

AMENDED REQUEST FOR QUALIFICATIONS

REQUEST FOR QUALIFICATIONS NUMBER: SP-07-0456B
COMMODITY: SUBSTANCE ABUSE TREATMENT SERVICE
BID OPENING DATE: OPEN- ENDED

PROPOSALS MAY BE SUBMITTED ANY TIME DURING THE CONTRACT PERIOD OR ANY EXTENSION THEREOF.

MAILING ADDRESSES:

BID OPENING LOCATION:

AR OFFICE OF STATE PROCUREMENT
1509 WEST 7TH STREET, ROOM 300
LITTLE ROCK, AR 72201-4222

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1509 WEST 7TH STREET, ROOM 300
LITTLE ROCK, AR 72201-4222

RESPONSES MAY NOT BE FAXED.

INITIAL RESPONSES TO THE REQUEST FOR QUALIFICATIONS WILL BE ACCEPTED BY THE OFFICE OF STATE PROCUREMENT UNTIL THE TIME AND DATE SPECIFIED ABOVE. THE RESPONSE ENVELOPE MUST BE SEALED AND SHOULD BE PROPERLY MARKED WITH THE REFERENCE TRACKING NUMBER, DATE, HOUR OF BID OPENING AND THE RESPONDER'S RETURN ADDRESS. IT IS NOT NECESSARY TO RETURN "NO RESPONSES" TO THE OFFICE OF STATE PROCUREMENT.

BIDDER (COMPANY NAME): _____

CONTACT (NAME/TITLE): _____

ADDRESS: _____

TELEPHONE: _____ **FAX:** _____

E-MAIL ADDRESS: _____

FED. I.D. OR SSN#: _____

FAILURE TO PROVIDE A TAXPAYER IDENTIFICATION NUMBER MAY RESULT IN REJECTION

_____ OR _____
Federal Employer Identification Number Social Security Number

THE RESPONSE MUST BE SIGNED IN INK. UNSIGNED RESPONSES WILL NOT BE CONSIDERED.

Signature: _____

Business Designation (check one) Individual Sole Proprietorship
 Public Service Corporation Partnership Corporation
 Government/Nonprofit

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ADDENDUMS: BIDDERS ARE CAUTIONED TO ENSURE THAT THEY HAVE RECEIVED OR OBTAINED AND RESPONDED TO ANY AND ALL AMENDMENTS TO THE REQUEST FOR QUALIFICATIONS PRIOR TO SUBMISSION.

ALTERATION OF ORIGINAL DOCUMENTS: The original written or electronic language of the RFQ/RFP shall not be changed or altered except by approved written addendum issued by the Office of State Procurement. This does not eliminate an Offeror from taking exception(s) to any of the original language; it must be submitted by the Offeror in separate written or electronic language in a manner that clearly explains the exception(s). If Offerors/Contractors submittal is discovered to obtain alterations/changes to the original written or electronic documents, the Offerors response may be declared as "non-responsible" and the response shall not be considered.

The Office of State Procurement objects to and shall not consider any additional terms or conditions submitted by a bidder, including any appearing in documents attached as part of a bidder's response. In signing and submitting its bid, a bidder agrees that any additional terms or conditions, whether submitted intentionally or inadvertently, shall have no force or effect. Failure to comply with terms and conditions, including those specifying information that must be submitted with a bid, shall be grounds for rejecting a bid.

MINORITY BUSINESS POLICY

Minority participation is encouraged in this and all other procurements by state agencies. "Minority" is defined by Arkansas Code Annotated § 15-4-313 (5) (A-D) means lawful permanent resident of this state who is: African American, Hispanic American, American Indian, Asian or Pacific Islander". The Arkansas Economic Development Commission conducts a certification process for minority businesses.

Arkansas Economic Development Commission Minority Certification
_____.

EQUAL EMPLOYMENT OPPORTUNITY POLICY:

In compliance with Act 2157 of 2005, the Office of State Procurement is required to have a copy of the vendor's Equal Opportunity Policy prior to issuing a contract award. EO Policies may be submitted in electronic format to the following

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email address: eeopolicy.osp@dfa.state.ar.us or as a hard copy accompanying the proposal response. The Office of State Procurement will maintain a file of all vendor EO policies submitted in response to solicitations issued by this office. The submission is a one time requirement but vendors are responsible for providing updates or changes to their respective policies and of supplying EO policies upon request to other state agencies that must also comply with this statute. Vendors that do not have an established EO policy will not be prohibited from receiving a contract award, but are required to submit a written statement to that effect.

ACT 157 OF 2007 EMPLOYMENT OF ILLEGAL IMMIGRANTS
Pursuant to Act 157 of 2007, all bidders must certify prior to award of the contract that they do not employ or contract with any illegal immigrants in its contract with the State. Bidders shall certify online at:
http://www.arkansas.gov/dfa/procurement/pro_index.html

ISSUING AGENCY: The Office of State Procurement (OSP) issues this AMENDED Request for Qualifications for the AR Department of Community Correction. The Office of State Procurement is the sole point of contact for the procurement process. Questions and clarifications regarding specifications should be addressed to the Issuing Officer:

Jan Roberts, Phone: (501) 371-6057
FAX: (501) 324-9311
Email: jan.roberts@dfa.state.ar.us

INVOICE TO:
AR DEPARTMENT OF COMMUNITY CORRECTION
105 WEST CAPITAL, 2ND FLOOR
ATTN: ACCOUNTING
LITTLE ROCK, AR 72201

This document sets forth requirements for multiple qualified vendors capable and willing to execute a contract for providing substance abuse treatment services for the Arkansas Department of Community Correction.

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SCOPE

The Arkansas Department of Community Correction (DCC), acting as a fiscal agent for Arkansas drug courts, is soliciting responses from community-based service providers who are licensed and willing to execute a contract to provide partial day, dual diagnosis, residential substance abuse treatment services, and/or chemical-free living that is ordered by a judicial circuit drug court.

The contract period will be for one year beginning July 1, 2009, until June 30, 2010, with up to four (4), one-year renewal periods or a portion thereof.

Each operating Drug Court will have funds for ordering drug court participants to residential treatment for substance abuse and/or mental health issues. The funds designated for each court will be determined by a formula applied by the Administrative Office of the Courts (AOC). The funding is provided up to the limits established by this formula.

This solicitation is open-ended. Providers may submit proposals at any time during the year.

I. Contract Awards - In order to provide services, contractors must meet the following requirements:

A. Be approved by the Department of Finance and Administration (DFA), Office of State Purchasing (OSP), as a contract vendor.

B. Be awarded one or more of the services listed below.

C. All of the programs below must also include an evidence-based tobacco cessation program (U.S. Cessation Guidelines) by appropriately trained personnel.

D. Be appropriately licensed for the services provided as described below:

1. Partial Day Outpatient Substance Abuse Treatment - Licensed by the Office of Alcohol and Drug Abuse

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Prevention (ADAP) for substance abuse treatment.

2. Residential Substance Abuse Treatment
 - a. Licensed by ADAP for substance abuse treatment
 - b. DCC Transitional Housing License
3. Chemical-Free Living Services - DCC Transitional Housing License
4. Dual Diagnosis Treatment Services
 - a. Licensed by ADAP for substance abuse treatment
 - b. Licensed by the Division of Behavioral Health Services (DBHS) for mental health treatment
 - c. Licensed by the DCC as a Transitional Living Facility if overnight housing is required for provision of services
5. Observation Detoxification
 - a. Licensed by ADAP for substance abuse treatment
 - b. Licensed by the DCC as a Transitional Living Facility if overnight housing is required for provision of services.
6. Group, Individual and Family Counseling

The DCC and OSP may add treatment providers at any time during the contract period, including extensions.

II Program Brief

According to the U. S. Department of Justice, one in every 138 U. S. residents was in prison or jail at yearend 2004. Overall, the Nation's prison population grew by 1.9%. In Arkansas, prisons and jails are overcrowded, with a projected growth of 17% in the next 5 years. Alternatives are necessary to alleviate the overcrowding and provide prison beds for new commitments.

Drug courts provide an alternative to prison. They are special courts that handle offender cases involving substance-abuse through comprehensive supervision, drug testing, treatment services, and direct and immediate sanctions and incentives. Drug court programs bring the full weight of all interveners (judges, prosecutors, defense counsel, substance abuse treatment

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specialists, probation officers, and others) to bear, forcing the offender to deal with his or her substance abuse problem.

At the end of March, 2007, Arkansas drug courts had a total statewide caseload of approximately 1,400 offenders. These offenders have identified drug and/or alcohol issues, which are primary causes of their behavior. While courts differ in program specifics, all offenders are under court jurisdiction and supervision.

The goal of the Drug Court Residential Substance Abuse Treatment Program is to provide substance abuse treatment (residential, partial day outpatient, or dual diagnosis) and chemical-free living, if necessary, to male and female offenders participating in the drug court system. The primary service objective for residential treatment is to provide inpatient services in a supervised drug-free environment while undergoing intensive substance abuse treatment and other court-ordered services. The number of treatment days is determined by the judge and drug court staff.

III. Target Population - Male and female clients under DCC supervision that are active participants in an Arkansas drug court and who have been ordered into treatment by the judge from that drug court.

IV. Service Provider Requirements

- A. **Eligibility:** The invitation to serve as a substance abuse treatment provider in the Drug Court Residential Treatment Program is statewide, open to any community-based provider licensed as defined in **I. Contract Award.**
- B. **Guidelines.**
 - 1. The environment for substance abuse and mental health treatment services shall be consistent with state, federal and local laws and shall not conflict with the conditions of community supervision or the drug court.
 - 2. Offender referrals will be made only to service providers who meet the guidelines of this document and are approved for participation in this contractual agreement.

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3. The provider will bill the DCC on a monthly basis for actual services rendered, utilizing an invoice (provided on the DCC web page, www.dcc.state.ar.us) containing documentation agreed upon by the circuit drug court judge and DCC.

4. Payment will be based upon receipt of an original invoice for services rendered and a copy of the Drug Court Judge's order with the offender's signature. DCC shall not assume financial responsibility for services rendered by providers to persons without proper documentation.

5. The DCC obligation to reimburse providers is limited by the amount of appropriation and funding provided by the Arkansas Legislature for the specific purpose of the payment of treatment costs as described herein. Under no circumstances will DCC be financially responsible for reimbursing providers for the costs of treatment once the appropriation and funding provided by the Arkansas legislature is exhausted. The provider must exhaust the drug court client's financial resources (Medicare, Medicaid, private insurance, etc.) prior to billing DCC for contractual services described herein.

6. The service provider shall keep accurate records of costs incurred and individualized services **including tobacco cessation treatment** provided to offenders participating in the program.

7. The service provider shall provide activity reports to the referring drug court team in a format and time specified by the judge. The report format will include, at minimum, such items as a client's social security number, race, sex, supervision area, referring DCC office, types of service rendered, provider name and facility location, admission date, diagnosis, treatment, progress, discharge summary, discharge date, recommendations, etc. The AOC will coordinate with the circuit judges to adopt a uniform release form that is implemented initially to include services provided under the contract, so that client treatment information and documents may be released to the drug court team.

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8. Providers shall coordinate with and provide information to drug court team members through regular contact (meetings, telephone, etc.) regarding case management, offender progress, and aftercare plans. Appointments for services shall be made only through the DCC Drug Court Counselor or other designated staff person
9. The provider shall have an order from the referring drug court judge before services can be rendered. A copy shall be maintained in the offender's treatment files for tracking and verification purposes.
10. The provider must notify the drug court supervision officer of any intended termination of residential or intense outpatient services due to violence or other incidents of a serious nature before a client is dismissed.
11. The Provider must maintain a record of all treatment services provided, incidents, rule infractions, and progress notes in the offender's record before discharge or action can be taken against the client.
12. The service provider must obtain the approval of the drug court judge for early discharge of a drug court client from residential treatment.
13. Acts of Violence - Immediate dismissal of clients from treatment is not an option for the service provider unless the offender commits an act of violence (verbal/physical and/or destruction of property), sexual assault, use or abuse of drugs or alcohol. If a client commits a verbal threat or physical act of violence, local law enforcement and the drug court supervising officer must be contacted immediately. This information shall also be immediately reported to the drug court judge by the supervision officer.
14. Facility Rules - Non-compliance with the procedures below subject the provider to suspension of their contract to provide services to the Drug Court Residential Substance Abuse Treatment Program. When a

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drug court client violates facility rules, the service provider will take the following actions to address the violation(s):

- a. 1st Incident -- Decide on an appropriate action.
- b. 2nd incident - Inform the drug court supervision officer who will inform the drug court judge, who must be in agreement with the provider's decision before dismissal if such action is under consideration.
- c. 3rd incident - Determine whether the incident is grounds for dismissal from the treatment program [with program re-entry dependent upon the type of violation(s) committed previously and individual provider rules for readmission], and advise the drug court supervision officer prior to the offender leaving the facility. Note: The officer informs the drug court judge.

15. Service providers will immediately notify the drug court judge and DCC supervision officer when a client walks away from treatment or fails to report to treatment as required.

16. Service providers shall provide quality treatment services in a professional, ethical, and effective manner according to established ADAP, DBHS, **TPCP (Tobacco Prevention and Cessation Program, ADH)** and DCC guidance.

17. Service provider must comply with the State disclosure requirements (established by Governor's Executive Order), and the Prison Rape Elimination Act.

18. Services for residential treatment must be provided to the client the same day as the court orders treatment.

19. When possible, a family member must be a part of the treatment process (i.e., family therapy, group discussions, etc.).

20. The provider will provide monthly and annual reports to the DCC and the drug court judges,

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including but not limited to, number of drug court admissions, number completing the program successfully, client demographics, number of treatment days and type of services, number and type of terminations, number of clients scheduled for services but did not report to the treatment facility, etc

21. Agree to participate in training events as required by the DCC or the drug court. **The service provider shall work with DCC, ADAP and TPCP for the provision of coordinating any necessary training for tobacco cessation treatment.**
22. The provider will meet with drug court team members as requested.
23. The drug court judge is the authority for deciding the type of services a client will receive. The judge may order an assessment, without court, prior to determining the services to which he/she will order the client.

C. Services to Clients. Treatment could include any or all of the following services, **however, all programs will include tobacco cessation counseling:**

1. Partial Day Outpatient Services. Care provided to a substance abuse client during any part of the 24-hour day for a minimum of four hours per day, including, but not limited to, individual/group, occupational and recreational therapy, meals as appropriate, minimal drug education, anger/stress management, life, employability, and communication skills. Optional services may include support groups (NA, CA, AA, positive peer groups, etc.), academic and vocational assistance, family and parenting coping skills, and educational assistance.
2. Residential Treatment. Twenty-four (24) Hour a day treatment services in a residential setting for the number of days required by the drug court, including, but not limited to,

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individual/group/family counseling, relapse prevention training, medication education, stress or anger management/relaxation training, recreational therapy, and AA/CA/NA support group meetings. Optional services may include indoctrination into the Twelve-Step Program, life and employability skills, academic and vocational assistance, parenting, and communication skills. These services may be addressed by referral to a licensed alcohol and drug treatment program or provided through partial day outpatient treatment.

3. Chemical-Free Living Centers (CFLF). Referrals may be made to chemical-free living centers if the drug court judge feels the offender must be taken from his/her home environment and placed in a structured housing facility. The services shall include adequate supervision and services based upon the offenders' needs and criminal histories, i.e. employment counseling, as appropriate; budget development; meetings (AA, NA, CA, individual/group counseling), as appropriate; individual and/or group counseling; planning and resource development (future housing, transportation, etc., approved by appropriate Drug Court team members); life skills, as appropriate; and aftercare plan. The facility must be licensed by DCC as a transitional house. Information on the licensure process is on the DCC website at www.dcc.state.ar.us.

4. Dual-Diagnosis. Treatment of the dually-diagnosed drug court client shall be provided in a facility that is appropriately licensed and can provide both mental health and substance abuse treatment concurrently. A plan of treatment for the disorder must be developed by substance abuse and mental health professionals. Mental health treatment, in addition to substance abuse therapy, could include individual and/or group outpatient therapy sessions.

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5. Observation Detoxification - This service requires monitoring 24 hours per day (3 days maximum) of a client while he/she is undergoing mild withdrawal in a residential setting. Vital signs will be taken by a staff member trained and certified by ADAP as a Regional Detoxification Specialist, or a medical doctor, registered nurse, licensed psychiatric technical nurse or licensed practical nurse. The provider shall establish and implement emergency medical procedures.

6. Specialized Women Services (SWS) - At a facility designated as SWS, a unit of service will be one day for a family. A family consists of a mother with up to two (2) children under the age of 6 years. Older children may be admitted with the approval of ADAP. Services at minimum include case management, alcohol and drug treatment, child care, transportation, medical treatment, housing, education/job skills training, parenting skills, aftercare, and family education.

7. Group Outpatient Services - **Counseling** provided in an outpatient environment to more than one substance abuse client. Services to all members of the group may be reimbursed. A unit of service is 15 minutes or any part thereof.

8. Family Outpatient Services - **Counseling** provided in an outpatient environment to a substance abuse client and/or family members and/or significant other. Although the client is usually present at these sessions, these sessions are reimbursable if the client is not present. Services to all members of the family or significant other may be reimbursed. A unit of service is 15 minutes or any part thereof.

9. Individual Outpatient Services - **Counseling** care provided to a substance abuse client in an outpatient environment. Outpatient services provided to the client only. A unit of service is 15 minutes or any part thereof.

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V. Reimbursable Services. The cost for residential treatment services to drug court clients shall be as specified in the contractual agreement and approved by DFA, Office of State Purchasing (OSP), and by the drug court judge, not to exceed the following maximum reimbursable cost for a specific service per offender per day (up to the AOC established limits per drug court and contingent upon availability of appropriation and funds):

A. Outpatient/Residential Substance Abuse Treatment Services (per client)

- | | |
|---------------------------------|----------------------------|
| 1. Partial Day Services | \$ 52.00 (maximum per day) |
| 2. Residential Treatment | \$ 62.00 (maximum per day) |
| 3. Chemical Free Living Centers | \$ 24.00 (maximum per day) |

Note: Client may access this service one time only for the first 30 days maximum, unless otherwise ordered by the court.

- | | |
|---|----------------------------------|
| 4. Dual Diagnosis Treatment | \$ 72.00 (maximum per day) |
| 5. Observation Detoxification | \$ 75.00 (maximum per day) |
| <i>(Not to exceed 3 days, unless otherwise ordered by the court.)</i> | |
| 6. Specialized Women Service | \$100.00 (maximum per day) |
| 7. Outpatient Group | \$ 4.00 (maximum per 15 minutes) |
| 8. Outpatient Family | \$ 4.00 (maximum per 15 minutes) |
| 9. Outpatient Individual Counseling | \$13.00 (maximum per 15 minutes) |

B. Any agreements established on costs other than those listed above shall be filed with OSP and the DCC Deputy Director for Administrative Services, Department of Community Correction, 105 West Capitol, Two Union National Plaza, 2nd Floor, Little Rock, Arkansas, 72211, prior to presenting invoices for payment. Invoices shall be forwarded to the DCC Administrative Assistant NO LATER THAN THE 10th OF EACH MONTH, who will provide a copy to the judge, at each DCC drug court office for validation of services rendered. Following validation, invoices will be forwarded to the DCC Purchasing Manager, at the above address, for payment, not to exceed budget limits/funding levels for residential treatment services for that specific drug court.

C. Assessment fees are not reimbursable.

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VI. Vendor Bid - The contract vendor can be awarded one or more of the services listed below:

1. Partial Day \$ _____ (per day per client)
2. Residential Treatment \$ _____ (per day per client)
3. Chemical-Free Living Centers \$ _____ (per day per client)
4. Dual Diagnosis Treatment \$ _____ (per day per client)
5. Observation Detoxification \$ _____ (per day per client)
6. Specialized Women Services \$ _____ (per day per client)
7. Outpatient Group \$ _____ (per 15 min per client)
8. Outpatient Family \$ _____ (per 15 min per client)
9. Outpatient Individual Counseling \$ _____ per 15 min per client)

NOTE: COPIES OF LICENSES MUST BE INCLUDED IN THE RESPONSE PACKAGE.

PROPOSAL SUBMISSION:

Proposals should include the following information:

1. One copy of the respondent's signed bid
2. Respondent's Equal Employment Opportunity Policy (if applicable)
3. Appropriate licenses for services to be provided by respondent
4. Completed Contract and Grant Disclosure Form

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STANDARD TERMS & CONDITIONS

1. General: Any special terms and conditions included in the Request for Qualifications override these standard terms and conditions. The standard terms and conditions and any special terms and conditions become part of any contract entered into if any or all parts of the bid are accepted by the State of Arkansas.

2. Acceptance and Rejection: The State reserves the right to accept or reject all or any part of a proposal or any and all bids, to waive minor technicalities, and to award the bid to best serve the interest of the State.

3. Bid Submission: Bids must be submitted to the Office of State Procurement on this form, with attachments when appropriate, on or before the date and time specified for bid opening. If this form is not used, the bid may be rejected. Each bid should be placed in a separate envelope completely and properly identified. The bid must be typed or printed in ink. Late bids will not be considered under any circumstances. SIGNATURE: FAILURE TO SIGN THE BID WILL DISQUALIFY IT. THE PERSON SIGNING THE BID SHOULD SHOW TITLE OR AUTHORITY TO BIND HIS FIRM IN A CONTRACT. THE SIGNATURE MUST BE IN INK.

4. Amendments: The bid cannot be altered or amended after the bid opening except as permitted by regulation.

5. Award: Term Contracts: It is the intent of the State to award a contract. A Request for Qualifications does not commit the State Procurement Official to award a contract or to procure services or supplies. A term contract results in a binding obligation without further action by either party. This award does not authorize shipment. Shipment against a term contract is authorized by the receipt of a Purchase Order from the ordering Agency.

6. Firm Contracts: A written State Purchase Order mailed, or otherwise furnished, to the vendor within the time of acceptance specified by Agency.

7. State Property: Any specifications, drawings, technical information, dies, cuts, negatives, positives, data or any other commodity furnished to the contractor hereunder or in contemplation hereof or developed by the contractor for use

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hereunder shall remain property of the state, be kept confidential, be used only as expressly authorized and returned at the contractor's expense to the FOB point properly identifying what is being returned.

8. Patents or Copyrights: The contractor agrees to indemnify and hold the state harmless from all claims, damages and costs including attorneys' fees, arising from infringement of patents or copyrights.

9. Assignment: neither any contract entered into pursuant to this request for proposal is not assignable nor the duties thereunder delegable by either party without the written consent of the other party of the contract.

10. Other Remedies: In addition to the remedies outlined herein, the contractor and the state have the right to pursue any other remedy permitted by law or in equity.

11. Lack of Funds: The state may cancel this contract to the extent funds are no longer legally available for expenditures under this contract. Any delivered, but unpaid for, goods will be returned in normal condition to the contractor by the state. If the State is unable to return the commodities in normal condition and there are no funds legally available to pay for the goods, the contractor may file a claim with the Arkansas Claims Commission. If the contractor has provided services and there are no longer funds legally available to pay for the service, the contractor may file a claim.

12. Discrimination: In order to comply with the provision of Act 954 of 1977, relating to unfair employment practices, the vendor agrees as follows:

- a) The vendor will not discriminate against any employee or applicant for employment because of race, sex, color, age, religion, handicap, or national origin;
- b) In all solicitations or advertisements for employees, the vendor will state that all qualified applicants will receive consideration without regard to race, color, sex, age, religion, handicap, or national origin;
- c) The vendor will furnish such relevant information and reports as requested by the Human Resources Commission for the purpose of determining compliance with the statute;
- d) Failure of the vendor to comply with the statute, the rules and regulations promulgated thereunder and this

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nondiscrimination clause shall be deemed a breach of contract and it may be cancelled, terminated or suspended in whole or in part;

- e) the vendor will include the provisions of items (a) through (d) in every subcontract so that such provisions will be binding upon such subcontractor or vendor.

13. Contingent Fee: The vendor guarantees that he has not retained a person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies maintained by the vendor for the purpose of securing business.

14. Antitrust Assignment: As part of the consideration for entering into any contract pursuant to this request for proposal, the vendor named on the front of this request for proposal, acting herein by the authorized individual or its duly authorized agent, hereby, assigns, sells and transfers to the State of Arkansas all rights, title and interest in and to all causes of action it may have under the antitrust laws of the United States or this state for price fixing, which causes of action have accrued prior to the date of this assignment and which relate solely to the particular goods or services purchased or produced by this State pursuant to this contract.

15. Disclosure: Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that order, shall be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the Agency.