be received no later than
3 p.m., October 24, 2024

SPECIAL INSTRUCTIONS:

- 1. Proposals should be submitted electronically**
Proposals should be submitted via email with *proposal title in subject line* of the email.
Proposal Title: **Corporate Guardianship Services RFP**
- 2. Vendor Conference will be held via Microsoft Teams online and/or phone**
RSVP will be required to attend – **See Section 1.5**
- 3. Deliver on or before October 24, 2024, 3:00 p.m. to**
Email: csander@lacrossecounty.org

Final award decision anticipated by November 25, 2024, with an estimated contract start date of January 1, 2025.

TABLE OF CONTENTS

1.0	GENERAL INFORMATION	1
1.1	Introduction and Background	1
1.2	Service Description	1
1.3	Definitions	4
1.4	Clarifications and/or Revisions to the Specifications and Requirements	4
1.5	Vendor Conference	5
1.6	Calendar of Events.....	5
1.7	Contract Terms and Rate Increases.....	5
2.0	PREPARING AND SUBMITTING A PROPOSAL	5
2.1	General Instructions	5
2.2	Public View of Proposals	6
2.3	Incurring Costs.....	6
2.4	Submitting the Proposal	6
2.5	Proposal Organization and Format	6
3.0	PROPOSAL SELECTION AND AWARD PROCESS.....	6
3.1	Opening of Bid.....	6
3.2	Preliminary Evaluation	6
3.3	Right to Reject Proposals	7
3.4	Proposal Review	7
3.5	Required Forms	7
3.6	Final Offers.....	7
4.0	SPECIAL CONTRACT TERMS AND CONDITIONS.....	7
5.0	EXPENSES RELATED TO CONTRACTING	8

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

5.1 Insurance Requirements 8

5.2 Interpreters..... 8

5.3 Audits 8

5.4 Background Checks..... 8

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

1.0 GENERAL INFORMATION

1.1 Introduction and Background

The purpose of this document is to provide interested parties with information to enable them to submit a proposal to provide Corporate Guardianship Services. La Crosse County, as represented by the Human Service Department, Adult Protective Services Section, intends to use the results of this process to set rates for a network of qualified providers.

As a result of this Request For Proposal (RFP) process, La Crosse County will establish a qualified provider network, along with setting standard rates for Corporate Guardian services. La Crosse County will award contracts to all qualified vendors that are interested in providing these services. It is anticipated that the provider network will continue to grow and all new qualified vendors interested in providing these services in the future will be offered the rates set by this solicitation process.

Vendor should submit one proposal indicating their rates for each service outlined below:

- Monthly Guardian of Person or Estate**
- Monthly Guardian of Person and Estate**
- Mileage Outside of La Crosse County (or agency's county if not in La Crosse County - when seeing clients that live outside of county)**
- Quarter hour work above and beyond rate***
- Quarter hour travel time out of county (when seeing clients that live outside of Lax Cty or agency's county)**

**The "Above and Beyond" quarter hour rate will only include initial set up and the closing of the cases. The # of quarter hours will need to be prior authorized by Human Services.*

It is the intention of La Crosse County Human Services to use this process to set rates for a network of qualified providers. Interested vendors should submit rates for each service outlined above, along with other requested information. ***Vendor rates submitted during this process will be used to set one rate per service by averaging the rates submitted for that service.***

1.2 Service Description

A. Target Population

Adult persons legally determined to be cognitively incompetent and unable to make decisions regarding their medical, personal or financial affairs.

B. Eligibility

Adult persons who lack other appropriate natural supports and/or a volunteer guardian to provide guardianship services.

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

C. Description of Type of Services to be Rendered

Guardians are appointed by the court for persons who lack the cognitive capacity to care for themselves and are found to be incapable of caring for themselves or their property. A guardian may be responsible for making decisions regarding the incompetent person's support, care, health, safety, habilitation, finances/estate management, education, therapeutic treatment and residence.

The purpose of a guardianship is to ensure that the best interests of the incompetent person are represented and accounted for. A guardian serves as a fiduciary to the incompetent person.

La Crosse County Human Services is seeking BOTH Guardian of the Person and Guardian of Estate services.

Role of Guardian and La Crosse County

Guardian of Person:

A Guardian of the Person is needed to serve as the decision-maker when an individual has been deemed legally incompetent to make his or her own decisions for their personal care. A guardianship of the person is designed to protect persons who, because of their significant impairment, are not able to defend against exploitation or abuse by others and to assist persons who, because of their disability, are not able to adequately provide for their own care or custody.

The responsibilities include:

- Always inform and involve the ward to the greatest extent possible when decisions need to be made
- Health & person decisions
- Exercise ward's right to examine medical and treatment records
- Approve medical care(s)
- Approve medication(s)
- Approve residential setting
- Apply and advocate for services the person needs but is not receiving
- Attend team meetings every 6 months
- Attend residential required meetings
- Make decision in regards to where the ward should live
- Observe and discuss the ward's situation and needs
- Inquire into risks, benefits and alternatives, particularly where drastic, aversive or restrictive treatments are proposed
- Communicate to the Care Management Team any medical or medication changes
- Sign Family Care Member Center Plan (MCP) documents every six months, if applicable

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

- Sign legal documents
- Meet with ward at minimum once a quarter, but contact at least one time per month
- Advocate for ward/appeals & grievances
- Document time and nature of time spent with ward and submit summary of activity to La Crosse County quarterly
- Submit required annual report(s) to the Court

Guardian of Estate

A Guardian of the Estate is a person or corporate entity, appointed by a court under state statute, responsible for financial management of a ward's assets. A guardian of estate might be needed when there is no previously executed durable power of attorney for financial affairs and an individual has been found legally incapable of taking care of bill paying; investments and money matters; the property of an incompetent person must be sold; or a health care provider or other service provider requires that a guardian be appointed before entering into a contract for services.

- Protect, possess and preserve the ward's property and exercise rights over the property (title, however, remains with the ward) and pay bills
- Provide maintenance and support of the ward using ward's property and income
- Expend, invest or authorize clean up and salve of ward's estate or property
- Sign legal documents for finances
- Advocate for person
- Document time and nature of time spent performing service and submit summary of activity to County quarterly
- Meet with person minimally each quarter, but contact at least one time per month
- If sale of estate, charge fees to the estate
- File an inventory of the ward's property as specified. The inventory must be verified under oath
- Annual accounting/report to Court
- When financial assets are spent down to allow for eligibility for Representative Payee and/or Medicaid services, will complete a final accounting to the court and request dismissal of guardianship of estate.

La Crosse County

- Responsible for all WATTS reviews, of wards in protective placement, to be submitted to court on an annual basis.
- La Crosse County will work collaboratively with corporate guardians, as needed, to ensure quality service is provided for each ward.

D. Determination of Fees For Corporate Guardians

Guardians must follow the Determination of Fees for Corporate Guardians process. The purpose is to determine if ward is required to pay a monthly

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

corporate guardian fee, or a portion of the monthly fee, based on review of ward's income and expenses.

See Attachment E – *Determination of Fees For Corporate Guardians Overview and Form.*

- E. Performance Records and Program Evaluations
 - Document time and nature of time spent with ward or performing service.
 - Submit quarterly summaries for all funded wards of La Crosse County case status/contacts/actions to Human Services Contract Unit.
 - Submit annual report to court.

- F. Other Service Requirements
 - Corporate Guardian must be approved by the Department of Health Services (DHS).
 - Must meet the criteria set out in DHS 85, Wis. Admin. Code
 - Corporate Guardians must carry required insurance outlined in Section 5.1 of this RFP.

1.3 Definitions

The following definitions are used throughout the RFP:

DHS – Department of Health Services

RFP – provider network – Means the solicitation package is released to assist in establishing a network of providers that are qualified to provide the service at the rates set by the solicitation process. Client choice and vendor capacity will be considered when making referrals for services. This is used when one vendor does not have the capacity to serve all of the individuals in need of services.

1.4 Clarifications and/or Revisions to the Specifications and Requirements

Any questions concerning this RFP must be received in writing by e-mail by **noon on October 2, 2024**. Send inquiries to:

Chris Sander
Contract Unit Supervisor
E-Mail: csander@lacrossecounty.org
Phone: (608) 785-5511

Providers are expected to raise any questions, exceptions, or additions they have concerning the RFP document at this point in the process. If a vendor discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this RFP, the vendor should immediately notify the above named individual of such error and request modification or clarification of the RFP document.

In the event that it becomes necessary to provide additional clarifying data or information, or to revise any part of this RFP, revisions/amendments and/or supplements will be provided via the La Crosse County Website and via email to all known interested parties.

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

1.5 Vendor Conference

A vendor conference will be held at **1:00 p.m. on Thursday, October 3, 2024** via Microsoft Teams online and/or phone. This is held to respond to written questions and to provide additional instruction and information to providers on the submission of proposals. There will be minutes taken, posted on the website and emailed to all known interested parties. *This will be the only forum where questions will be answered.*

To receive the information on how to attend the vendor conference, please **RSVP** via email Chris Sander at csander@lacrossecounty.org by **10:00 a.m., Thursday, October 3, 2024**. Chris will forward you the link and phone information via email prior to the vendor conference.

1.6 Calendar of Events

September 24, 2024	Release date of RFP
October 2, 2024	Questions on RFP due to County by 12:00 p.m.
October 3, 2024	Vendor Conference, 1:00 p.m. – RSVP required
October 24, 2024	Proposals due from vendors, receipt by 3:00 p.m.
November 25, 2024	Anticipated notification of award sent to vendors
January 1, 2025	Estimated contract start date

1.7 Contract Terms and Rate Increases

The contract shall be effective from **January 1, 2025** until **December 31, 2027**.

Annual rate adjustments will be made automatically following the July Consumer Price Index for Urban Regions (CPI-U).

1. The rate will be determined from tables from the U.S. Department of Labor-Bureau of Labor Statistics for the Midwest Urban region for areas of 50,000 or more.
2. Should the CPI-U ever be less than 0%, the Provider rates will stay the same as the current year. Should the CPI-U ever be more than 3%, Provider rates will go up 3%.
3. Automatic Rate Adjustments exclude services that are purchased at retail price, Medical Assistance (MA) Rates, and reimbursement rates set by the State (i.e. children’s group homes/residential care centers, autism, etc.). Also excluded are contracted rates that include a total dollar amount not to exceed during the contract period.

2.0 PREPARING AND SUBMITTING A PROPOSAL

2.1 General Instructions

The evaluation and selection of providers and the contracts will be based on the information submitted in the vendor’s proposals. Failure to respond to each of the requirements in the RFP may deem the proposer non-responsive.

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

2.2 Public View of Proposals

To the extent permitted by law, it is the intention of La Crosse County to withhold the contents of the proposal from public view until such times as competitive or bargaining reasons no longer require non-disclosure, in the opinion of La Crosse County. At that time, all proposals will be available for review in accordance with the Wisconsin Public Records Law.

2.3 Incurring Costs

La Crosse County is not liable for any cost incurred by proposers in replying to this RFP.

2.4 Submitting the Proposal

Proposers must submit all materials required for acceptance of their proposal by **3 p.m., October 24, 2024** to:

Chris Sander
csander@lacrossecounty.org

If proposer is unable to submit materials via email, please contact Chris Sander at (608)785-5511 or csander@lacrossecounty.org for further instructions. All proposals must be received by time and date stated above.

2.5 Proposal Organization and Format

Proposals should include the following forms:

◦ ***Vendor Form***

Completion of this form outlines the vendor information, geographical location your agency will serve and the rates requested.

◦ ***Budget Request Form***

Please use this form to outline your allowable expenses and set the rates being requested in this RFP.

3.0 PROPOSAL SELECTION AND AWARD PROCESS

3.1 Opening of Bid

Proposals will be opened after **3 p.m. on October 24, 2024**.

3.2 Preliminary Evaluation

The proposals will be reviewed to determine if requirements are met. Failure to meet requirements may result in the proposal being rejected. In the event that all providers do not meet one or more of the requirements, La Crosse County reserves the right to continue the process with proposals that most closely meet the requirements specified in this RFP.

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

3.3 Right to Reject Proposals

La Crosse County reserves the right to reject any and all proposals.

In addition, La Crosse County reserves the right to discontinue the RFP process at any time and makes no commitments, implied or otherwise, that this process will result in a business transaction with one or more providers.

3.4 Proposal Review

Proposals will be reviewed by an evaluation committee. By submitting a proposal, you are agreeing that you will meet all necessary requirements for the services indicated. Rates will be set for the network of providers by averaging all rates submitted for each service.

3.5 Required Forms

The following forms must be completed and submitted. Blank forms are attached.

- A. Vendor Form*
- B. Budget Request Form*

3.6 Final Offers

The final rates will be set and communicated to all interested providers by **November 25, 2024**. At that time, all responding and currently contracted providers will be asked if they are interested in contracting for those rates for 2025. Once interest is confirmed by a provider, contracts will be processed.

4.0 SPECIAL CONTRACT TERMS AND CONDITIONS

La Crosse County reserves the right to accept or reject any or all proposals or portions thereof without stated cause.

La Crosse County reserves the right to re-issue any solicitations.

Upon final review, La Crosse County by its proper officials, employees, or agents shall attempt to negotiate and reach a final agreement with all qualified providers. If La Crosse County, for any reason, is unable to reach a final agreement with any provider; La Crosse County reserves the right to reject such provider.

Clarification of proposals: La Crosse County reserves the right to obtain clarification of any point in a provider's proposal or obtain additional information.

La Crosse County reserves the right to waive any formalities, defects, or irregularities in any proposal, response, and/or submittal where the acceptance, rejection, or waiving of such is in the best interests of La Crosse County.

La Crosse County reserves the right to disqualify any proposal, before or after opening, upon evidence of collusion, intent to defraud, or any other illegal practice on the part of the provider.

Indemnification

The Provider agrees to the fullest extent permitted by law, to indemnify, defend and hold harmless, the Purchaser, and its agents, officers and employees, from and against all loss or expense including costs and attorney fees by reason of liability for damages including suits at law or in equity, caused by any wrongful, intentional, or negligent act or omission of the Provider, or its (their) agents and / or subcontractors which may arise out of or connected with activities covered by this contract.

5.0 EXPENSES RELATED TO CONTRACTING

5.1 Insurance Requirements

Provider will at all times, during the terms of this contract, keep in force insurance policies issued by an insurance company authorized to do business and licensed in the State of Wisconsin. Unless otherwise specified in Wisconsin Statutes, the types of insurance coverage and minimum amounts shall be as follows:

- Workers' Compensation: minimum amount statutory – **required if you have employees**
- Comprehensive general liability: \$1,000,000 per occurrence and in aggregate for bodily injury and property damage – **required for all corporate guardians**
- Auto Liability (if applicable): \$1,000,000 per occurrence and in aggregate for bodily injury and property damage – **required if your agency will be billing La Crosse County for out of county mileage and travel time**

5.2 Interpreters

Providers of services, not goods, are required by contract to sign a Letter of Assurance for Civil Rights Compliance. This document requires a provider of services to provide those services without discrimination, which means that they will need to provide an interpreter/translator at no cost to the client or La Crosse County.

5.3 Audits

Wisconsin Statutes 46.036(4) (c) requires that any Purchase of Service contract vendor with a contract in excess of \$100,000 must provide the County with an annual audit report within 180 days from vendor's year end.

5.4 Background Checks

- A. Provider shall comply with the provisions of DHS 12, Wis. Admin Code.
- B. Provider shall conduct background checks at its own expense of all employees assigned to do work, with direct client contact, for the Purchaser under this contract.
- C. Provider shall conduct background checks with other states where the employee has lived, any time an employee required to have a background check, has lived out of state within the last 3 years.
- D. Provider shall retain in its Personnel Files all pertinent information, to include a Background Information Disclosure Form and/or search results from the Department of Justice, the Department of Health Services, and the Department of

**Corporate Guardianship Services RFP for Network of Providers
La Crosse County Human Services - Adult Protective Services**

Regulation and Licensing as well as out of State records, tribal court proceedings and military records.

- E. Provider shall not assign any individual to conduct work under this contract who does not meet with requirement of this law.
- F. Provider shall train its staff to immediately report all allegations of misconduct to their immediate supervisor, including abuse and neglect of a client or misappropriation of client's property. Staff shall also report to their immediate supervisor, as soon as possible, but no later than the next working day, when they have been convicted of any crime or have been, or are being investigated by any government agency for any act or offense (DHS 12.07(1)).
- G. The Provider shall notify the Purchaser, as soon as possible, but no later than the Purchaser's next business day, when any of the following occurs with regard to its personnel pursuant to DHS 12.07(2):
 - a. The Person has been convicted of any crime
 - b. The person has been or is being investigated by any governmental agency for any other act, offense or omission, including an investigation related to the abuse or neglect, or threat of abuse or neglect, to a child or other client, or an investigation related to misappropriation of a client's property.
 - c. The person has a governmental finding substantiated against them of abuse or neglect of a client or of misappropriation of a client's property.
 - d. In the case of a position for which the person must be credentialed by the department of regulation and licensing, the person has been denied a license, or the person's license has been restricted or otherwise limited.
- H. Upon notification from Provider, Purchaser will follow its internal procedures.
- I. Provider shall maintain the results of background checks on its own premises for at least the duration of the contract. Purchaser may audit Provider Personnel files to assure compliance with the State of Wisconsin Caregiver Background Check Policy.
- J. After the initial background check at the time of employment, licensure or contracting, the Provider must conduct a new Caregiver Background Check every four (4) years, or at any time within that period if the Provider has reason to believe a new check should be obtained.

Plan and budget accordingly for all of these expenses related to contracting with La Crosse County.