



## Finance & Operations Committee Meeting

Monday, December 4, 2017  
The Children's Trust – 8<sup>th</sup> Floor  
3150 S.W. 3<sup>rd</sup> Avenue  
Conference Room A  
9:30 a.m. – 10:30 a.m.

### Board of Directors

Laurie Weiss Nuell  
Chair  
Lily de Moya  
Vice Chair  
Kenneth C. Hoffman  
Treasurer  
Claudia Grillo  
Secretary

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Rodester Brandon  
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Dr. Antonia Eyssallenne  
Gilda Ferradaz  
Alvin Gainey  
Mindy Grimes-Festge  
Nelson Hincapie  
Pamela Hollingsworth  
Steve Hope  
Esther Jacobo  
Tiombe Bisa Kendrick-Dunn  
Inson Kim  
Marissa Leichter  
Frank Manning  
Susan Neimand, Ph.D.  
Marta Pérez, Ph.D.  
Judge Orlando Prescott  
Hon. Isaac Salver  
Com. Xavier L. Suarez  
Mark Trowbridge  
David Turino  
Karen Weller

David Lawrence Jr.  
Founding Chair

James R. Haj  
President & CEO

County Attorney's Office  
Legal Counsel

### AGENDA

- |            |   |                                      |
|------------|---|--------------------------------------|
| 9:30 a.m.  | <b>Welcome and opening remarks</b>                  | Kenneth C. Hoffman<br><i>Chair</i>   |
| 9:35 a.m.  | <b>Public Comments</b>                              | Kenneth C. Hoffman<br><i>Chair</i>   |
| 9:40 a.m.  | <b>Review of the Procurement Policy (Pgs. 2-21)</b> | James R. Haj<br><i>President/CEO</i> |
| 10:30 a.m. | <b>Adjourn</b>                                      |                                      |

### Reminder:

**Next Committee Meeting: Thursday, January 11, 2018**

The public is allowed to comment before presentation of resolutions but must register with the Clerk of the Board prior to being allowed to comment.

## THE CHILDREN'S TRUST PURCHASING & PROCUREMENT POLICY

To ensure The Children's Trust is conducting funding opportunities by using fair and consistent processes, the following policies have been established:

- 2000A Definitions
- 2000 General Purchasing and Procurement Policy
- 2001 Routine Administrative Expenses with the Exception of IT Expenses
- 2002 Formal Competitive Procurement Process
- 2003 Formal Competitive Procurement Appeals Process
- 2004 Single Source Procurement
- 2005 Vendor Pools
- 2006 Unsolicited Request for Funds
- 2007 Match Funding
- 2008 Capacity Building, Training and Professional Development
- 2009 Community Outreach Activities Policy
- 2010 Emergency Funding

### 2000A. DEFINITIONS

**Artistic Services:** The rendering by a contractor of its time and effort to create or perform an artistic work in the fields of music, dance, drama, folk art, creative writing, painting, sculpture, photography, graphic arts, craft arts, industrial design, costume design, fashion design, motion pictures, television, radio, or tape and sound recording.

**Best Value:** The highest overall value to The Children's Trust, based upon objective factors that include, but are not limited to, price, quality, design and workmanship.

**Board:** The Children's Trust board of directors often referred to as "the board" or "board members."

**Goods and Services:** Any of the various supplies, materials, goods, services, merchandise, equipment, information technology, or any other items purchased or leased by The Children's Trust or professional or consulting services, excluding architectural and engineering services subject to Florida Statutes 287.055 or services that fall within the definition of "Direct Community Services" below. The professional services that may fall within the definition include evaluations, consulting, accounting, security, management systems, management consulting, educational training programs, meeting facilitation, planning, and research and development studies on the findings of consultants engaged therein.

**Direct Community Services:** Services or programs such as afterschool, summer and parenting services offered to children and families in Miami-Dade County ("the County") by The Children's Trust funded providers.

**Cone of Silence ("the Cone"):** Prohibits certain communications regarding a particular competitive solicitation (i.e., NOFA, RFP, RFQ, etc.) during the period the Cone is in effect. The Cone of Silence may be found and viewed in its entirety at [www.thechildrenstrust.org/content/cone-silence](http://www.thechildrenstrust.org/content/cone-silence).

**Financial Statement Audit:** The most recent audited financial statement, which includes:

- a) An annual financial statement audit, performed by a Certified Public Accountant (CPA) firm that is licensed and registered to conduct business with the Florida Department of Business and Professional Regulation.
- b) Written communication encompassing the requirements of AU-C section 265, "Communicating Internal Control Related Matters Identified in an Audit."
- c) Written communication encompassing the requirements of AU-C section 260, "The Auditor's Communication With Those Charged With Governance."
- d) Written communication encompassing the requirements of *Government Auditing Standards*, that includes an "Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With *Government Auditing Standards*."

- e) A Single Audit conducted in accordance with OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," or the Florida Single Audit Act, section 215.97, Florida Statutes, if applicable; and
- f) A management letter; if no management letter is prepared by a provider's CPA firm, then the CPA firm must expressly confirm, in writing, that no management letter was issued.

**Indirect Administrative Costs:** Indirect expenditures related to the day-to-day operations of an organization, rather than expenses that are directly related to programs and services. Examples of administrative and operating costs include rent, utilities, insurance and salaries.

**Invitation to Negotiate (ITN):** A written competitive procurement document intended to determine the best method for achieving a specific goal or solving a particular problem recognized by The Children's Trust. An ITN allows The Children's Trust flexibility to identify one or more responsive vendors with which The Children's Trust may negotiate to receive the best value, as defined. An ITN might be the most appropriate procurement tool to use when The Children's Trust:

- Requires nonstandard or customized products; or
- Requires an emphasis on new technology or methodologies and a range of options are possible; or
- Requires re-engineering of a process; or
- Ascertains that limited availability of competition exists; or
- Ascertains that the desired services may not be of best value when provided by only one vendor, but rather, best value may be obtained by combining the strengths of multiple vendors.

**Notice of Funding Availability (NOFA):** A written competitive procurement document that serves as one public notice for two or more procurement opportunities of a similar type (e.g., two or more ITNs or RFPs). A NOFA may not contain a combination of procurement opportunities such as an ITN and an RFP; however, it may include different initiatives or program areas funded by The Children's Trust.

Use of a NOFA facilitates the most efficient management of two or more competitive procurement processes that occur more or less simultaneously. It allows for the use of one solicitation document containing one description of common eligibility criteria, application requirements and procurement-related general information. The NOFA process also saves time, money and resources in other aspects of a competitive procurement process, such as public advertising, bidder's conferences, application trainings, etc.

**Organization or Entity:** An organized body of people with a particular intent.

**Procurement Waivers:** A purchase of Goods and Services or Direct Community Services without a formal competitive solicitation.

**Purchase Order:** A written authorization from a buyer, for a supplier to deliver specified goods and services to the buyer, at the price, quality level and delivery date specified in the agreement. A purchase order is legally binding after the supplier countersigns it, or when the terms and conditions of the agreement are met.

**Purchase Requisition:** A document used within an organization to initiate the purchase of certain goods and services. A purchase requisition must be approved by designated staff within The Children's Trust before it becomes effective.

**Raising Revenue:** Increasing revenue by networking with well-established commercial entities related to a product or event that is popular with families and children, such as theaters, sports teams, tourist attractions, museums or national touring family shows. The Children's Trust will only enter into a revenue-generating relationship with another entity when a defined amount or percentage of revenue has been previously negotiated and agreed upon in writing. All promotional materials used to raise revenue must be pre-approved in writing by The Children's Trust, and must state that proceeds of the event are being donated to The Children's Trust.

Careful consideration will be given to participation in events with multiple beneficiaries of funding, as this may reduce the revenue potential for The Children's Trust.

**Requester or Requesting Organization:** An organization or individual requesting unsolicited funds from The Children's Trust. Though requests may be received from individuals, The Children's Trust will only fulfill requests from organizations that are registered to conduct business in the state of Florida, as determined by the Florida

Department of State Division of Corporations. Organizations are required to maintain "active status" with the Florida Department of State throughout the duration of their contract with The Children's Trust.

**Request for Proposals (RFP):** A written competitive procurement document whereby respondents are required to submit a funding application to provide Goods and Services or Direct Community Services that fulfill a need identified by The Children's Trust. The RFP process should be utilized when The Children's Trust can describe what it wants to accomplish, but there may be several methods available to achieve the outcome and The Children's Trust desires to consider all of the available options. An RFP describes The Children's Trust's needs, required services and/or outcomes in a particular area, and asks for proposed solutions, including the manner in which the services will be performed.

An RFP might be the most appropriate procurement tool to use when:

- The Children's Trust has defined a need, required services and/or outcomes and requests respondents to propose the best method for accomplishing the task.
- The skills, expertise, staff qualifications, methodology, management approach, financial stability and/or technical capability of the respondents will be evaluated.

**Request for Qualifications (RFQ):** A written competitive procurement document whereby The Children's Trust seeks to obtain statements of qualifications from prospective vendors of Goods and Services or Direct Community Services regarding their experience, education, knowledge, availability, and fee structure for a desired service or to identify a group of vendors to establish a vendor pool.

The Children's Trust may issue an RFQ when creating a pool of qualified vendors to be used either for planned future projects or as part of a two-step competitive process where the scope of services is incomplete or The Children's Trust seeks to "pre-qualify" potential vendors and only those organizations selected in the qualification phase may compete when a particular opportunity is announced. RFQs are often used for selection of professional services vendors or for services that are not well-defined and depend on the vendor's ability to identify and appropriately address the problem or issue.

**Small Community-Based Organizations (CBOs):** The Children's Trust defines small CBOs as organizations that have annual operating budgets of \$500,000 or less.

**Sponsorship/Sponsor:** Underwriting a single event, or a series of events, that involves community outreach or public awareness campaigns, which serve to promote the mission of The Children's Trust. Sponsorship of an event entitles The Children's Trust to request logo placement on event banners, signs, other promotional materials and advertising in advance as well as at the event. Use and representation of The Children's Trust's logo must be according to certain specifications and with exclusive prior written approval of The Children's Trust.

## **2000. General Purchasing and Procurement Policy**

Procurement policies have been established to ensure that The Children's Trust utilizes a system of uniform procedures to effectively and ethically select and manage vendors of direct and indirect programmatic, fiscal, and administrative, communication, community engagement and IT support services.

The Children's Trust recognizes that competitive solicitation ensures there is no favoritism during the vendor selection process, and also inspires public confidence that contracts are awarded equitably and economically. The Children's Trust further recognizes documentation of the internal control processes is required when procuring direct and indirect programmatic, fiscal, administrative, communications, community engagement and IT support services.

The president/chief executive officer (CEO) or his designee shall be responsible for the purchase of Goods and Services and Direct Community Services in accordance with this Purchasing and Procurement Policy, subject to board approval, when applicable. Purchases may only be fulfilled within the annual budget approved by the board and shall not be made for the personal use of staff, board members and/or their families.

The Children's Trust's general purchasing and procurement policies are as follows:

- A. **Conflict of Interest and Code of Ethics:** The purchase of Goods and Services and Direct Community Services shall be made in compliance with The Children's Trust's conflict of interest policy, the County's conflict of

interest policy, the County's code of ethics ordinance, the state of Florida's code of ethics for public officers and employees, and applicable state statutes. The purchase of Goods and Services, and Direct Community Services shall be aligned with the mission and vision of The Children's Trust.

**B. Purchase Requisition:** The purchase of Goods and Services and Direct Community Services requires staff to create a purchase requisition that must be approved by the appropriate department staff prior to issuing a purchase order. Department staff must approve/disapprove purchase requisitions based upon best value, and then forward the requisition, with all supporting documentation, to the finance department for final approval.

**C. President/CEO Purchase Authority:**

Per board Resolution 2007-60, the president/CEO has the authority to approve the purchase of Goods and Services and Direct Community Services to a single vendor that are less than \$25,000.00 in a fiscal year, but such purchases shall not exceed a total of \$100,000.00 per month in total across multiple vendors. The president/CEO shall provide, at a minimum, quarterly reports to the board for the items approved below this threshold and in accordance with Resolution 2007-60.

C-1. The president/CEO may approve up to \$10,000.00 per event, per fiscal year, to a single vendor for community outreach, match funding, capacity building, training and/or professional development services. Any cumulative amount in excess of \$10,000.00 per event requires approval by the Finance and Operations Committee. Community outreach activities involve those activities and events where The Children's Trust is a paid sponsor in association with other entities, or participates as a beneficiary of an event, or series of events, where The Children's Trust is an exhibitor or associates with agencies to raise revenues that support the plan, mission and values of The Children's Trust. No one provider may receive more than \$24,999.00 per fiscal year. (Community Outreach Activities Procurement, Policy No. 2009, Match Funding Procurement, Policy No. 2007).

**D. Purchases up to \$5,000.00:**

Purchases per vendor per fiscal year with a value up to \$5,000.00 may be approved by the CEO or his/her designee without board approval. Such purchases shall be carried out using appropriate purchasing practices, which includes submission of a purchase requisition that is fully completed and approved by appropriate department staff.

**E. Purchases for Goods and Services between \$5,000.00 and \$50,000.00:**

Informal quotes shall be requested in writing from three or more sources for purchases between \$5,000.00 and \$50,000.00. If three or more quotes cannot be obtained (i.e., only two quotes are available) then documentation must be included with the purchase requisition to substantiate the reason for fewer quotes.

Purchases with a value equal to \$5,000.00 and no more than \$50,000.00 shall be carried out using appropriate purchasing practices, which include, but are not limited to:

E-1. Submission of a purchase requisition that is fully completed and approved by appropriate department staff.

E-2. Three (3) written quotes along with a completed/signed quotation selection form.

Purchases exceeding \$25,000.00 shall be brought to the board for approval.

**F. Purchases of \$25,000.00 or greater for Direct Community Services, or purchases for Goods and Services above \$50,000.00:**

Unless exempt from the formal competitive procurement process, all purchases of Goods and Services above \$50,000.00, or Direct Community Services of \$25,000.00 or greater to a single vendor in a single fiscal year, must be secured in accordance with the Formal Competitive Procurement Process, Policy No. 2002.

If the initial contract is less than \$24,999.99, once it becomes known that the contract will exceed \$25,000.00, a resolution seeking board approval must be drafted. The resolution should include the amounts paid to the vendor to date and the additional amount needed that will cause the payments to the vendor to exceed \$24,999.99.

**G. Exemptions to Formal Competitive Procurement Process:**

All contracts that have been exempted from the Formal Competitive Procurement Process and are over \$25,000.00 shall be brought to the board for approval. Such contracts are renewable based upon the terms and conditions of the contract as set forth in this Policy.

The following purchasing activities are exempt from the formal competitive bidding process set forth in Formal Competitive Procurement Process, Policy No. 2002:

- G-1. Services or commodities provided by governmental entities (i.e., county, state, federal) or vendors identified through governmental cooperative contracts.
- G-2. Goods and services and contractual services provided by vendors that have already been approved by the County resulting from a competitive process. Agencies and vendors used under the auspices of the County must appear on the County-maintained "User Access Program" list ([www.miamidade.gov/procurement/user-access-program.asp](http://www.miamidade.gov/procurement/user-access-program.asp)).
- G-3. Emergency funding (Emergency Funding, Policy No. 2010).
- G-4. Prevention services related to mental health, including drug abuse prevention programs and child abuse prevention programs and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration as part of a Trust-funded health program.
- G-5. Single source purchases (Single Source Procurement, Policy No. 2004).
- G-6. Unsolicited request for funds (Unsolicited Request for Funds, Policy No. 2006).
- G-7. Match funding (Match Funding, Policy No. 2007).
- G-8. Capacity Building, Training, & Professional Development (Capacity Building, Training, & Professional Development, Policy No. 2008).
- G-9. Insurance purchased on behalf of The Children's Trust. Each insurance type purchased is a stand-alone event.
- G-10. Artistic services, subscriptions, memberships, dues and materials related to literacy (e.g., books, copyrighted and patented materials).
- G-11. Vendors paid via The Children's Trust's lease agreement.
- G-12. Consultant or professional services needed for the general and administrative operations of The Children's Trust such as administrative/fiscal monitoring of contracts, payroll and payroll related services, accounting/auditing services, financial services, employee benefit services, internal staff professional development, IT support, capacity building and evaluation services.
- G-13. Licenses and permits for the operation of The Children's Trust's business office and information technology licenses, upgrades and renewals which have previously been approved by the board, where the contract term extends beyond one year (e.g., software licenses for the continuation of The Children's Trust's operations). This does not include new business agreements for licenses, purchases and upgrades of items related to information and technology systems. Information technology licenses and services are procured through a solicitation process, either RFP, RFQ or three bids. The exception to this process pertains to licenses and services that cannot be solicited because only one vendor provides the license or service.
- G-14. Piggyback purchases allows The Children's Trust the option to access the purchase goods or services off an existing contract between a vendor and the federal government; a state or municipal government; another governmental agency; or a government related association that was competitively procured. This includes but is not limited to competitively procured contracts by Miami-Dade County.

### **Procurement Waivers**

If the purchase of Goods and Services or Direct Community Services requires the use of the Formal Competitive Process and such purchase does not fall within any of the exemptions to the Formal Competitive Process set forth above, the president/CEO or designee is authorized to waive the Formal Competitive Process upon a written recommendation to the Board that such waiver is in the best interests of the Children's Trust and that the use of the Formal Competitive Process is impractical or not in

the best interests of the Children's Trust for specific disclosed reasons. The waiver of the Formal Competitive Process requires the approval of a two-thirds vote of the board members present. All waivers must be obtained in advance and documented prior to the purchase of the Goods and Services or Direct Community Services.

## **2001. Routine Administrative Expenses with the Exception of IT Expenses**

Certain routine general and administrative operating expenses that are considered essential to business operations of The Children's Trust will be presented to the finance and operations committee at the beginning of each fiscal year by resolution for approval. The resolution will include an estimate of expenses to be incurred and a description of the nature of each project to be commenced. Examples of such routine general and administrative operating expenses include operating leases, travel, office supplies, payroll, administrative services, and relevant utilities.

## **2002. Formal Competitive Procurement Process**

This document outlines the procedures for the purchases of Goods and Services above \$50,000.00, or for Direct Community Services of \$25,000.00 or greater value.

### **Policy**

Solicitations for the purchase of Goods and Services above \$50,000.00, or Direct Community Services of \$25,000.00 or greater value require a formal competitive procurement process, which is set forth herein. Solicitations must be aligned with The Children's Trust's annual budget and funding priorities set by the board. Funding applications will be reviewed through a multi-step process designed to select applicants in an open and fair manner.

### **A. General Formal Competitive Procurement Guidelines:**

All entities submitting an application in response to a formal competitive procurement opportunity for the purchase of Goods and Services and Direct Community Services are subject to the following requirements, as applicable:

A-1. The organization must be in good standing with The Children's Trust, as determined by The Children's Trust's program performance metrics.

A-2. The Children's Trust shall only fund community services offered to children and families residing in Miami-Dade County. The organization must indicate that services proposed in its application and offered, if funded, will be intended only for this eligible target population.

A-3. The Children's Trust shall not engage in supplanting of funds for already established government-funded programs. This means The Children's Trust's funds may not be used as a substitute for existing public resources or to replace funding previously provided by federal, state or local funding sources for the same purpose.

A-4. The Children's Trust will generally not fund capital improvements, construction or direct medical care unless determined necessary to meet certain programmatic goals. Nothing in this Purchasing and Procurement is meant to apply to the acquisition of construction services subject to Florida Statutes Section 255.20 or the acquisition of design, architectural and engineering services subject to Florida Statutes Section 287.055.

### **B. Formal Competitive Solicitation Release Guidelines:**

The Children's Trust shall determine the appropriate type of competitive procurement to be issued (i.e., ITN, RFQ, RFP, NOFA, etc.) and assign a project leader to manage the procurement. The project leader will assemble a team to develop the solicitation documents, including the evaluation criteria, and oversee implementation.

Solicitation process guidelines unique to the formal competitive procurement process are as follows:

B-1. Solicitation documents for the formal competitive procurement of \$25,000.00 or greater of Direct Community Services shall include the requirement that a minimum of 90 (ninety) percent of the budget must be for direct services and no more than 10 (ten) percent for administrative and overhead expenses.

B-2. The Children's Trust shall encourage applicants seeking funding to demonstrate the use of leveraged funds from other sources or the use of complementary resources when preparing a funding request because the need and demand for services and programs typically far exceeds the amount of The Children's Trust funding available.

B-3. The president/CEO may set aside a certain percentage of funds available through a formal competitive procurement opportunity for small CBOs. The percentage of funds set aside will be determined at the time of the release of solicitation documents. The total amount of final awards to small CBOs does not have to equal the amount set aside by the president/CEO.

B-4. Once satisfied about the evaluation of readiness, capacity and other factors, the president/CEO or designee, upon board approval, will release the formal competitive procurement opportunity. The solicitation shall be publicly noticed on The Children's Trust's website, in local major newspapers, and/or relevant trade newspapers, as applicable. In addition, the president/CEO or designee will notify, via email, all board members of the release of the solicitation and of the start of the Cone of Silence.

### C. Application Review Process:

Funding applications to competitive solicitations (i.e., ITN, RFQ, RFP, NOFA, etc.) will be reviewed through a multi-step process designed to select applicants in an open and fair manner, as follows:

1. **Eligibility:** Screening to determine if an organization is able to apply for funding based on the following requirements, as applicable:

C-1a. All proposed services must take place within Miami-Dade County.

C-1b. Applicant must be currently qualified to conduct business in the state of Florida; this means the organization is incorporated under the laws of Florida and has obtained a certificate of authority stating that the organization has been registered with the Florida Department of State: Division of Corporations. Organizations are required to maintain "active status" throughout the duration of its contract with The Children's Trust. An exception to this would be for specialized consultants for nondirect services business such as research, evaluation, communications, information technology and professional development/capacity building. Exemptions will be decided at the discretion of the president/ CEO, and will be stipulated at the issuance of the request for proposal.

C-1c. Applicant must not be a charter school approved by any public school system in the State of Florida.

C-1d. Applicant must submit a recent, valid annual financial statement audit or have one already on file. This only applies to service-related solicitations; non-service solicitations such as research, evaluation, communications, information technology and professional development/capacity building are exempted. Audited financial statements must be completed by a CPA firm that is licensed and registered to conduct business with the Florida Department of Business and Professional Regulation. For small CBOs, the president/CEO or his designee, upon approval of the finance committee, may allow for the submission of a reviewed or compiled financial statement or other financial documentation, in lieu of an audited financial statement. Any additional waiver of the audit requirement will be included in the release of the solicitation. In such situations, staff may bring for consideration and approval of the finance committee alternative documentation to include a reviewed or compiled financial statement or other financial documentation in lieu of audited financial statement. These exemptions will be considered for contracts under \$100,000 through a separate solicitation.

C-1e. If an agency owes funds to The Trust, that agency must repay all amounts owed prior to the application due date of this solicitation to be considered an eligible applicant.

C-1f. The Children's Trust reserves the right to determine that an incomplete application submitted for consideration may render the application null and void and that the application will be rejected without further review.

2. **Agency fiscal health:** The Children's Trust's finance department reviews and scores the agency audit to assess the level of fiscal solvency, compliance and strength of internal controls. Agencies recommended for funding that score below a minimum fiscal rating may have additional post-

application fiscal or contract requirements to reduce The Children's Trust's financial risk. Fiscal solvency is measured using a four-prong ratio test including the following four ratios:

C-2a. Current ratio (current assets divided by current liabilities) evaluates the current assets that can easily be converted into cash to pay current expenses. Current assets include cash, cash equivalents, accounts receivable, and prepaid expenses and inventories. The higher the ratio, the more capable the agency is of paying its obligations.

C-2b. Net assets as a percentage of annual expenses (net assets divided by total annual expenses) evaluates the availability of reserve funds compared to annual operations and could be viewed as an emergency fund. The higher the ratio, the greater the reserve.

C-2c. Current liabilities as a percentage of total annual expenses (current liabilities divided by annual expenses) indicates an organization's timeliness paying vendors and its ability to meet other obligations. Current liabilities include accounts payable, accrued expenses, short-term borrowings and the current portion of long-term debt. The lower the ratio, the lower current liabilities to expenses.

C-2d. Fiscal compliance and strength are evaluated using the independent auditors' report and accompanying notes. The report describes the scope of the audit, the accountant's opinion of the procedures and records used to produce the financial statements, and the accountant's opinion of whether or not the financial statements present a fairly accurate picture of an agency's financial position and the changes in its net assets and cash flows. Notes to financial statements provide additional information to explain specific items and provide a more comprehensive assessment of an agency's financial condition. Notes can include information about debt, going concern criteria, contingent liabilities or contextual information such as potential litigation or unpaid payroll taxes. Strength and soundness of an agency's system of internal controls are measured by the number of material weaknesses and/or significant deficiencies in the independent auditors' report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with government auditing standards. This report evaluates whether and to what extent an applicant has design or operating deficiencies in its internal control systems.

C-2e. For new applicants, The Children's Trust finance department reviews and scores the agency financial statement audit submitted with the application to assess the level of fiscal solvency, compliance and strength of internal controls.

C-2f. For renewal applicants, in addition to the review of the current agency audit on file, The Children's Trust finance department reviews the program-specific audit. Results from both reviews are used to determine the fiscal health rating for Program Metrics, which will be used to inform funding recommendations.

3. **Program proposal:** Simultaneous to the fiscal health review, each application is independently reviewed and scored by a team of reviewers that may include Trust staff, experts in the field, and trained volunteers.

Using a standard rating tool, reviewers assess the soundness and completeness of the proposed program plan, in alignment with the solicitation requirements, as well as the agency's capacity to effectively deliver what is proposed by rating the program application sections that describe the proposed services and outcomes. Application questions within each program section may vary based on whether the proposal is for a new program or for a renewal program. For renewal proposals, prior contract performance will be a focus of the review across the application sections in relation to what is proposed. Each program section will be weighted according to its relative importance to the specific funding opportunity.

Following each reviewer's individual rating, the review team meets in a publicly-noticed debriefing meeting to discuss each proposal and assigns a consensus team score, including explanatory comments. Applicants may attend the debriefing meeting as observers. The highest ranking program proposal score does not assure a funding recommendation.

4. **Interview/site visit:** At The Children's Trust's discretion, publicly-noticed interviews and/or site visits may be conducted at either the applicant's site or The Children's Trust's offices regarding the agency fiscal

health and/or program proposal. Members of the public may attend interviews and/or site visits as observers. The interview/site visit review team may include The Children's Trust staff, experts in the field, and trained volunteers. Reviewers come to consensus on interview/site visit observations using a standard rating tool and provide input to staff recommendations.

5. **Staff recommendations:** Taking into consideration the above review process results, consideration is also given to factors such as alignment with The Children's Trust's priority investment areas, effective and economical distribution of funding across Miami-Dade County and/or in underserved geographic areas/populations in Miami-Dade County (if applicable), minimizing duplication of efforts, and reasonable program cost for the services and outcomes proposed. Based on consideration of all of the above factors, the president/CEO of The Children's Trust develops the list of agencies recommended for funding.
6. **Board review and approval:** President/CEO recommendations are reviewed and considered by the board at publicly-noticed committee meetings and board meetings. Applicants 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. Negotiation may include reframing the proposed services, and adjusting the total allocation, 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.

#### D. Cone of Silence:

The Cone of Silence is designed to protect the integrity of the procurement process by shielding it from undue influences prior to issuing a recommendation for contract award. The Cone of Silence becomes effective upon the release of the solicitation and is rescinded when the president/CEO makes his/her written recommendations to the board. The Cone of Silence policy may be found at: <https://www.thechildrenstrust.org/content/cone-silence>. Each solicitation document shall include an explanation of the Cone of Silence with a description of allowable and un-allowable communications.

#### E. Solicitation Information Sessions and Support Services:

The Children's Trust may provide opportunities for organizations to obtain information or seek clarification about programmatic or technical requirements referenced in the solicitation when deemed appropriate. These may include:

E-1. **Bidders' Conference** This represents an opportunity to provide information regarding the solicitation, application, and multi-step review process. Topics may include a discussion of: the commodities, contractual services and community services to be procured, the online application system, special consideration areas and other critical purchase or service delivery requirements. The conference may be held in the form of a publicly noticed meeting, a webinar or video. Opportunities to ask or submit questions will be made available whenever possible. All questions, including those requiring further research, shall be posted in a timely fashion on The Children's Trust's website. After the close of the bidder's conference, other than during the application training, only technical questions may be answered verbally while the Cone of Silence is in effect. All other inquiries will only be accepted in writing by the deadline identified in the solicitation.

E-2. **Application Training** This represents publicly noticed training sessions where The Children's Trust staff will provide an overview of the application forms and instructions specific to the solicitation. Staff will answer all application form-related questions submitted in writing on a Request to Speak form, whenever possible. All questions, including those requiring further research, shall be posted in a timely fashion on The Children's Trust's website. After the close of the application training, only technical questions may be answered verbally while the Cone of Silence is in effect. All other inquiries will only be accepted in writing by the deadline identified in the solicitation.

E-3. **Help Desk Technology Support** This represents IT support or other contracted support for applicants that may require technical assistance accessing any portion of the online application, scanning documents or uploading attachments. Staff may only address technical questions during these sessions.

E-4. **Publicly Posted Written Questions and Answers (Q&A)** Opportunity for applicants to submit specific questions in writing to The Children's Trust regarding the substance of the solicitation and receive written

answers from The Children's Trust staff will be provided as specified in the solicitation. All questions and answers shall be publicly posted in a timely fashion on The Children's Trust's website. Questions must be submitted to The Children's Trust in writing by the deadline identified in the solicitation.

E-5. Solicitation addendum may be published if changes are made or additional information is added to the solicitation document or the online application. Addendum, if any, will be posted on The Children's Trust's website. The Children's Trust shall send emails to all registered applicants to notify them when addendum are released and posted on the website.

### **2003. Formal Competitive Procurement Appeals Process**

This document outlines the policies and procedures for appeals by applicants to The Children's Trust's formal competitive procurement opportunities who feel they have been adversely affected by a procedural determination.

#### **Policy**

An applicant may appeal The Children's Trust's funding recommendations by utilizing the following guidelines. Please note, appeals are limited to procedural grounds.

#### **A. Procedure:**

A-1. **Request for Appeals:** Whenever a formal competitive process is utilized, an applicant who is adversely affected by a procedural determination may file a Request for Review/Notice of Appeal, in writing, within three (3) business days following the receipt of notice of its failure to advance to the next stage of review due to a fatal flaw, or within three (3) business days following receipt of the president/CEO's written recommendations for funding to the board, whichever relevant event occurs first.

The Request for Appeals shall state the particular grounds upon which it is based, and must include all pertinent documents and evidence to support the claim. All requests for appeal shall be directed to the president/CEO.

An appeal may only challenge a procedural matter related to the competitive procurement. An appeal may not challenge the relative weight of the evaluation criteria or the formula specified for, assigning points contained in the bid or other competitive solicitation release. An appeal is limited, for example, to challenging errors in procedural due process, errors in mathematical calculations, or omissions to score sections by the ranking team. No appeal may be filed after the board has approved the award.

Within 15 (fifteen) business days of receipt of the Request for Review/Notice of Appeal the president/CEO or designee shall meet with the applicant to review such appeal, as well as any necessary staff. Within three (3) business days of the meeting, a written decision on the Notice of Appeal will be provided to the applicant.

A-2. **Notice of Appeal and Hearing on Appeal:** If the applicant disagrees with the decision of The Children's Trust and desires further appellate review, within five (5) business days from receipt of the decision on the Request to Appeal, the applicant shall file a Notice of Appeal with the clerk of the board for The Children's Trust.

The Notice of Appeal shall state the particular grounds on which it is based and shall include all pertinent documents and evidence. The Notice of Appeal is limited to the procedural issues raised, as well as the documents and evidence provided, in the Request for Review and the president/CEO's, or designee's, initial review meeting.

Any applicant who files a Notice of Appeal under this sub-section shall, at the time of filing with the clerk of the board, provide a cashier's check made payable to The Children's Trust in an amount equal to one percent (1%) of the proposed value of the proposal submitted or a minimum of eight thousand dollars (\$8,000), whichever is greater. This cashier's check shall be used and applied to the payment of all costs and charges related to the appeal, including, but not limited to: court reporter fees (if any), copying and courier fees. No appeal shall be accepted unless it complies with all of the requirements of this section.

Appeals that comply with all requirements herein shall be referred to a hearing examiner. Hearing

examiners shall be selected from a panel of retired judges who have served five (5) years or more as county or circuit court judges of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. Alternatively, if no judges are available to serve at the hearing, a Florida Bar certified mediator may serve as hearing examiner. The appellant/applicant is responsible for payment of all hearing examiner or certified mediator fees and costs, including any advance payment requested by the hearing examiner or certified mediator.

The hearing examiner shall conduct a hearing on the appeal on the date mutually agreed upon by The Children's Trust and the appellant/applicant. The hearing shall be electronically recorded. The hearing examiner shall consider the written appeal; supporting documents; evidence appended thereto; the president/CEO's recommendation; and all evidence presented at the initial appeal review. The hearing examiner shall allow a maximum of one (1) hour for the appellant/applicant's presentation and a maximum of one (1) hour for The Children's Trust's response to the appeal. The hearing examiner shall be entitled to rely on evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. Within four (4) business days of hearing the appeal, the hearing examiner shall file written findings and recommendations with the clerk of the board.

The hearing examiner's findings and recommendation shall be presented to the board together with the written decision by the president/CEO or designee following the initial review meeting. The matter shall be resolved by the board on the basis of the record before the hearing examiner and no evidence, issue, or speaker, which was not heard or raised at such hearing, shall be permitted or considered. Presentations to the board shall be limited to five (5) minutes per side. The foregoing time limitation shall be inclusive of all permitted speakers addressing the board on behalf of each side.

If the hearing examiner concurs with the recommendation of the president/CEO, or designee, a two-thirds (2/3) vote of the board shall be required to take action other than the agreed recommended action. If the hearing examiner does not concur with the recommendation of the president/CEO, or designee, a simple majority vote of the board shall be required to take action other than the hearing examiner's recommended action.

Costs of the appeal, including full payment of the hearing examiner's fee or mediator's fee, shall be assessed against the funds from the cashier's check paid by the appellant/applicant at the time the written appeal is filed.

After completion of the hearing process, if The Children's Trust prevails, then The Children's Trust shall be entitled to recover all costs and charges associated with the appeal including, but not limited to fees for the time spent on the appeal by staff of The Children's Trust. If any funds remain from the cashier's check after paying all costs, fees and charges associated with the appeal then any remaining funds shall be returned to the applicant/appellant.

## **2004. Single Source Procurement**

### **Policy**

Single source procurement may be used when such goods and services, contractual services, or community services are available only from a single source and cannot be procured from any other vendor. A single source contract may not exceed a 12 (twelve) month term.

The term "single source" is strictly construed to mean absolutely no other source for the commodity, contractual service, or community service is available, including dealers or distributors.

### **A. Procedure:**

Commodities or services available only from a single source may be excepted from the formal competitive-solicitation requirements. Conditions under which purchases of Goods and Services, or Direct Community Services will likely be available from one vendor may include when:

- The Goods and Services or Direct Community Services are available from only one source due to a license or exclusive distributor rights; or

- The Goods and Services or Direct Community Services are protected by patent or copyright; or
- The source (vendor) has received designation by a local, state, or federal government as a single source for the goods and services, contractual services or community services desired by The Children's Trust.

When initiating the purchasing process for Goods and Services or Direct Community Services in excess of \$5,000.00, The Children's Trust will determine if there is more than one potential vendor for the purchase pursuant to the procedure set forth in this policy.

If The Children's Trust believes that commodities or services are available only from a single source, The Children's Trust shall electronically post a description of the commodities or contractual services sought for at least seven (7) business days on The Children's Trust's website, thechildrenstrust.org. A request to use the single source procurement must first be approved by the president/CEO in writing before a notice for procurement is posted on The Children's Trust's website. The description posted on The Children's Trust's website must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described.

After reviewing any information received from prospective vendors in response to the notice, staff for The Children's Trust shall determine whether the commodities or services are only available from a single source. If there are two or more potential vendors, then the appropriate purchasing process must be followed, as defined in the procurement policies contained herein. If there is only one eligible vendor, then the goods and services, contractual services or community services requested may be considered as a single source, subject to approval of president/CEO.

Prior to purchasing Goods and Services or Direct Community Services from a single source vendor, staff shall compose a memo to the president/CEO which includes a thorough and complete written justification for the single source determination. It must include a description of the research performed to identify that the Goods and Services or Direct Community Services are only available from a single vendor as well as an explanation of the need for the purchase and any other factors considered in the decision. The written justification must be submitted to the chief operations officer (COO) for review and preliminary approval.

If funding is less than \$25,000, the written justification is sent to the president/CEO for final approval and reported to the board in accordance with General Purchases and Procurement, Policy No. 2000, Section C. president/CEO purchase authority. If funding exceeds \$24,999, the funding must be submitted to the board for approval.

**B. Renewal:**

Annual renewal based on satisfactory performance of a single source contract is permitted in which there is no other provider for such a service. Written justification and approval by the president/CEO for the continued single source determination must be provided.

If a provider is no longer determined to be a single source during the contract term, then the current 12 (twelve) month contract shall remain in effect until expiration of the contract. The procurement process will be followed if The Children's Trust wishes to continue purchasing the commodity or service in the future.

**2005. Vendor Pools**

A vendor pool, applies for the purchase of goods and services and allows The Children's Trust to familiarize itself with the local expertise and qualifications of available vendors for project-specific or nondirect services, and to prequalify them for potential hire in a subsequent, streamlined procurement process. Vendors in the pool are selected through an open and fair competitive process where all eligible applicants have the same opportunity to demonstrate their credentials and experience in the relevant and variety of skills being sought.

In ordinary circumstances, vendor pools may last three to five years. After year three, The Children's Trust will evaluate the feasibility of opening the vendor pool for resolicitation, or continuing for another two years. In year five, The Children's Trust will resolicit for the creation of a new vendor pool. If, due to the termination of a vendor, the pool lacks enough qualified members to meet the specific needs, The Children's Trust may seek qualified vendors from outside the vendor pool. In year three or five, The Children's Trust will resolicit through a formal competitive RFP process for the creation of a new vendor pool.

Once a specific service is needed, selecting a vendor from an existing pool is expedited with a bid process. The selected vendor may have its contract renewed every year, during the life of the existing pool, unless there is a performance issue, which will result in the selection of another vendor from the pool.

Eligible pool applicants may include relevant companies or consultants with highly qualified professional expertise. Prospective applicants (agencies/consultants) should have a proven track record of successfully providing either targeted or full-service services and support to nonprofit organizations serving children and families, foundations, educational institutions, health care providers, government agencies and/or other public sector clients in diverse communities.

Applicants need not be qualified in all of the needed content areas. Agencies or individual professionals may apply to be part of the vendor pool in any one or more of the content areas, as appropriate to their expertise.

Applicants should be currently qualified to conduct business in the state of Florida under the laws of Florida per Chapter 607, Florida Statutes, and must be qualified to conduct business on or before the vendor pool start date. Eligible applicants must remain qualified to conduct business in the state of Florida for the duration of the vendor pool. An exception to this would be for specialized consultants for nondirect services business, such as research, evaluation, communications, information technology and professional development/capacity building. Exemptions will be decided at the discretion of the CEO or his or her designee, and will be stipulated at the issuance of the request for proposal.

No applicant may apply for inclusion in the vendor pool through any agent, affiliate or other individual or entity. Any such application for inclusion will be considered noncompliant with the solicitation and will be ineligible for inclusion whenever such determination is made during the procurement processes. The vendor submitting the application must be the entity that intends to provide future proposed service(s) and the proposal may include disclosed subcontracted agreements. If the eligible vendor is a subsidiary of another entity, the relationship must be disclosed.

## **2006. Unsolicited Request for Funds**

This document outlines the policies and procedures for the disposition of unsolicited requests for funding received by The Children's Trust and awarded through the president/CEO's authority.

### **Policy**

At times, the president/CEO or designee may receive unsolicited requests for funds via email or letter. Requests for funding submitted by an organization based solely upon the requester's initiative, and not in response to a formal solicitation or procurement process of The Children's Trust, will be considered for funding on a case-by-case basis following the processes described in this document. Requests must not exceed \$24,999. To be eligible, the unsolicited request must be received in writing and seek support for a program, service, or activity that is aligned with The Children's Trust's mission and values. The Children's Trust is under no obligation to fund unsolicited requests.

### **A. Procedure:**

A-1. All requests for unsolicited funds shall be submitted to the chief operations officer (COO).

A-2. The COO will review The Children's Trust's contract and fiscal files to determine if there are existing contracts with the same requester and gather any history of previous funding from The Children's Trust. The COO will also research other pertinent information about the requester, including verifying the requester's corporate status on [www.sunbiz.org](http://www.sunbiz.org).

A-3. The COO will prepare a written response and recommendation to the president/CEO that includes a thorough analysis of all the facts gathered. If the president/CEO decides that the request should be accepted, then funding shall be made in accordance with the policy governing the president/CEO's signature authority and all other relevant policies of The Children's Trust.

A-4. A letter of notification about the president/CEO's decision will be drafted by the COO, signed by the president/CEO, and sent to the requesting organization.

A-5. The president/CEO or designee will report the expenditures of unsolicited funding to the board in accordance with General Purchases and Procurement, Policy No. 2000, Section C. president/CEO purchase authority.

## 2007. Match Funding

This document outlines The Children's Trust's policies and procedures to award match funding. Typically, match funding is received from a source other than The Children's Trust to increase community financial resources and expand quality programs for children, youth, and families living in Miami-Dade County.

### Policy

Match funding is defined as a direct fiscal investment (grant) made by The Children's Trust to a program, with the specification that the grant amount must be matched with funding from one or more other sources for a specific outcome or result. The goal is to establish an incentive for agencies to apply for funding from sources other than The Children's Trust that require an applicant to obtain a match. Examples of acceptable match funding include a local match for a grant received from the federal or state or local government. Depending upon the availability of funding, The Children's Trust will consider match funding applications on a case-by-case basis following the processes described in this document. Match funding is a noncompetitive process.

Match funding must be utilized to bring new or expanded resources to the community and will not be used to supplant existing or current match funding, or to assume the responsibilities of other public entities. Match funding is not intended to be used for fund-raising, community events, and sponsorships or for construction costs.

### A. Procedure:

Depending upon the availability of match funding, a proposal for match funding may be received by The Children's Trust either when:

- The initial funding proposal is offered to the provider from the primary funding source; or
- After the primary funding source has confirmed the award or availability of match funding.

Written documentation confirming that an award has been received from the primary funding source and acknowledgment of The Children's Trust as a local match will be required as part of any contract for match funding by The Children's Trust.

All match funding awards equal to or greater than \$10,000 require board approval, while those up to \$9,999 may be approved by the president/CEO and reported to the board in accordance with General Purchases and Procurement, Policy No. 2000, Section C. president/CEO purchase authority. Match funding awards require a written contractual agreement between the organization receiving match funding and The Children's Trust. Any modification or change in the program, key personnel or activities from that approved at the time of the match funding award must receive prior authorization in writing from the president/CEO or, if applicable, the board.

Renewal of match funding beyond the initial contract term is at the sole discretion of The Children's Trust and shall be contingent upon satisfactory performance evaluations, quality program results, outcome achievements, availability of funding, and an ability to maintain the underlying primary funding source. Upon written confirmation of the continued underlying primary funding source, The Children's Trust will notify the match funding recipient of its intent to renew the contract and the conditions to be negotiated upon each renewal.

Qualified applicants for match funding may be governmental entities, for-profit or not-for-profit organizations that are incorporated to conduct business in the state of Florida, or faith based organizations exempted from state regulation. The Children's Trust is prohibited by section 125.901, Florida Statutes, from contracting with programs that fall under the exclusive jurisdiction of the public school system. However, collaboration and/or use of school resources by applicants are encouraged when appropriate. Applicants are not required to be incorporated as 501(c)(3) organizations.

The Children's Trust reserves the right to directly identify and pursue relevant match opportunities, which may involve a process of implementing and/or subcontracting these activities. The Children's Trust also reserves the right to reject all applications.

### B. Proposal Submission and Review Processes:

Availability of match funding will be posted to The Children's Trust website at: [www.thechildrenstrust.org](http://www.thechildrenstrust.org) and applications will only be accepted electronically via our website. Proposals may not be mailed, faxed, or sent via e-mail.

All applications for match funding must be completed in writing and follow the format and processes as described in 2000c. match funding policy and required by The Children's Trust. Applications must be submitted at least 90 (ninety) days prior to the scheduled program start date to accommodate the review and approval process and to ensure proper implementation time.

All applications will be reviewed using the multi-step proposal review process,(Competitive Procurement Process Policy 2002), as defined. In addition, some of the match characteristics considered in evaluating proposals may include:

- Applicant including documentation verifying that the match funding is required by the primary funding source.
- Applicant brings new funds to Miami-Dade County (i.e., not simply replacing an existing match or matching local dollars that already exist in the community).
- Applicant provides recurring, sustainable and ongoing resources versus a one-time only match.

While it is not expected that any single proposal will meet all the criteria, proposals should strive to achieve those relevant to the match approach proposed. The Children's Trust may determine that more information is needed before a recommendation can be made, in which case the information will be requested and reviewed at the following review meeting.

The amount of any match funding award may be directly related to the extensiveness of the activities proposed and percent of requested matching funds. The Children's Trust reserves the exclusive right to limit the total number of annual projects sponsored and to determine what projects are selected for award. There is no appeals process for match funding applications.

## **2008. Capacity Building, Training, & Professional Development**

This document outlines the policies and procedures for procuring services for training and/or professional development of providers funded by The Children's Trust.

### **Policy**

The Children's Trust may procure capacity building, training, and/or professional development services for the purpose of professional-level training, conferences, and/or technical assistance to increase the knowledge, skills, and abilities of service providers funded by The Children's Trust. These funds are intended to support efforts and activities that do not fit specifically within the purview of programmatic funding. Direct service delivery activities that are intended to meet the individual needs of participants are not funded under this policy. In addition, funds are also not to be used for fund-raising, meals for participants during the training, indirect costs, equipment, or construction. This funding is intended for training opportunities that are short term in nature.

Specific training regarding evidence-based programs, best practices and information relevant to meeting national quality accreditation standards may be considered. Examples include training activities focused on implementing model programs, ensuring continuous quality improvement, encouraging professional development, improving consumer participation in governance, and promoting cultural competence. If the intended audience is parents and/or youth, then the focus of training must be on a systems-level, which includes community/civic involvement rather than a focus on individual service needs or interventions.

### **A. Procedure:**

This is not a competitive process or solicitation in the sense that proposals do not compete against one another. Proposals are evaluated on a case-by-case basis and must meet the specified definitions and criteria described herein, based on a staff review. Following staff reviews, recommendations are made to the CEO or designee for funding approval and reported to the board in accordance with General Purchases and Procurement, Policy No. 2000, Section C. president/CEO purchase authority. The Children's Trust reserves the exclusive right to limit the total number of annual projects sponsored and to determine what projects are selected for award.

Funding requests will be limited to no more than \$24,999 per provider per fiscal year, and each request must not exceed \$10,000. Preference will be given to proposals that bring additional funding partners to the

endeavor. Receipt of funding for an annual or recurring event does not create any entitlement to continued funding of that activity in the future.

**B. Introduction:**

Training activities and professional development are important strategies The Children’s Trust may utilize to accomplish its mission to improve the lives of all children and families in Miami-Dade County by supporting improvements in child health, development, and safety, as well as parental and community responsibility and involvement. These funds are intended to support efforts and activities that do not fit specifically within the purview of programmatic funding announcements for services made by The Children’s Trust. Direct service delivery activities that are intended to meet the individual needs of participants are not funded under this policy. In addition, this funding is intended for training opportunities that are short term in nature. Trainings that are intended for long term execution (i.e. more than one or two trainings) may be considered if the audience is one that is identified by The Children’s Trust as needing long term training.

**C. Definitions and Examples:**

Training and professional development includes professional-level training, conferences and technical assistance aimed primarily at service providers. Specific training regarding evidence-based programs, best practices, and information relevant to meeting national quality accreditation standards when relevant may be considered. Examples include training activities focused on implementing model programs, ensuring continuous quality improvement, encouraging professional development, improving consumer participation in governance and development of service programs, and promoting cultural competence.

If the intended audience is parents and/or youth, the focus of the training MUST be on systems-level or community/civic involvement and input on behalf of children, NOT on individual service needs or interventions.

**D. Terms of Application and Contract Requirements/Forfeiture of Funding:**

The applicant must certify that all facts, figures, and representations made in the application are true and correct (as detailed in the official certifications of the application forms). It is required that applicants include in the full application a written commitment from partnering organizations, professional consultants, contracted employees, and the project director acknowledging their agreement to participate in the funded project.

The funds requested in this application may not supplant government or tax funds that would otherwise be used for the purposes set forth in this project. The funds requested in this grant must be a true estimate of the amount needed to operate the proposed program.

Contract awards are contingent upon availability of funding, outcome achievement, and successful negotiation of programmatic and budgetary issues. Awards will require a written contract agreement with The Children’s Trust, with a scope of services, specific deliverables and payment schedules to be negotiated. Funds are not to be used for direct program service delivery expenses, fund-raising, any meals for participants during the training, indirect costs, equipment, or construction. The Children’s Trust will monitor use of the funds for the purpose and program for which it was intended and granted. Unsatisfactory performance as determined by The Children’s Trust staff will result in performance improvement plans. Breach of contract and the exercise of any remedy shall be handled pursuant to the contract terms. Any funds not utilized for said purpose shall be promptly returned to The Children’s Trust.

The Children’s Trust’s sample core contract is included in the download of this document, which is available at [www.thechildrenstrust.org](http://www.thechildrenstrust.org). The core contract is not negotiable, and the terms and conditions are subject to change prior to the execution of the contract. Submission of a proposal by an organization shall constitute acceptance of those terms and conditions. All potential applicants should ensure appropriate internal and legal review of the terms and conditions prior to submitting a proposal for funding from The Children’s Trust. The terms of the contract may be amended to include additional requirements mandated by a funding source, other than The Children’s Trust, that participates in funding the program. Failure to accept these mandatory terms shall be grounds for not awarding or terminating the contract.

**E. Eligible Respondents:**

Applicants may be for-profit or not-for-profit organizations incorporated or qualified to do business in the State of Florida, or faith-based organizations exempted from state regulation. Individual consultants will not be

considered eligible respondents for this solicitation. In addition, current Trust funded programs on performance improvement plans are not eligible to respond. The Children's Trust is prohibited by section 125.901, Florida Statutes, from contracting with programs that are under the exclusive jurisdiction of the public school system. However, collaboration and/or use of school facilities by private entities are encouraged.

It is expected that successful applicants will possess relevant and significant expertise in conducting professional training and technical assistance. Additionally, The Children's Trust reserves the right to directly identify and pursue relevant activities, which may involve a process of directly implementing and/or subcontracting these activities.

#### **F. Proposal Submission and Review Processes:**

Applications can be accepted and reviewed by staff on an ongoing basis through this non-competitive bid solicitation. Proposals must be submitted by the 5th of each month and at least 90 days prior to the scheduled activity in order to accommodate the review process and ensure proper implementation time.

All applications will be processed through a two-step review: an initial screening of critical items, and a substantive review of the proposal's content. The initial screening is conducted by The Children's Trust staff to ascertain whether procedures have been followed. Proposals that fail the initial screening of critical items will not be advanced for substantive review.

For each proposal that passes the initial screening, a team of staff will review proposals and make recommendations to the CEO on at least a monthly basis. It is the responsibility of staff to perform reviews and to draw upon whatever counsel they deem appropriate in doing so. The review team may determine that more information is needed before a recommendation can be made, in which case the information will be requested and reviewed at the review team meeting in the month following when the information is received. Applications will be scored based on criteria specified above.

### **2009. Community Outreach Activities Policy**

This document outlines the policies and procedures for community outreach activities where The Children's Trust is a paid sponsor in association with other entities, participates as a beneficiary of an event, or associates with agencies to generate revenue. This policy describes the process for funding of these community outreach activities.

#### **Policy**

The Children's Trust may participate in and/or sponsor community outreach activities that support the mission and values of The Children's Trust in accordance with the following guidelines:

- Events must serve children in Miami-Dade County, including children with disabilities. All events must be accessible to all children and in compliance with federal and state requirements for access to persons with special needs. When The Children's Trust participates as an exhibitor, The Children's Trust's logo will not be a part of any promotional materials for the event without prior written approval by the president/CEO or his designee.
- The Children's Trust seeks to associate itself with entities and activities that share similar brand values. The name "The Children's Trust" is synonymous with children and families and is keenly associated with quality, inclusiveness, transparency, accountability, and trust. Any promotional materials bearing The Children's Trust's name or logo are limited to identifying The Children's Trust's exhibit at the event.
- The Children's Trust will only participate in community outreach activities that maintain the integrity of its name and image in the community. It is expected that entities seeking funding will possess relevant and significant expertise in conducting public awareness initiatives, executing special events or community outreach initiatives.
- Sponsorship by The Children's Trust is intended to support efforts and activities that are not within the purview of programmatic funding, but cannot be used to supplement contracts or activities already receiving funding from The Children's Trust.
- Sponsorship by The Children's Trust does not create any entitlement to renewed funding to an agency or for an activity in the future. Each agency is limited to one (1) award per fiscal year, and only if the proposed activity is not already budgeted within an existing program services contract funded by The Children's Trust. Events defined as fundraisers may only be sponsored if the applicant is not already funded programmatically by The Children's Trust.

- Professional development conferences or trainings for pre-selected groups of children or parents through an invitation process are not considered public awareness initiatives or community outreach activities.
- Funds must not be used for direct program service delivery expenses, indirect administrative costs, equipment, salaries, insurance, fringe benefits, or construction.
- All event sponsorships must also satisfy one or more of the following critical criteria: promotion of child safety/injury prevention, early learning, literacy promotion, positive parenting and youth development, anti-tobacco/alcohol/drug messages, adoption promotion, mentoring, promotion of physical fitness and proper nutrition, physical/mental health, arts education, violence prevention, advocacy/civic engagement on behalf of children and families and any other issues consistent with The Children's Trust Strategic Plan.

**A. Procedure:**

When The Children's Trust agrees to fund a community outreach activity, a written agreement or purchase order is required that enumerates specific deliverables and methods of payment. When applicable, The Children's Trust will require indemnification and compliance with insurance requirements. The Children's Trust will monitor use of the funds for the purpose intended and granted; any funding not utilized for its intended purpose shall be promptly returned to The Children's Trust.

**B. Funding Requirements:**

Sponsorship funding is capped at \$10,000 per entity per fiscal year. If the president/CEO chooses to exceed the cap to more than \$10,000 but less than \$25,000, the funding request will be reviewed for approval by the Finance and Operations Committee. Any funding requests more than \$24,999 must be presented before the full board for approval.

**C. Application Process:**

Applications for a paid sponsorship or exhibitor are accepted on a case-by-case basis because the process is not a competitive solicitation.

Applications shall be submitted electronically via our website, [thechildrenstrust.org](http://thechildrenstrust.org).

It is expected that successful applicants will possess relevant and significant expertise in conducting public awareness initiatives and executing special events or community outreach initiatives. Each application is reviewed and rated individually. To be considered, applications must meet the specified definitions and criteria.

Applications will be reviewed using a standard score sheet and funding recommendations will be made by staff based upon the scores and internal vetting of the purpose and impact of the event. The review team may determine that more information is needed before a recommendation can be made, in which case the additional information will be requested and reviewed upon receipt. Following the review process, staff will make a written recommendation regarding the request for funding to the president/CEO. All funding recommendations must be approved in writing by the president/CEO and applicants will be notified in writing about whether their request will be funded. All funding will be reported to the board in accordance with General Purchases and Procurement, Policy No. 2000, Section C. president/CEO purchase authority.

**2010. Emergency Funding**

This document outlines the policies and procedures for approval during an emergency (as declared by the president/CEO of 1) the purchase of items necessary for the continuation of The Children's Trust operations; 2) the release of emergency funding to the Miami-Dade County community and, 3) providing emergency funding to The Children's Trust-funded providers that suffer substantial damage or loss, which prohibits an organization from operating and/or delivering The Children's Trust-funded services.

**Policy:**

Prior to or after a community-wide emergency, the president/CEO, with approval by the Board Chair, may spend or release funds in excess of \$25,000 to award emergency funding, on an as-needed basis, to either community organizations or current Trust-funded providers; emergency funds may only be used to help community organizations and/or Trust-funded providers resolve a problem directly caused by the emergency that prohibits them from delivering services contracted with or approved by The Children's Trust.

For purposes of this policy, an "emergency" is defined as any natural, technological, or manmade occurrence which disrupts, or threatens to disrupt, the social or economic systems or infrastructure of Miami-Dade County

and results in substantial loss and/or damage to property. By definition, an emergency is a large-scale disaster that impacts more than a single community. Examples of emergencies may include, but are not limited to, hurricanes, tornados, massive fires, and flooding, etc.

When an emergency incident has occurred in Miami-Dade County, the president/CEO will determine that there appears to be a need for financial support to assist community organizations and/or Trust-funded providers to purchase supplies and/or services to continue delivery of their services. This preliminary determination will be based on collaborative efforts with the United Way, Miami-Dade County, the Federal Emergency Management Agency (FEMA) and other disaster-involved institutions as well as information shared by providers.

**A. Procedure:**

When the president/CEO has determined that an emergency condition exists and there is an immediate need for community organizations and/or The Children's Trust-funded providers to purchase goods, services, or equipment exceeding \$25,000, the procurement procedure shall be as follows:

A-1. The Children's Trust is authorized to purchase items under a state of emergency, as declared by the president/CEO.

A-2. The president/CEO will confer with the chief finance officer (CFO) to determine if funds are available in the approved budget to use for emergency funding purposes and to determine the total amount of funds recommended to be released.

A-3. Upon consultation with the CFO, the president/CEO shall contact the board chair to inform him/her of the requests received from community organizations and/or The Children's Trust-funded providers for immediate financial assistance, and request a waiver of the \$25,000 president/CEO approval threshold.

A-4. Upon approval by the chair of the actions noted above, The Children's Trust will announce the availability of emergency funds to the community organizations and/or Trust-funded providers, with directions for distribution and/or application for funding.

A-5. Community organizations and The Children's Trust-funded providers will be required to submit, in writing, an application for emergency funding in accordance with the instructions provided and will require the following information, at a minimum:

- A full explanation of the circumstances of the emergency including how services are impacted as a result of the loss sustained.
- A description of the goods/services necessary to meet the emergency need.
- Verification or documentation of the loss (e.g. photo(s) of damage).
- A list of vendors solicited and the quotes/proposals received to substantiate the replacement cost or service to be provided.
- The total amount of funding required for the emergency procurement.

A-6. Upon receipt of the emergency funding requests from community organizations and/or The Children's Trust-funded providers, The Children's Trust will review the requests and recommend the amount to be funded. Each request will be reviewed and recommended on a case-by-case basis. Requested expenses must be allowable per The Children's Trust's budget guidelines, but with consideration for some discretion based on extraordinary need due to the emergency. All funding recommendations must be approved by the president/CEO.

A-7. Upon president/CEO approval, the finance department will issue payment and notify the community organization regarding the delivery and/or receipt of the funds. The funding may only be used for the purchase of the goods or services approved.

A-8. Within 30 (thirty) days of making the approved purchases, the community organization and/or The Children's Trust-funded provider must submit copies of paid invoices documenting the purchases and proof of payment. If The Children's Trust determines that the funds were used for a non-approved purpose, then the community organization and/or The Children's Trust-funded provider must return the un-approved dollars spent promptly to The Children's Trust. Within 60 (sixty) days the president/CEO will report the expenditure of emergency funds to the board.