HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) CONSULTANT REQUEST FOR QUALIFICATIONS (RFQ)
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I. TIMELINE FOR SELECTION PROCESS

<table>
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<tr>
<th>ACTIVITY</th>
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<tr>
<td>RFQ Released</td>
<td>May 29, 2019</td>
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| Final date to submit questions and requests for additional information | June 7, 2019  
|                                                  | June 28, 2019                     |
| Posting of responses to questions                | June 10, 2019  
|                                                  | July 1, 2019                      |
| Proposal Due                                     | June 12, 2019  
|                                                  | July 3, 2019                      |
| Interviews                                       | June 24 and June 25, 2019  
|                                                   | July 16th and 17th 2019           |
| Contractor Selected                              | July 1, 2019  
|                                                  | July 22, 2019                    |
| Contract Start Date                              | July 15, 2019  
|                                                  | August 5, 2019                   |

In order to respond to this Request for Qualifications (RFQ), the proposer must submit all required documents through the online application system designated by First 5 LA no later than 5:00 p.m. PT on July 3, 2019 June 12, 2019. It is the proposer’s responsibility to verify submission prior to the deadline. First 5 LA will not be responsible for any technical problems or submission failure. Failure to submit ALL required documents by 5:00 p.m. PT may constitute an incomplete proposal and may be grounds for disqualification.

Questions and requests for additional information must be submitted in writing to:

Sabel Morales, Contract Compliance Manager  
E-mail: smorales@first5la.org

All questions and requests for additional information regarding this RFQ must be received in writing by First 5 LA via email before 5:00 p.m. PT on June 28, 2019 June 7, 2019. First 5 LA reserves the sole right to determine the timing and content of the responses to all questions and requests for additional information. First 5 LA may respond to individual inquiries and then post replies to all questions by the posting date.

Note: Dates are subject to change at First 5 LA’s sole discretion.
Please check the Funding Opportunities webpage regularly for updates and addenda. First 5 LA has the right to amend this solicitation by written addendum. First 5 LA is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addenda shall be made available via the online funding center. Failure to address the requirements of such addendum may result in the Proposal not being considered, at the sole discretion of First 5 LA. Addenda to this solicitation, if any, will be posted on First 5 LA’s website, which may be accessed by clicking https://www.first5la.org/funding-center/. It is the responsibility of proposers to ensure, prior to submission, that their application reflects the most recent information and RFQ requirements.

II. BACKGROUND

First 5 LA — Giving Kids the Best Start

In 1998, California voters passed Proposition 10, which levied a 50-cent per pack tax on all tobacco products. The resulting tax revenues were earmarked for the creation of a comprehensive system of information and services to advance early childhood development and school readiness within each county in California. In Los Angeles County, the First 5 LA Commission was formed as a public entity to develop and oversee various early childhood initiatives and to manage the funding from Proposition 10.

III. PROJECT OVERVIEW

First 5 LA is seeking to hire one (1) consultant to provide expertise on Health Insurance Portability and Accountability Act (“HIPAA”) to ensure compliance with HIPAA regulations for First 5 LA funded and supported programs and evaluations.

IV. SCOPE OF WORK

The selected consultant will be asked to support First 5 LA with HIPAA expertise and technical assistance to validate and inform program design and implementation. First 5 LA anticipates the following major areas of work. Tasks and sequencing may change upon input from the selected consultant:

- Identifying requirements for maintaining HIPAA compliance to safeguard Protected Health Information (PHI), including collected raw data and information with individual identifiers.
- Identifying, developing, reviewing, and revising data sharing agreements, consent forms, relevant language in grant agreements and contracts, and business associate agreements.
- Reviewing administrative functions (including IT systems) to ensure compliance with HIPAA regulations. The consultant shall provide guidance to the IT Department on IT security requirements.
- Supporting the development of administrative, physical, and technical safeguards to comply with HIPAA regulations and ensure the confidentiality, availability and integrity of protected health information.
- Providing technical assistance, training and consultation on protocols and systems related to HIPAA, PHI, data access, data gathering, and data security to protect individually identifiable health information.

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If proposers intend to partner with subcontractors, it is the expectation that the submitted proposal will include proposed subcontractors. The selected consultant is expected to assume direct responsibility of supporting First 5 LA with HIPAA expertise and compliance to the contract with First 5 LA.

V. **ELIGIBILITY**

Proposals will be considered from consulting firms or individuals that meet the following eligibility requirements:

- Proposer must have a physical office located in Southern California
- A minimum of five (5) years of experience in the field of service

Proposers that do not meet the requirements above will not pass the first level of review (see *Section VIII. Selection Process and Review Criteria*).

VI. **SUMMARY OF DESIRED QUALIFICATIONS**

The ideal proposer should possess the following experience and qualifications:

- Strong working knowledge of HIPAA Administrative Simplification Regulations (45 C.F.R. Parts 160, 162, and 164), Health Information Technology for Economic and Clinical Health Act (the “HITECH Act”), Family Educational Rights and Privacy Act (FERPA), and Institutional Review Boards (“IRBs”), including obtaining informed consents.
- Familiar with aggregate data sharing processes and large data set transfers between covered and non-covered entities.
- Experience performing risk assessments and audits to ensure that information systems are adequately protected and meet HIPAA compliance requirements
- Knowledge of best practices in HIPAA related policies and procedures.

Any of the certifications listed below are preferred, but not required:

- Certified HIPAA Professional (CHP)
- Certified HIPAA Administrator (CHA)
- Certified HIPAA Security Specialist (CHSS)

VII. **TERMS OF PROJECT**

First 5 LA intends to enter into a 1-year agreement with the awarded Contractor with an estimated start date of July 15, 2019. The selected contractor will be compensated at an hourly rate through a Time and Materials contract based on work assigned, as needed. First 5 LA reserves the right to negotiate the proposed hourly rates. A final budget will be negotiated with the selected contractor based on experience and expertise. At the end of the initial 1-year agreement period, First 5 LA reserves the option to renew annually for a total project term of three (3) years. First 5 LA reserves the right to terminate the contract if services are no longer needed or if quality of services are not to First 5 LA’s satisfaction.

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VIII. SELECTION PROCESS AND REVIEW CRITERIA

First 5 LA will award the contract to one proposer based on the following multi-stage review process. Proposal must score satisfactorily in each level of review in order to move on to the next level of review or for final selection, as applicable.

Level 1 Internal Review:
First 5 LA will evaluate all proposals for completeness and minimum requirements. Basic requirements include: timely receipt of proposal, submission of all required attachments, and adherence to eligibility requirements. Proposals with omissions of any required documentation are subject to disqualification.

First 5 LA will also conduct a due diligence review which includes a review of the Litigation and Contract Compliance form and a review of whether proposer (that are current and former contractors, grantees and vendors) currently remain placed in non-compliant status by First 5 LA under any existing and past agreement with First 5 LA. First 5 LA reserves the right to request additional information, if needed, to validate eligibility and/or and minimum requirements.

Additionally, First 5 LA will conduct a conflict of interest review for proposers including subcontractors.

Level 2 Proposal Review:
Proposers that pass Level 1 review will proceed to Level 2 review. First 5 LA staff members will review and score proposals. Prior to beginning their review, reviewers will be assessed for conflicts of interest with proposers and sign a Conflict-of-Interest form to certify that there are no conflicts of interest. Reviewers will score proposers using the review tool listed as Appendix A: Review Tool. Reviewers will participate in a calibration session prior to finalizing scores.

Highly scoring proposers from Level 2 review will proceed to Level 3 review.

Level 3 Interview
Only key personnel on the proposed RFQ can participate in the interview. Tentative interview dates are included in Section I: Timeline for Selection Process and are subject to change at First 5 LA’s sole discretion. Interviews will be held either at First 5 LA or via phone. Reviewers will be assessed for conflicts of interest with proposers and sign a Conflict-of-Interest form to certify that there are no conflicts of interest. Reviewers will participate in a calibration session prior to finalizing scores. Further written materials may be requested prior to or after the interview. First 5 LA reserves the right to schedule additional interviews/meetings should additional questions arise.

Reference Checks:
Reference checks may be conducted for the highest scoring proposers after Level 3 review. If conducted, information obtained through reference checks will complement the results from the other levels of review. First 5 LA must be able to contact two (2) references provided by the proposer. If two (2) references cannot be reached, First 5 LA may deem the proposer ineligible for this opportunity.

The highest scoring proposers based on Level 3 Interview scoring in combination with information obtained through reference checks, if conduct, will be recommended for award of the contract.

IX. REQUIRED DOCUMENTS

The documents listed in this section are required to respond to this RFQ. Omission of any document/form may constitute an incomplete proposal and may be grounds for disqualification.

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Proposals that fail to adhere to First 5 LA’s page limitation requirements will be adjusted by the removal of page(s) from the proposal. Pages will be removed before the Level 2: Proposal Review. The removed page(s) will not be made available to reviewers.

1. **Online Application:** In order to respond to this RFQ, proposers must complete an online application form and submit all required documents specified below through the online application system. Proposers must set-up an online account in order to access the application form. Instructions on setting up the account and access the online application may be found at [https://www.GrantRequest.com/SID_725?SA=SNA&FID=35308](https://www.GrantRequest.com/SID_725?SA=SNA&FID=35308).

2. **Narrative of Relevant Experience and Qualifications:** *(may not exceed 5 single-spaced pages using at least 10pt font)* The narrative should describe:
   a. Any past experience with the major areas of work listed in the Scope of Work Section (Section IV)
   b. Experience with and knowledge of HIPAA Administrative Simplification Regulations (45 C.F.R. Parts 160, 162, and 164), Health Information Technology for Economic and Clinical Health Act (the "HITECH Act"), Family Educational Rights and Privacy Act (FERPA), and Institutional Review Boards ("IRBs"), including obtaining informed consents.
   c. Knowledge of data sharing protocols and large data set transfers between covered and non-covered entities.
   d. Experience performing risk assessments and audits to ensure that information systems are adequately protected and meet HIPAA compliance requirements.
   e. Knowledge of best practices in HIPAA related policies and procedures.

3. **Project Organization & Resume(s):** *(5 pages maximum)* Please submit resumes for key personnel, including any proposed subcontractors, who will play a major role in carrying out the services. Resume(s) must include relevant work history, educational attainment and certifications, if applicable, that demonstrate desired qualifications under Section V. Summary of Desired Qualifications.

4. **Certifications:** If any, please include copies of the following certifications as one file through the online application system (5 pages maximum).
   a. Certified HIPAA Professional (CHP)
   b. Certified HIPAA Administrator (CHA)
   c. Certified HIPAA Security Specialist (CHSS)

5. **Rate Sheet:** Proposers must submit a Rate Sheet detailing hourly rates. Please detail any other associated costs, such as travel costs.

6. **Litigation and Contract Compliance Form** *(Appendix B)*: Please read the information on the required Litigation and Contract Compliance form thoroughly and include a signed copy by the proposal deadline. If you checked “Yes” to any of the questions on this form, please explain whether this will impact the project on this solicitation. Omission of the form will constitute an incomplete proposal and may be grounds for disqualification.

7. **Business License** *(if applicable)*
Failure to submit all required attachments may constitute an incomplete proposal and may be grounds for disqualification. Proposers are responsible for any errors omissions in their proposals and applications. In order to respond to this RFQ, please complete and submit your proposal and all required documents to First 5 LA no later than 5:00 p.m. PT on July 3, 2019 June 12, 2019. Proposals received after this deadline will not be considered. It is the responsibility of the proposer to ensure, prior to submission, that its proposal reflects the requirements of this solicitation. Proposers should not wait to submit documents through the online application system minutes before the closing time. First 5 LA will not be responsible for any delays proposers may encounter with the online application system due to multiple proposers uploading documents before the closing time.

X. TERMS OF THE RFQ

First 5 LA has the right to amend this solicitation by written addendum. First 5 LA is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addenda shall be made available via the online funding center. Failure to address the requirements of an addendum may result in the proposal not being considered, at the sole discretion of First 5 LA. It is the responsibility of proposers to ensure, prior to submission, that their application reflects the most recent addenda information and RFQ requirements. Addenda to this solicitation, if any, will be posted on First 5 LA's website at http://www.first5la.org/Funding-Center.

First 5 LA reserves the right to reject all proposals and re-solicit for proposals. Failure to comply with proposal specifications shall be grounds for disqualification of proposals. Each proposer shall be required to honor the price and specifications quoted for a minimum of sixty (60) calendar days following submission of the proposal. First 5 LA also reserves the right to cancel this RFQ, in its sole discretion, at any time before execution of a contract.

First 5 LA shall not be liable for any costs incurred in connection with a proposer’s preparation of a proposal in response to this RFQ. Any cover letters, résumés and curriculum vita, including attached materials, submitted in response to this RFQ shall become First 5 LA’s property and subject to public disclosure.

Each proposal shall be retained for official files and will become public record upon submittal unless the proposal or specific parts of the proposal can be shown to be exempt from disclosure by law. The budget, scope of work and other contractual information may be included in board materials which are made public if the contract requires board approval. Each proposer may clearly label parts of a proposal as “CONFIDENTIAL” if the proposer thereby agrees to indemnify and defend First 5 LA for honoring such a designation. The failure to so label any information that is released by First 5 LA shall constitute a complete waiver of all claims for damages caused by any release of the information. If a public records request for information labeled confidential is received by First 5 LA, First 5 LA will notify the proposer of the request. Within seven (7) calendar days after First 5 LA’s notification to the proposer, it will be the proposer’s duty to act in protection of the labeled information. The proposer’s failure to so act shall constitute a complete waiver.

The proposer agrees that, by submitting application proposal, the proposer authorizes First 5 LA to verify any or all information and/or references submitted in the proposal.

False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal shall be sufficient cause for rejection of the proposal at any time. The evaluation and determination in this area shall be at First 5 LA’s sole judgment.

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First 5 LA may elect to waive any minor irregularity in a proposal if the sum and substance of the proposal is present.

First 5 LA may, at its discretion, request that the Contractor undertake additional, unanticipated, activities that are aligned to the project objectives of this RFQ and incorporate such activities into the final Scope of Work/Performance Matrix and Budget, if applicable.

X. CONTRACTUAL CONSIDERATIONS

The successful proposer must sign and adhere to the provisions of the First 5 LA Contract (see sample Contract - Appendix C). The successful proposer must execute the Contract without substantive alteration. All proposers must review the sample Contract in detail and fully understand the contractual obligations described in the Contract, including all insurance requirements. If a satisfactory agreement cannot be negotiated within 30 days of award, First 5 LA may, at its sole discretion, begin negotiations with the next qualified proposer, as determined by First 5 LA. First 5 LA may, after contract award, amend the awarded contract, scope of work and any other exhibits in accordance with the terms of the contract and as needed throughout the contract term to best meet the needs of First 5 LA.

Current and former First 5 LA grantees, contractors and vendors must be in good standing and compliant with all aspects of current and former agreements with First 5 LA in order to be eligible to respond to this RFQ. First 5 LA may deem an proposer ineligible to respond to this RFQ if it finds, in its sole discretion, that the proposer has done any of the following: (1) violated any term or condition of a First 5 LA agreement; (2) committed any act or omission, or engaged in a pattern or practice, that negatively reflects on the proposer’s quality, fitness or capacity to perform services listed in this RFQ; (3) committed an act or offense that indicates a lack of business integrity or business dishonesty; or (4) made or submitted a false claim to First 5 LA or any other public entity.

As stewards of public funds First 5 LA’s Funding Guidelines are intended to provide information about the restrictions on the use of First 5 LA funds. Although these Funding Guidelines are applicable generally, the terms of individual funding agreements will always take precedence over these guidelines.

The award of a contract by First 5 LA to an individual/agency/organization that proposes to use subcontractors for the performance of work under the contract resulting from this RFQ process shall not limit First 5 LA’s right to approve subcontractors, assemble teams and/or assign leads. Each proposer will be evaluated independently for added value to the overall team. A copy of executed subcontract(s) related to Program funding must be provided to First 5 LA.

First 5 LA, in its sole discretion, may conduct an evaluation of this project. Contractors will be required to comply with First 5 LA’s evaluation and any requests for information arising out of such evaluations within the timeframe specified by First 5 LA.

If the awarded contract is not signed prior to the intended start date, the commencement of any activities under the contract’s Scope of Work/Performance Matrix (Exhibit A) will not begin until the contract execution date (the date all parties have signed and delivered the contract) and the successful proposer will not be eligible to obtain reimbursement for any costs incurred prior to the contract execution date, unless otherwise approved in writing by First 5 LA. If the awarded contract is not signed by the successful proposer within thirty (30) calendar days from the proposed intended

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start date, First 5 LA may withdraw the contract award. First 5 LA may revise the proposed effective date prior to final execution of the awarded contract.

If the value of the contract is $75,000 or more in the aggregate in any fiscal year, the award and execution of the contract is subject to First 5 LA’s Board approval. Any performance of services commenced prior to obtaining all written approvals by First 5 LA shall be considered voluntary.

Unless otherwise submitted during the RFQ process, the successful proposer will be required to submit additional required documentation including, but not limited to, the following documents before the awarded contract can be fully executed:

- Litigation and Contract Compliance Form
- By-laws (if applicable)
- Articles of Incorporation (if applicable)
- Board of Directors or List of Partners (as applicable)
- Signature Authorization Form
- Annual Independent Audit for prior fiscal year or calendar year (if applicable)
- Appropriate business licenses (for vendors or private organizations)
- IRS Determination Letter for non-profit status (if applicable)
- Completed IRS Form W-9
- Memorandums of Understanding and Subcontracts (for any sub-contractors, collaborators, and/or partners)
- Certificates of Insurance for all insurance requirements outlined in the sample Contract.

XII. APPEALS POLICY

First 5 LA reserves the right, without prejudice, to reject any or all submitted proposals. An appeal shall be permitted only on the grounds that the decision violated applicable law, First 5 LA policies and procedures, or the terms of this RFQ. Appeals challenging First 5 LA’s decision on the merits or qualifications of proposers or the scoring of proposals shall not be permitted. An appeal of a First 5 LA decision shall be in writing and filed with the office of the Executive Director, or his or her designee, within ten (10) business days following the date the notification of decision is made by First 5 LA. For more information, please refer to the Appeals Policy located at [http://www.first5la.org/About-Us/Policies](http://www.first5la.org/About-Us/Policies).

XIII. APPENDICES

- Appendix A - Level 2 Review: Proposal Scoring Criteria (Information)
- Appendix B - Litigation and Contract Compliance Form (For submission)
- Appendix C - Sample Contract (Information)