

## Home and Community-Based Services (HCBS) Rules DEPARTMENT FUNDING GUIDANCE

The Home and Community-Based Services (HCBS) rules ensure that people with disabilities have full access to, and enjoy the benefits of, community living through long-term services and supports in the most integrated settings of their choosing. In order to assist in determining eligibility for compliance funding, providers must complete this evaluation. Both “Yes” and “No” answers require an explanation. A “No” response *could* mean a service setting is out of compliance with the HCBS rules and is potentially eligible for funding to make necessary adjustments. Once this evaluation is completed, it should act as a guide for filling out the provider compliance funding concept, which is required for any provider to be eligible for compliance funding. **Completion of this evaluation is for the sole purpose of applying for compliance funding and does not take the place of future provider assessments that the Department may require to determine provider compliance with the HCBS settings rules. Only providers requesting compliance funding need to complete this evaluation.**

Federal Requirements #1-5 apply to providers of all services, including residential and non-residential settings. Federal Requirements #6-10 are additional requirements that apply only to provider-owned or controlled residential settings.

The column labeled “Guidance” contains a series of questions intended to help identify compliance or non-compliance with each requirement as it relates to the HCBS rules. While responses to these questions can help in the determination of whether or not a particular requirement is met, these responses may not be the sole factor in this determination.

More information on the HCBS rules and this form can be found at <https://www.dds.ca.gov/initiatives/cms-hcbs-regulations/>.

Questions may be directed to [HCBSregs@dds.ca.gov](mailto:HCBSregs@dds.ca.gov).

Date(s) of Evaluation: July 1, 2021 to June 30, 2023	Completed by: Terry Goodwin
Vendor Name, Address, Contact: Terry Goodwin, 25 Kearny Street, SF Ca 94108 Ed Roberts Campus 3075 Adeline St, Suite 230, Berkeley, CA 94703	
Vendor Number: HB0150, PB1301	
Service Type and Code: Adult Development Program- 510,1-1 Adaptive Skills Training -605	

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**Federal Requirement #1:**

*The setting is integrated in, and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

**Guidance:**

- Do individuals receive services in the community based on their needs, preferences, and abilities?
- Does the individual participate in outings and activities in the community as part of his or her plan for services?
- If an individual wants to seek paid employment, does the home staff refer the individual to the appropriate community agency/resource?
- Do individuals have the option to control their personal resources, as appropriate?

**Does the service and/or program meet this requirement?  Yes  No**

Please explain: Toolworks has a community-based program driven by interests and preferences, clients (pre-COVID) participate in many activities including volunteer work, educational classes, and other community access options into the local community in small of 3 groups.

With the recent HCBS funding for staffing support we made many gains in offering choice and job options, and have 10 clients who participated in internships and one moved to a CIE placement, but still have 30 more clients to work who have not had paid options. Only 2 clients are working currently, and of the 3 internship sites, only one is likely to come back soon and it is unknown about the other 2. Our deaf clients continue to need more assistance with integrated options including employment.

During the COVID period we have been engaging all the clients remotely with a variety of activities on zoom with classes in employment (some in person as well) with activities of interest, including a small group attending Mt Diablo Adult Ed- Workplace Essential Skills training. Some clients do not have access to technology to do zoom so this has been a barrier for some.

Historically Toolworks clients in the day program have had limited individual choice and access to options for paid job opportunities in the community primarily because of the staff resources needed to develop jobs for persons with high support needs and needed accommodations.

Most of the clients live with either family or board and care and may not be able to control their personal resources but where possible we encourage and empower clients to make educated choices.

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<p><b><u>Federal Requirement #2:</u></b> <i>The setting is selected by the individual from among setting options, including non-disability-specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Does the provider have a current regional center Individual Program Plan (IPP) on file for all individuals?</li> <li>• Does each individual's IPP document the different setting options that were considered prior to selecting this setting?</li> </ul>
<p><b>Does the service and/or program meet this requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</b> Please explain: Yes Toolworks has all Regional Center IPP's on file. Yes, each individual IPP identifies goals for the community-based activities and provides input and choice on settings and goals for the program activities. With COVID -19 we have met with all clients and families to discuss alternative services and options.</p>	
<p><b><u>Federal Requirement #3:</u></b> <i>Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Does the provider inform individuals, in a manner they can understand, of their rights to privacy, dignity, respect, and freedom from coercion and restraint?</li> <li>• Does the provider communicate, both verbally and in writing, in a manner that ensures privacy and confidentiality?</li> <li>• Do staff communicate with individuals based on their needs and preferences, including alternative methods of communication where needed (e.g., assistive technology, Braille, large font print, sign language, participants' language, etc.)?</li> </ul>
<p><b>Does the service and/or program meet this requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</b> Please explain: Toolworks clients receive a Client Handbook which includes all information on Rights &amp; Treatment, Privacy, and Confidentiality and this is reviewed annually. Toolworks provides accommodations needed both verbally and in written form, and uses accessible methods, including sign language and interpreters, and large print for those who are blind.</p>	

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**Federal Requirement #4:**

*Optimizes but does not regiment individual initiative, autonomy, and independence in making life choices, including, but not limited to, daily activities, physical environment, and with whom to interact.*

**Guidance:**

- Does the provider offer daily activities that are based on the individual's needs and preferences?
- Does the provider structure their support so that the individual is able to interact with individuals they choose to interact with, both at home and in community settings?
- Does the provider structure their support so that the individual is able to participate in activities that interest them and correspond with their IPP goals?

**Does the service and/or program meet this requirement?  Yes  No**

Please explain: Toolworks provides services adapted to the client's needs, desires and preferences and structures community-based services as best we can to accommodate the expressed wishes. Since COVID 19 we have provided remote or other Alternative Services offering an array of classes based on feedback and interests including employment preparation focus/ and job seeking skills. We make every effort to group individuals based on preferences. With the use of Zoom we have been able to provide many options across programs to the benefit of all, providing more integration of our Deaf clients. Toolworks does not have influence over the home environment unless they are part of our community living program.

**Federal Requirement #5:**

*Facilitates individual choice regarding services and supports, and who provides them.*

**Guidance:**

- Does the provider support individuals in choosing which staff provide their care to the extent that alternative staff are available?
- Do individuals have opportunities to modify their services and/or voice their concerns outside of the scheduled review of services?

**Does the service and/or program meet this requirement?  Yes  No**

Please explain: Toolworks makes every effort to accommodate client the clients preference for selection of their assigned staff to the extent possible. Clients can voice concerns at any time and can modify their services when requested.

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Only providers of services in **provider-owned or controlled residential settings** need to complete the remainder of this evaluation. In **provider-owned or controlled residential settings**, in addition to the above requirements, the following requirements must also be met:

<p><b><u>Federal Requirement #6:</u></b> <i>The unit or dwelling is a specific physical place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city or other designated entity. For settings in which landlord/tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each participant and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord/tenant law.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• As applicable, does each individual have a lease, residency agreement, admission agreement, or other form of written residency agreement?</li> <li>• Are individuals informed about how to relocate and request new housing?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: NA</p>	
<p><b><u>Federal Requirement #7:</u></b> <i>Each individual has privacy in his/her sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors as needed. Individuals sharing units have a choice of roommates in that setting. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Do individuals have a choice regarding roommates or private accommodations?</li> <li>• Do individuals have the option of furnishing and decorating their sleeping or living units with their own personal items, in a manner that is based on their preferences?</li> <li>• Do individuals have the ability to lock their bedroom doors when they choose?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: NA</p>	

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<p><b><u>Federal Requirement #8:</u></b> <i>Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Do individuals have access to food at any time?</li> <li>• Does the home allow individuals to set their own daily schedules?</li> <li>• Do individuals have full access to typical facilities in a home such as a kitchen, dining area, laundry, and comfortable seating in shared areas?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: NA</p>	
<p><b><u>Federal Requirement #9:</u></b> <i>Individuals are able to have visitors of their choosing at any time.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Are visitors welcome to visit the home at any time?</li> <li>• Can individuals go with visitors outside the home; such as for a meal or shopping, or for a longer visit outside the home, such as for holidays or weekends?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: NA</p>	
<p><b><u>Federal Requirement #10:</u></b> <i>The setting is physically accessible to the individual.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Do individuals have the freedom to move about inside and outside the home or are they primarily restricted to one room or area?</li> <li>• Are grab bars, seats in bathrooms, ramps for wheelchairs, etc., available so that individuals who need those supports can move about the setting as they choose?</li> <li>• Are appliances and furniture accessible to every individual?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: NA</p>	

**CONTACT INFORMATION**

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Email Address: [tgoodwin@toolworks.org](mailto:tgoodwin@toolworks.org)

**ACKNOWLEDGEMENT**

By checking the box below, I acknowledge that completion of this evaluation is for the sole purpose of applying for compliance funding and does not take the place of future provider assessments that the Department may require to determine provider compliance with the HCBS settings rules.

I AGREE

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Regional center vendors may receive funding to make changes to service settings and/or programs to help them come into compliance with the HCBS rules. To be considered for funding, vendors must complete and submit this form and the provider compliance evaluation form as one packet to the regional center with which it has primary vendorization.

### Instructions:

- The concept form on the next page must be used, may not exceed four pages plus the budget worksheet and any cost backup, and must be kept in Arial 12-point font. Submit the form in Microsoft Word or PDF format. An extra half page is permitted to answer questions about prior funding.
- Using a form from previous years will negatively impact a concept score, so please ensure the current FY 20-21 form is used.
- For providers that operate programs with several vendor numbers involved in one concept, one evaluation and concept form should be submitted and should list all vendor numbers for related/included programs. If multiple programs owned by the same parent company have different compliance evaluations or concepts, additional applications can be submitted but should be attached in the same document as the other owned programs so they can be reviewed together.
- The results of the evaluation should be clearly laid out in the section referring to identification of federal requirements that are currently out of compliance, which the concept will address.
- The concept form includes detailed information that describes the funding requests and supports how the requests will assist the provider to come into compliance.
- There should be a clear link between what is being requested and the federal requirement currently out of compliance.
- Concepts should demonstrate how the requested change in service delivery will impact individuals in offering more choices and opportunities.

### Strengths of previously funded concepts:

- Identified the need as well as proposed a plan to provide outreach and information regarding the HCBS rules to individuals served and members of their support teams.
- Discussed the need for additional funds to effectively support individuals served on a more individualized basis in overcoming barriers to community integration and employment, as appropriate.
- Prioritized the preferences of individuals served and utilized their feedback in the development of the concept.
- Implemented a sustainable plan for person-centered planning/thinking and training regarding the HCBS rules.
- Enabled residents to age in place and exercise more choice and independence.

More information on the HCBS rules and this form can be found at <https://www.dds.ca.gov/initiatives/cms-hcbs-regulations/>.



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Vendor name	Toolworks
Vendor number(s)	HB0150, PB1301
Primary regional center	RCEB
Service type(s)	Adult Day Program - 1-1, Individualized Services
Service code(s)	
Number of consumers typically and currently served	Total = 52 clients 26 clients in Day Program, Concord/ Contra Costa County 19 clients in Berkeley Oakland – Alameda County 7 clients in the Deaf Day Program Berkeley and Concord, 3 intakes pending
Typical and current staff-to-consumer ratio	1-3 ratio
<p>1. Please provide a brief description of the service/setting. Include what a typical day consists of during regular program as well as how services are currently being provided. This response must include the baseline/current levels for any aspects of the program for which the concept proposes funding.</p>	
<p>Toolworks' Community Integration Program is community based. Clients integrate into the community via activities including volunteer work, Mt Diablo Adult Ed, educational &amp; and general community access, supported in a1-3 ratio. We had great progress pre-COVID with 10 clients participating in Internships, and 1 in a CIE placement via funding support through HCBS grant monies. Due to COVID, we have 2 clients currently working. Two of the three internship sites are closed, and one is on pause.</p> <p>A typical day consists of a variety of remote video and/or in-person services based on individual goals and desires. There are two daily group zoom classes and 1:1 remote sessions. Weekly zooms are focused on employment skills training. Some clients attend the Workplace Essential Skills Training through Mt Diablo Adult Ed. Some clients are more isolated due to the lack of technology.</p> <p>COVID has impacted the expansion of job options and will continue to do so until businesses reopen. We aim to restart internships with the outcome of CIE placements and expansion of options for the remaining 30 clients. COVID and the resulting high unemployment has impacted customized job creation for those who need job carve-outs and accommodations. Toolworks' personnel continue to need more training in customized employment to meet this challenge. Improved Job placement Plans are needed for all clients, as some do not have current plans in place. While COVID has impacted job options, remote video sessions have enabled us to reach a wider participant audience and collaborate between programs across counties. The impacts of the pandemic are likely to continue for the foreseeable future. It is necessary for more staffing time to enhance our virtual sessions to include more employment focused curriculum and to increase access for our deaf clients.</p>	

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We have observed the following gaps-customized employment training for staff, education for clients and families to address fears and barriers to employment such as SSI, budgeting, and lack of understanding of supported employment, expansion of job opportunities for all clients especially in our Berkeley program and ensuring all clients have completed placement plan documents-Interest Form and Positive Profile and Placement Plan.

**Project Narrative Description:** While filling out this section, reflect on how services are typically provided and how that might have changed in the past year. Think about what has been learned in the past year and how that might shape services going forward. Funding awarded through this concept can span the course of up to two years which would allow time to shape services to be more person-centered and align with the HCBS federal requirements.

2. Please provide a brief summary narrative of the concept for which you are requesting funding, including justification for the funding.

While Toolworks has made progress in developing paid work opportunities, there are still approximately 30 clients who have not had any job exploration or paid work options. Toolworks requests funding for the additional staffing to work with the teams to update employment planning documents and to create or fine-tune the placement plans and meet with all clients and their support teams. Working with our Job Development team in order to create the paid opportunities in both counties, with the goal for increasing options for at least 15 clients and ultimately providing 3-5 CIE placements and providing job exploration for all clients in the program.

All employment staff will participate in Customized Employment and Person-Centered Planning trainings. We will provide training for families on employment that will address fears and concerns, including benefits planning. We will continue to solicit feedback from clients through satisfaction and tailored feedback surveys. Due to COVID, it is likely that remote services will remain for the foreseeable future. Further enhancement of our remote classes and virtual integration of guest presenters will be of great benefit, as well as development of an innovative Employment Training Series featuring guest speakers, job exploration information and presentations from local employers. We will continue with client peer mentor training sessions and introduce a 1:1 client peer mentor program that matches people with job experience to those who do not. Toolworks will continue to collaborate with Mt Diablo Adult Education to teach the Workplace Essentials Class, adding more participants as is feasible.

3. Identify which HCBS federal requirements this concept addresses that are currently out of compliance. Could be all or a subset of those identified as out of compliance on the evaluation.

1\_\_x\_\_ 2\_\_ 3\_\_ 4\_\_ 5\_\_ 6\_\_ 7\_\_ 8\_\_ 9\_\_ 10\_\_

Compliance 1 – Not all clients have opportunities to seek employment and have not been exposed to options or job exploration to even know what the options are.

4. For each HCBS out-of-compliance federal requirement that is being addressed by this concept, describe the barriers to compliance and why this concept is necessary. If this information is in the evaluation section, please copy it here.

In order to meet Compliance #1, Toolworks needs to address the following barriers:

1. **Lack of or limited exposure to job options and opportunities**, 30 of the clients have not had exposure to job exploration and job opportunities or internships and do not know their options.

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2. **Need for more training on Customized Employment and Person-Centered Planning.** With added training in these areas, our staff will be more effective in identifying employment options that meet our clients' needs and desires. Our staffing team(s) will be more confident and skilled in creating truly customized employment plans.
3. **Families and clients expressed fear of integrated employment options;** More education and outreach to families and clients addressing barriers to employment particularly its effect on benefits.
4. **Uncertainty of the pandemic & high unemployment** creates even more challenges for developing integrated employment options, and a need for more innovative ideas for remote work and internship opportunities.
5. **Technology is a challenge for some of our clients**

5. For each out-of-compliance federal requirement that is addressed in this concept, please explain how the concept will bring the vendor into compliance by March 2023.

With additional funding, we will be able to build on progress made, increase paid options for more clients, develop more customized jobs and internship options including remote and offer more choice towards integration and independence for all.

6. What are the proposed outcomes and objectives of the concept, and what are the methods of achieving and tracking them?

### **The proposed outcomes for the project include:**

Completing Employment Planning documents and Placement Plans on all clients, shared at IPP. Conducting individualized meetings with clients and support teams. Providing parent info sessions on employment and benefit planning. Develop jobs and place at least 15 individuals in internships or other options over 2 years. Provide job exploration for all clients. Develop 3-5 CIE placements. Provide training on Customized Employment and Person-Centered Planning for staff via a certified trainer. Continue to provide client peer mentor trainings quarterly and provide 1: 1 client-peer matches for those interested. Develop a new Employment Training series for all clients to participate in weekly, with focus on the Deaf. Assessing technology needs and identifying local resources.

### **Methods used to achieve and track:**

Trainings for Managers, staff, families documented by sign-up sheets/attendance logs. Quarterly summaries of all annual IPP meetings and Employment Planning documents completed. Summary of survey information. Active job development based on client employment plan. Tracking of all client paid employment and job exploration via quarterly spreadsheet.

7. Please describe how and/or what was done to include input from the individuals served in developing this concept? Discuss not only the development of the concept, but also what steps were taken to identify the interests and desires of the individuals and who was involved in that process.

Toolworks has provided annual surveys at IPP and recently conducted job interest and satisfaction surveys. Feedback indicates that many clients do want to participate in paid work, would like the opportunity to work in the community and are satisfied with our services. There are some clients who say they do not know if they want a job and are fearful of leaving their friends. A recent survey from families and a brainstorm session

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with program staff, feedback has been that more education is needed for staff and families, especially around SSI and benefits.

8. Please describe how the concept you propose will enable you to provide more person-centered services to your clients.

With more staff training in Customized Employment and Person-Centered Planning we will have a more individualized approach. Several managers have participated in Person-Centered Planning training and one will become certified to train and conduct trainings the near future.

9. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2020-21 HCBS Funding.

At the end of the grant cycle, Toolworks aims to have established enough employer partnerships to be able to offer an array of choices. Further training of staff will ensure legacy and knowledge transfer for future employees. Increased CIE opportunities (access DOR funds/ incentive payments), Internships and Social Enterprises will continue to diversify funding streams so that Toolworks is not solely reliant on DDS funding.

10. Write a brief narrative below explaining each major cost category and timeline. Complete the budget template at the end of the concept sheet. An excel version with formulas is available. When applicable, budgets should include personnel/benefits, operating costs such as consultants or training, administrative expenses/indirect costs, and capital costs (assets lasting more than 2 years). If project spans 2 years or occurs in phases, budget should be separated by phase/year.

Administrative costs, if any, must comply with DDS' vendor requirements, including a cap of 15% of the sum of personnel/benefits, consulting, and operating costs (must exclude capital costs). This information can be found at this [link](#).

Costs for the project are for additional staffing of \$75,000. One .50% FTE of a new hourly Employment Coordinator and One 17.5 % FTE hourly Employment Specialist to provide the support to address the barriers listed and address the objectives of the project for a 2 year period July 2021 to June 2023.

11. Please address sustainability of funding sources for all programs or concepts requiring any funding past the timeframe of the requested funding, especially those that involve staff or other long-term costs. Please mark "not applicable" if costs will all be incurred during the program timeframe; up to two years.

Non applicable

12. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?

HCBS Funding    \_\_\_ No x\_\_\_ Yes.        If Yes, FY(s) **18-19-**  
 \_\_\_\_\_  
 Disparity Funding    \_\_\_ No \_\_\_ Yes. If Yes, FY(s) \_\_\_\_\_  
 CPP Funding        \_\_\_ No \_\_\_ Yes. If Yes, FY(s) \_\_\_\_\_  
 CRDP Funding        \_\_\_ No \_\_\_ Yes. If Yes, FY(s) \_\_\_\_\_  
 If yes to any question be sure to answer questions 13 and 14.

**For providers who have received prior HCBS, Disparity, CPP or CRDP Funding from DDS**

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13. If your organization has received prior funding from any of the above sources, please provide an update on the prior funding project. You may copy and paste from progress update(s) previously provided to regional centers or DDS.

Toolworks quarterly report dec 2020: Have met goals through Dec 2020. A total of 10 clients participated in internships (all but 1 paused due to the pandemic), 5 @ Grocery Outlet, 3 at EBMUD, 2 in SF and 1 placed in a CIE placement at 450 Golden Gate Federal Building.

14. If your organization received prior funding, please explain how the current funding request is not redundant with any prior funding received and/or builds on the prior funding but was not part of the original funding.

Toolworks has 30 remaining clients who have not had paid work opportunities. The other 10 clients will continue to need our support to work toward next steps for employment. The staffing resources are needed to build on what has been developed and expand our employer partnerships, especially in Alameda County to provide job opportunities and Internships (in person and remote) for all our clients.

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 CONCEPT FORM

HCBS CONCEPT BUDGET		
Vendor Name	Toolworks	
Vendor Number(s)	HB0150, PB1301	
	Wage and Benefits	Yearly FTE
<b>Personnel (wage + benefits)</b>		
Community Integration and Employment Coord(\$28/hr)	58,240	50%
Employment Specialist (\$23/hr)	47,840	17.5%
<b>Personnel Subtotal</b>		
<b>Operating expenses</b>		
<b>Operating Subtotal</b>		
<b>Administrative Expenses</b>		
<b>Administrative Subtotal</b>		
<b>Capital expenses</b>		

Capital Subtotal	
Total Concept Cost	

See Attachment F for budget details and restrictions

Attachment C


Year 1 Budget	Year 2 Budget		Total
Annual Cost	FTE	Annual Cost	Cost
\$ 29,120	50%	\$ 29,120	\$ 58,240
\$ 8,380	17.5%	\$ 8,380	\$ 16,760
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