



LA CROSSE COUNTY

**Preferred Provider Solicitation  
Package  
for  
County of La Crosse, Wisconsin**

**Friday, October 19, 2018**

**HUMAN SERVICES DEPARTMENT  
Adult Protective Services**

Corporate Guardianship Services

Proposals must be received no later than  
3:00 p.m., Tuesday, November 6

**SPECIAL INSTRUCTIONS:**

- 1. Place the signed Signature Affidavit as the first page of your proposal.**
- 2. Proposers must submit an original and five (5) copies of all materials**  
Label the lower left corner of your sealed submittal envelope as follows:  
Proposer's name and address:  
Proposal Title: Corporate Guardianship Services
- 3. Vendor Conference will be held on:  
Monday, October 29 from 1:00 p.m. until 2:00 p.m.  
in Room 2002:**  
La Crosse County Health and Human Services Building  
300 4<sup>th</sup> Street North – 2<sup>nd</sup> Floor  
La Crosse, WI 54601
- 4. Deliver on or before November 6, 2018, by 3:00 p.m. to**  
La Crosse County Human Services - Contract Unit  
ATTN: Paul Medinger  
300 4<sup>th</sup> Street N  
La Crosse, Wisconsin 54601
- 5. Final award decision anticipated by November 30, 2018, with an estimated  
contract start date of January 1, 2019.**

**LATE, FAXED AND/OR UNSIGNED PROPOSALS WILL BE REJECTED**

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## **1.0 GENERAL INFORMATION**

### **1.1 Introduction and Background**

The purpose of this document is to provide interested parties with information to enable them to prepare and submit a proposal to provide Corporate Guardianship Services. La Crosse County, as represented by the Human Service Department Adult Protective Services Section intends to use the results of this process to award a contract for Preferred Provider. In the preferred provider purchasing option, service recipients are given a choice of all qualified providers of services. This means that Human Services may not limit the pool of qualified providers by offering an exclusive agency contract.

In this purchasing option, a Preferred Provider Solicitation Package will be forwarded to all known vendors who offer the particular service that is being sought. Once the preferred provider selection is made and approved by the Internal Purchasing Approval Committee, all other vendors who submitted plans and met the minimum specifications will be offered a contract which would allow them to be a vendor for the service if they agree to provide the service at or below the rate that was set by the preferred provider.

Thus, a contract can be established that:

1. Offers preferred provider priority when a client is unable to identify/voice a preferred provider for themselves.
2. Permits all qualified providers to provide service as long as the service is provided at a cost, which is equal to, or less than the rate Adult Protective Services Section has established through the preferred provider process.

Vendors who did not initially submit a plan can join the provider network at any time during the contract year as long as they meet the same conditions as the other providers. The desired relationship between the contracting vendor and La Crosse County is one marked with a commitment to consistent quality service with continual improvement.

#### **1.1.2 Service Description**

**A. Target Population**

Persons who lack the mental capacity to care for themselves and are found to be mentally incapable of caring for themselves or their property.

**B. Eligibility**

Corporations or individuals set up to provide guardianship services for individuals who have no close family or other support systems and who need legal protection. Corporate Guardianship agency must serve La Crosse County and be approved by the State of Wisconsin.

**C. Description of Type of Services to be Rendered**

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

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

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

### **Role of Guardian and La Crosse County/Family Care Team**

#### **Guardian of Person:**

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

The responsibilities include:

- Always inform and involve the ward to the greatest extent possible when decisions need to be made
- Health & person decisions
- Exercise ward's right to examine medical and treatment records
- Approve medical care
- Approve medication
- Approve residential setting
- Apply and advocate for services the person needs but is not receiving
- Attend team meetings every 6 months
- Attend residential required meetings
- Make decision in regards to where the ward should live
- Observe and discuss the ward's situation and needs
- Inquire into risks, benefits and alternatives, particularly where drastic, aversive or restrictive treatments are proposed
- Communicate to the Care Management Team any medical or medication changes
- Sign Family Care Member Center Plan (MCP) documents every six months, if applicable
- Sign legal documents
- Meet with ward at minimum once a quarter, but contact at least one time per month
- Advocate for ward/appeals & grievances
- Document time and nature of time spent with ward and submit summary of activity to County quarterly
- Annual report to the court

### **Guardian of Estate**

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

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

### **La Crosse County/Family Care Team**

- Care planning/care management
- Meet with member at least every three months
- Coordinate with providers
- Coordinate with guardian – share information
- Coordinate communication with family
- Explore service options for ward
- Residential planning
- WATTS Reviews – review of placement sent to court
- Report to court (WATTS – process)
- Protective placement
- Authorize funded services

#### D. Performance Records and Program Evaluations

- Document time and nature of time spent with ward or performing service.
- Submit quarterly summaries of case status/contacts/actions to Human Services.
- Submit annual report to court.

E. Other Service Requirements

- Corporate Guardian must be certified by the Department of Health Services.
- Must meet the criteria set out in DHS 85, Wis. Admin. Code.

**1.1.3 Program Goals**

To appropriately serve La Crosse County wards who are unable to privately pay for their corporate guardianship fee and who lack a natural support who is appropriate to volunteer as a guardian.

**1.1.4 Desired Outcomes**

<b>Performance Objective</b>	<b>Expected Outcome</b>	<b>Outcome Measures</b>
Adhere to court requirements by completing required court submissions and documents.	100% annual reports will be submitted to the court for each assigned ward.	Documented court dated paperwork.
Provide and exercise protection to assigned ward.	a. 100% of assigned wards have face-to-face contact with court appointed guardian quarterly.  b. 75% of assigned wards have contact with court-appointed guardian monthly.	a. Documentation of face-to-face contact quarterly. Submit narrative quarterly summary of activity completed with or for the ward.  b. Documentation of contact at a minimum of monthly.
Ensure the best interests of the ward are represented and accounted for.	Attend team meeting (e.g. Family Care Team, residential placement, etc.) minimally once every six months.	Documentation of this involvement in a team meeting twice per year.

**1.2 Purchasing and Contracting Division/Department**

This Preferred Provider Solicitation Package (PPSP) process is administered by La Crosse County Human Services, and the person responsible for managing the procurement process is Chris Sander.

The contract resulting from this PPSP will be administered by the La Crosse County Human Services Department. The Contract Coordinator will be Paul Medinger.

### 1.3 Definitions

The following definitions are used throughout the PPSP:

**Preferred Provider Solicitation Package (PPSP)** – Means the solicitation package is forwarded to all known vendors who offer the services sought and there is not an exclusive agency contract offered. There is a preferred provider selected and all other providers are offered a contract based upon the preferred provider rates and services in accordance with La Crosse County’s purchasing policy and PPSP specifications.

### 1.4 Clarifications and/or Revisions to the Specifications and Requirements

Any questions concerning this PPSP must be received in writing by mail, fax, or e-mail on or before Friday, October 26. (Please submit any known questions by this date so they are received before the Vendor Conference which is scheduled for October 29.) Send inquiries to:

Paul Medinger, Contract Coordinator  
La Crosse County Human Services  
300 4<sup>th</sup> Street N.  
La Crosse, Wisconsin 54601  
Voice: (608) 785-5520      Fax: (608) 793-6567  
E-Mail: [pmedinger@lacrossecounty.org](mailto:pmedinger@lacrossecounty.org)

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

In the event that it becomes necessary to provide additional clarifying data or information, or to revise any part of this PPSP, revisions/amendments and/or supplements will be provided via the La Crosse County Website and via email to all known interested parties. Each proposal shall stipulate that it is predicated upon the terms and conditions of this PPSP and any supplements or revisions thereof.

### 1.5 Vendor Conference

A vendor conference will be held on Monday, October 29 at **1:00 p.m.** at La Crosse County Health and Human Services Building at 300 4<sup>th</sup> Street North, **Room 2002** - to respond to written questions and to provide additional instruction and information to providers on the submission of proposals.

### 1.6 Reasonable Accommodations

La Crosse County will provide reasonable accommodations for the vendor conference upon request. If you need accommodations at the vendor conference, contact Paul Medinger at (608) 785-5520 or [pmedinger@lacrossecounty.org](mailto:pmedinger@lacrossecounty.org).



## 1.7 Calendar of Events

October 19, 2018	Release date of Corporate Guardianship PPSP
October 26, 2018	Questions on PPSP due to County
October 29, 2018	Vendor Conference, Room 2002, La Crosse County HHS Building, 2:30-3:30 p.m.
November 6, 2018	Proposals due from providers, <b>receipt at 3:00 p.m.</b>
November 15, 2018	Vendor Interviews/Presentations – <b>please hold this day/times open for possible vendor interviews/presentations at 1:00 p.m. and 2:00 p.m.</b>
November 30, 2018	Anticipated notification of award sent to providers
January 1, 2019	Estimated contract start date

## 1.8 Contract Terms and Rate Increases

The contract shall be effective from January 1, 2019 until December 31, 2023.

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

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

## 2.0 PREPARING AND SUBMITTING A PROPOSAL

### 2.1 General Instructions

The evaluation and selection of a provider and the contract will be based on the information submitted in the provider's proposal and any required vendor interviews. Failure to respond to each of the requirements in the PPSP may deem the proposer non-responsive.

Elaborate proposals (i.e. expensive artwork) beyond that sufficient to present a complete and effective proposal, are not necessary or desired.

### 2.2 Public View of Proposals

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

### **2.3 Incurring Costs**

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

### **2.4 Submitting the Proposal**

Proposers must submit an original and five (5) copies of all materials required for acceptance of their proposal by **3:00 p.m., November 6, 2018** to:

Paul Medinger  
La Crosse County Human Services  
300 4<sup>th</sup> Street N.  
La Crosse, Wisconsin 54601

*Proposals must be received by the receptionists by the specified time stated above.*  
Proposals must be available electronically if requested by La Crosse County.

All proposals must be packaged, sealed, and show the following information on the outside of the package:

- Proposer's name and address.
- PPSP title: Corporate Guardianship PPSP

### **2.5 Proposal Organization and Format**

Proposals should be typed and submitted on 8.5 x 11 inch paper bound securely. The "original" should be marked as such on the title page. Proposals should include a Table of Contents and be organized and presented in the order assigned in the PPSP. Each heading and subheading should be separated by tabs or otherwise clearly marked. The PPSP sections which should be submitted or responded to are as follows:

- Evaluation Criteria (See Section 3.5 of the PPSP)
  - Service Methodology
  - Organizational Capabilities
  - Staff Qualifications
  - Outcomes/Documentation
  - Funding/Price Proposal
- Required Forms
  - Attachment A Signature Affidavit
  - Attachment B Vendor Data Sheet
  - Attachment C Purchase of Service Contract (return only if any requested revisions)
  - Attachment D Budget Packet

## **2.6 Multiple Proposals**

Multiple proposals from a provider will be permissible; however each proposal must conform fully to the requirements for proposal submission. Each such proposal must be separately submitted and labeled as Proposal #1, Proposal #2, etc. on each page included in the response.

## **2.7 Vendor Interviews/Presentations**

Top scoring proposers, based on an evaluation of the written proposal, may be required to participate in interviews/presentations to support and clarify their proposals. **These will be scheduled for November 15, 2018**, following an internal meeting on November 12. **Please keep this date open for a possible interview/presentation. Generally, it is appropriate to bring staff familiar with the program and financial aspects of the proposal such that questions can be answered during the interview time.**

## **3.0 PROPOSAL SELECTION AND AWARD PROCESS**

### **3.1 Opening of Bid**

Proposals will be opened after 3:00 p.m. on November 6, 2018.

### **3.2 Preliminary Evaluation**

The proposals will first be reviewed to determine if requirements in Section 2.0 are met and if additional mandatory requirements are met. Failure to meet mandatory requirements will result in the proposal being rejected. In the event that all providers do not meet one or more of the mandatory requirements, La Crosse County reserves the right to continue the evaluation of the proposals and to select the proposal which most closely meets the requirements specified in this PPSP.

### **3.3 Right to Reject Proposals and Negotiate Contract Terms**

La Crosse County reserves the right to reject any and all proposals and to negotiate the terms of the contract, including the award amount, with the selected proposer prior to entering into a contract. If contract negotiations cannot be concluded successfully with the highest scoring proposer, La Crosse County may negotiate a contract with the next highest scoring proposer.

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

### **3.4 Proposal Scoring**

Accepted proposals will be reviewed by an evaluation committee and scored against the stated criteria. The committee will review all proposals and will request interviews and use the results of those meetings in scoring the proposals.

### 3.5 Evaluation Criteria

<b><u>Description</u></b>	<b><u>Points</u></b>
<b><u>Service Methodology</u></b>	<b>20</b>
Provide a demonstrated success and an understanding in the areas of service required in Section 1.1.2 Service Description. Include the program methods/strategies and an explanation of how the service fits the priorities and objectives of the organization. Discuss the ability and experience in collaboration with involved social workers, care providers and other agencies, along with abilities and experience seeking community resources.	
<b><u>Organizational Capabilities</u></b>	<b>10</b>
Describe your organization’s capacity, experience and ability, including partnerships and community linkages. Discuss the current staffing pattern. Is your organization certified by the State of Wisconsin? How many wards are you certified for?	
<b><u>Staff Qualifications</u></b>	<b>10</b>
Describe the applicable educational and work experiences for the key staff who will be assigned to perform the service, including their experience in working with this target population.	
<b><u>Outcomes/Documentation</u></b>	<b>10</b>
Describe “how” the proposed outcomes will be documented and how the results will be measured and analyzed. Include any templates or methods of measuring agency service performance.	
<b><u>Funding/Price Proposal</u></b>	<b>50</b>
Please fill out Attachment D – Budget Packet to meet this requirement. Provide two monthly rates to provide corporate guardianship services. Please set one monthly rate for Guardian of Person OR Estate and one monthly rate for Guardian of Person AND Estate. These monthly rates should be all-inclusive rates that encompass all expenses related to providing these services. If you feel you need more than two monthly rates, please outline what those rates would be and why you feel you would need them.	
<b><u>Vendor History</u></b>	<b>0</b>
These services are crucial to the clients served by La Crosse County Human Services. As part of this evaluation, a vendor may have up to 15 points subtracted based on the vendor’s past historical integrity in regards to providing services that meet needs of the clients, comply with program requirements and standards and are financially sound. Vendors with no previous history will be scored at zero.	
<b><u>Vendor Interviews</u></b>	<b>100</b>
<b><u>TOTAL</u></b>	<b>200</b>

### **3.6 Required Forms**

The following forms must be completed and submitted with the proposal in accordance with the instructions given in Section 2.0. Blank forms are attached.

Attachment A	Signature Affidavit
Attachment B	Vendor Data Sheet
Attachment C	Purchase of Service Contract (only if you have requested revisions)
Attachment D	Budget Packet

### **3.7 Final Offers**

The final provider is estimated to be approved by the Internal Purchasing Approvers by November 30, 2018.

### **3.8 Notification of Intent to Award will be Shortly Following Final Approval**

As a courtesy, La Crosse County may send a notification of award memo to responding providers at the time of award.

## **4.0 SPECIAL CONTRACT TERMS AND CONDITIONS**

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

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

Upon the selection of a finalist provider, La Crosse County by its proper officials, employees, or agents shall attempt to negotiate and reach a final agreement with this provider. If La Crosse County, for any reason, is unable to reach a final agreement with this provider; La Crosse County reserves the right to reject such provider and negotiate a final agreement with the provider who has the next most viable proposal or bid. La Crosse County may also elect to reject all proposals and re-issue a PPSP.

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

La Crosse County is not bound to accept the proposal with the lowest cost, but may accept the proposal that demonstrates the best ability to meet the needs of La Crosse County.

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

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

### **Indemnification**

The Provider agrees to the fullest extent permitted by law, to indemnify, defend and hold harmless, the Purchaser, and its agents, officers and employees, from and against all loss or expense including costs and attorney fees by reason of liability for damages including suits at

law or in equity, caused by any wrongful, intentional, or negligent act or omission of the Provider, or its (their) agents and / or subcontractors which may arise out of or connected with activities covered by this contract.

## **5.0 PURCHASE OF SERVICE CONTRACT**

The Purchase of Service Contract “Agreement,” attached hereto on Attachment C, shall be defined by written agreement between the parties and shall be binding when fully executed by the parties. **Supplier responses to the PPSP will be incorporated by reference in each written agreement** and will become an integrated part of each final contract.

The proposer should submit as part of the PPSP response any comments to the Purchase of Service Contract. It is requested that proposers not re-type or scan the document. Please provide feedback in the form of redline where required. La Crosse County will assume agreement of all contract language unless noted by provider.

## **6.0 START-UP COSTS**

### **6.1 Start-up Costs (if Applicable)**

Start-up costs are allowable for new or expanded services only. This total cost should be reflected under Section BB. Miscellaneous, with detailed proposed expenses attached to the budget packet. Costs incurred should be recovered in the unit price of the product or service. If a vendor feels that they need to bill start-up costs in advance of services being provided, this would need to be justified in the proposal and negotiated prior to contracting. Start-up costs may not be billed prior to services being provided for certain programs

## **7.0 EXPENSES RELATED TO CONTRACTING**

### **7.1 Insurance Requirements**

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

- Workers’ Compensation: minimum amount statutory
- Comprehensive general liability: \$1,000,000 per occurrence and in aggregate for bodily injury and property damage
- Auto Liability (if applicable): \$1,000,000 per occurrence and in aggregate for bodily injury and property damage
- Professional Liability (if applicable): minimum amount \$500,000
- Excess Liability Coverage: \$1,000,000 over the General Liability and Automobile Liability coverages.

### **7.2 Interpreters**

Providers of services, not goods, are required by contract to sign a Letter of Assurance for Civil Rights Compliance and/or fill out a full Civil Rights Compliance Plan. Both of these documents require a provider of services to provide those services without discrimination, which means that they will need to provide an interpreter/translator at no cost to the client or La Crosse County.

### **7.3 Audits**

Wisconsin Statutes 46.036(4) (c) requires that any Purchase of Service contract vendor with a contract in excess of \$25,000 must provide the County with an annual audit report unless waived by the State Department of Health and Human Services or the Department of Workforce Development. La Crosse County has obtained an exemption to the mandate that requires an audit for vendors of \$25,000 or more. This exemption increases the audit requirement to vendors that receive \$75,000 or more in annual governmental funding (no matter the source or entity of the funding). If your funding from La Crosse County is between \$25,000 and \$75,000, you will be asked to submit a Vendor Statement of Revenue and Expense in lieu of an audit. The only exception to this is for Child Residential Care Centers or Child Group Homes licensed under HFS 52 and HFS 57, respectively, are required to submit an audit to the Purchaser if the total amount of annual governmental funding through this and other contracts is \$25,000 or more. If your contract exceeds these limits, an audit will be expected.

### **7.4 Background Checks**

- A. Provider shall comply with the provisions of HFS 12, Wis. Admin Code.
- B. Provider shall conduct background checks at its own expense of all employees assigned to do work for the Purchaser under this contract.
- C. Provider shall retain in its Personnel Files all pertinent information, to include a Background Information Disclosure Form and/or search results from the Department of Justice, the Department of Health and Family Services, and the Department of Regulation and Licensing as well as out of State records, tribal court proceedings and military records.
- D. Provider shall not assign any individual to conduct work under this contract who does not meet with requirement of this law.
- E. Provider shall train its staff to immediately report all allegations of misconduct to their immediate supervisor, including abuse and neglect of a client or misappropriation of client's property. Staff shall also report to their immediate supervisor, as soon as possible, but no later than the next working day, when they have been convicted of any crime or have been, or are being investigated by any government agency for any act or offense (HFS 12.07(1)).
- F. After the initial background check at the time of employment, licensure or contracting, the Provider must conduct a new Caregiver Background Check every four (4) years, or at any time within that period if the Provider has reason to believe a new check should be obtained.

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