Colorado Department of Health Care Policy and Financing



SOLICITATION #: HB12-1281 PRI ACC Payment Reform Initiative

Appendix A
Administrative Information

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SECTION 1.0 OFFICIAL MEANS OF COMMUNICATION

1.1. SOLICITATION PUBLICATION AND COMMUNICATIONS

This solicitation referenced on the cover page of this document is issued for the State of Colorado by the Department of Health Care Policy and Financing (Department) and is posted on the Department ACC Payment Reform Initiative (HB12-1281) web page (PRI web page) http://www.colorado.gov/cs/Satellite/HCPF/HCPF/1251626415803.

During this solicitation process all official communication with Offerors will be via notices on the PRI web page. Notices may include modifications, addenda, responses to inquiries and the announcement of the apparent winning Offeror(s). It is the Offeror's responsibility to periodically check the PRI web page for notices, changes, additional documents or amendments that pertain to this solicitation.

1.2. SOLE POINT OF CONTACT

The Department's sole point of contact and proposal delivery address for this solicitation is:

David Ducharme

Department of Health Care Policy and Financing

Medicaid Reform Unit

1570 Grant Street

Denver, CO 80203-1818

Phone: (303) 866-2254

SECTION 2.0 SCHEDULE OF ACTIVITIES

The schedule of key activities for this solicitation is as follows:

ACTIVITY	DATE ¹
	12/31/2012
Inquiry Deadline	12:00 p.m.
	Mountain Time
Department Response to Questions	01/14/2013
	01/18/2013
Letter of Intent Deadline	11:00 a.m.
	Mountain Time
	04/01/2013
Proposal Submission Deadline	3:00 p.m.
	Mountain Time
Vendor Selection (Estimated) and Notification of Award	07/01/2013

Start-Up Period (Estimated)	07/01/2013 Through (at the latest) 07/01/2014
Operational Start Date (At the latest)	07/01/2014
Contract Period (Estimated)	07/01/2013 through 07/31/2016

¹NOTE: The Department reserves the right to revise the dates in this schedule. If revisions are made prior to the Proposal Submission Deadline, changes will be made via a modification to this solicitation posted on the PRI web page.

2.1. INQUIRIES

Prospective Offerors' inquiries must be received by the Department by the Inquiry Deadline.

Prospective Offerors must submit all inquiries by electronic mail (e-mail) to David.Ducharme@state.co.us. The e-mail should include the following:

- This solicitation number and title listed in the e-mail subject line (i.e. HB12-1281 PRI, ACC Payment Reform Initiative).
- The section or line numbering in this solicitation that precedes the text on which the inquiry is based.

Inquiries received by the Department by the Inquiry Deadline will be responded to by the Department via a posting on the PRI web page. Inquiries received after the Inquiry Deadline may not be included in the Department's response.

2.2. INTENT TO BID NOTIFICATION

Organizations planning on submitting a proposal in response to this solicitation must provide a letter of intent to bid stating the organization's intention of submitting a proposal. The letter of intent to bid must be submitted via e-mail to David.Ducharme@state.co.us by the Intent to Bid Notification Deadline. The letter of intent should be formatted according to the instructions in Appendix F Instructions for Letter of Intent.

Submission of a letter of intent to bid is binding and obligates an organization to submit a proposal.

2.3. PROPOSAL SUBMISSION DEADLINE

Proposals must be received on or before the Proposal Submission Deadline.

It is the responsibility of the Offeror to ensure that the Department receives Offeror's complete proposal package on or before the Proposal Submission Deadline regardless of delivery method used.

Offerors mailing a proposal package should allow ample time to ensure timely receipt.

SECTION 3.0 GENERAL CONSIDERATIONS

3.1. DISCLAIMER ON INFORMATION IN SOLICITATION

All statistical and fiscal information contained within this solicitation and its appendices, and any amendments and modifications thereto reflect the best and most accurate information available to the Department at the time of solicitation preparation. No inaccuracies in such data shall constitute a basis for legal recovery of damages or protests, either real or punitive, except to the extent that any such inaccuracy was a result of the intentional misrepresentation by the Department.

3.2. PROPOSAL AND PRE-CONTRACT COSTS

The Department is not liable for any costs incurred by Offerors prior to issuance of a legally executed contract or procurement document. No property interest of any nature shall occur until a contract is awarded and signed by all concerned parties.

3.3. PROPOSAL REJECTION & SOLICITATION COMPLIANCE

The Department reserves the right to reject any or all proposals, to waive informalities and minor irregularities in proposals received, and to accept any portion of a proposal or all items proposed if deemed in the best interest of the State.

For this solicitation, best and final offers and/or requests to modify may be requested and considered, at the Department's option and request, in the evaluation process.

Failure of an Offeror to comply with all requirements of this solicitation may result in Offeror's proposal being disqualified or determined not acceptable. Such disqualification or determination may occur at any point following the Proposal Submission Deadline.

3.4. OFFEROR IDENTIFICATION

The tax identification number provided on the W-9 (Appendix C) must be that of the Offeror responding to this solicitation. The Offeror must be a legal entity with the legal right to contract.

3.5. CONFLICTS OF INTEREST

The holding of public office or employment is a public trust. A public officer or employee whose conduct departs from his fiduciary duty is liable to the people of the State. Rules of conduct for public officers and state employees:

- 1) Proof beyond a reasonable doubt of commission of any act enumerated in this section is proof that the actor has breached his fiduciary duty.
- 2) A public officer or a state employee shall not:
 - (a) Engage in a substantial financial transaction for her/his private business purposes with a person whom she/he inspects, regulates, or supervises in the course of his official duties;

- (b) Assist any person for a fee or other compensation in obtaining any contract, claim, license, or other economic benefit from her/his agency;
- (c) Assist any person for a contingent fee in obtaining any contract, claim, license, or other economic benefit from any state agency; or
- (d) Perform an official act directly and substantially affecting its economic benefit a business or other undertaking in which she/he either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.
- (e) Serve on the Board of any entity without disclosure to the entity, the Secretary of State, and his/her employer.
- A head of a principal department or a member of a quasi-judicial or rule-making agency may perform an official act notwithstanding paragraph (d) of subsection (2) of this section if her/his participation is necessary to the administration of a statute and if she/he complies with the voluntary disclosure procedures under C.R.S. § 24-18-110.
- 4) Paragraph (c) of subsection (2) of this section does not apply to a member of a board, commission, council, or committee if she/he complies with the voluntary disclosure procedures under C.R.S. § 24-18-110 and if she/he is not a full-time state employee. Reference C.R.S. § 24-18-108, as amended.

3.6. DEBARMENT AND SUSPENSION

By submitting a proposal in response to this solicitation, the Offeror certifies to the best of its knowledge and belief that it, its principals and proposed Subcontractors:

- 1) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions.
- 2) Have not within a three-year period preceding the proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- 3) Are not presently under investigation for, indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in bulleted item 2 stated previously; and
- 4) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

If the Offeror is unable to certify to any of the statements in this certification, provide an explanation included as an attachment to the proposal. This explanation is exempt from page limitations, if any. The inability of the Offeror to provide the certification will not necessarily result in disqualification of the Offeror. The explanation will be considered in connection with the Department's determination whether to award a contract to an Offeror.

3.7. CONTRACT PERFORMANCE DISCLOSURE

The proposal shall fully disclose any serious negative contract problems for the Offeror, its principal, and affiliates for contracts or potential contracts in the last seven (7) years. If applicable, the Offeror shall disclose the following:

- 1) Any investigative or audit or similar findings or charges of fraud, malfeasance, anti-trust violation, civil violation, criminal activity or fine including those agreed to by settlement.
- 2) Any formal notices to cure or formal audit findings concerning contractor deficiencies in a contract with a local, state or federal government agency.
- 3) Detailed information on all lawsuits for issues pertaining to contract performance, payments, or other obligations under an agreement with a local, state or federal agency and the outcome of the lawsuit or settlement.

3.8. TAXES

The State of Colorado, as purchaser, is exempt from all federal excise taxes under Chapter 32 of the Internal Revenue Code (Registration No. 84-730123K) and from all state and local government use taxes (C.R.S. § 39-26-704). The Colorado State and Local Sales Tax Exemption Number is 98-01159-0000. Seller is hereby notified that when materials are purchased in certain political sub-divisions (for example in the City of Denver) the seller may be required to pay sales tax even though the ultimate product or service is provided to the State of Colorado. This sales tax will not be reimbursed by the State.

SECTION 4.0 PROPOSALS

4.1. GENERAL INSTRUCTIONS

Proposals will be accepted only for the all requirements within the Guidelines for Proposal and as described within all solicitation documents.

Offeror shall respond by completing the Application Form (Appendix D) and other documents specified in Section 4.2 Response Format.

Failure to meet all requirements or respond to all requests for information may result in the disqualification of the Offeror. The Department reserves the right to reject any and all proposals for non-compliance.

4.2. RESPONSE FORMAT

Offeror shall adhere to the format prescribed and content required for proposal responses.

Offeror's proposal response shall be a separate document and shall:

Provide Offeror's full and complete response in the format established in the Application Form (Appendix D). The Application Form shall be completed following the page length requirements and/or attachment length requirements as stated per section.

- NOTE: The Evaluation Committee will not consider any information that is not presented within the proposal response.
- 2) Be succinct, non-repetitive, self-explanatory and well organized so that the Evaluation Committee can understand how Offeror will fulfill the requirements of this solicitation. The response length must conform to the limits prescribed in the Application Form (Appendix D). Include additional information, if requested, as attachments to the proposal.

Attachments shall:

- 1) Be separated based on the requirement.
- 2) Be identified as 'ATTACHMENT' followed by a letter of the alphabet and appear organized alphabetically within each proposal copy. Following the attachment letter, attachments should be named based on the requirement or topic covered within that attachment. Attachments should be listed with the attachment letter and name within the Table of Contents.
- 3) Have page numbers on each page and be numbered consecutively in a consistent numbering format.
- 4) Not be excessive in length. Attachments that are not on topic or excessive in length may not be reviewed or evaluated by the Evaluation Committee.

4.3. PROPOSAL PACKAGE

The complete proposal package shall consist of the following, in the order stated:

1) Table of Contents

The Table of Contents should include headings and corresponding tabs that denote the major sections in the proposal. In addition, a separate tab should be included for each attachment.

2) Transmittal Letter

At a minimum the Transmittal Letter shall address or comply with each of the following:

- Discloses material sent by Offeror and references solicitation number and name. If applicable, identifies any attachments to be submitted in response to:
 - o Conflicts of Interest (see Section 3.5 of this document)
 - o Debarment and Suspension (see Section 3.6 of this document)
 - Contract Performance Disclosure (see Section 3.7 of this document)
 - Contract Terms and Conditions (see Section 5.3 of this document)
- Discloses all current or pending bids and contracts Offeror has with the State of Colorado or states that Offeror does not have any current or pending bids and contracts Offeror has with the State of Colorado.

- Provides the name, title, address, phone number and e-mail address for a key contact within Offeror's organization regarding the proposal.
- Signed by an individual who is authorized to commit the Offeror to the services, compliance with requirements and prices stated in the Offeror's proposal.

3) Letter of Intent

The Letter of Intent provided here is the exact same Letter of Intent that was submitted before January 14, 2013. The Letter of Intent shall be formatted according to Appendix F.

4) Executive Summary

The Executive Summary shall provide a summary of the proposed payment reform project, including the goal(s) of the project, who will be served, how and where services will be provided, a description of the reimbursement structure, how the project will build on the ACC Program, and how the project promotes the Triple Aim of better health, better care, and lower costs. If applicable, the intended use of Subcontractors should be disclosed within the Executive Summary. The Executive Summary will be no more than two (2) pages, single spaced, and using 12 point font.

5) Description of Organization

This shall include a brief description of the RCCO and its partners for the proposed project, including: the business structure of the organization and any subcontracting organizations for the project; key distinguishing activities in the current ACC Program; and demonstrated achievements in health care innovations. The Description of Organization will be no more than one (1) page, single spaced, and using 12 point font.

6) Signature Page

The State of Colorado Department of Health Care Policy and Financing Signature Page (Appendix B) MUST be completed and signed in ink, preferably in blue ink, by the Offeror or an officer of the Offeror legally authorized to bind the Offeror to the proposal. Proposals that are determined to be at variance with this requirement may not be accepted.

Appendix B is designed so that Offeror can type the information required at the bottom of the page, except for the signature, after downloading the attachment.

7) W-9

A completed W-9 (Appendix C) must be attached.

8) Proposal Response (Application Form, Appendix D)

The Application Form (Appendix D) shall be completed following the page length requirements and/or attachment length requirements as stated per section. Application Form must follow the format stated in Section 4.2 of this document.

- 9) Attachments as required or specified within this solicitation. If deemed necessary by Offeror, supporting detail may be provided in additional attachments in the proposal. However, the Department does not encourage excessive responses and does not desire unnecessary tables, graphs, marketing materials or photographs or attachments that have not been requested.
- 10) Additional attachments, only if applicable.

Based on Offeror's determination, additional attachments may be required in response to:

- Conflicts of Interest (see Section 3.5 of this document)
- Debarment and Suspension (see Section 3.6 of this document)
- Contract Performance Disclosure (see Section 3.7 of this document)
- Exceptions or Additions to Contract Terms and Conditions (see Section 5.3 of this document)

4.4. PROPOSAL FORMAT AND COPIES

Submit one (1) original paper copy of the complete proposal package. The original copy should include original signatures on all pages requiring signatures.

In addition to the one (1) paper copy, submit ten (10) compact discs (CDs) in searchable pdf format. The CDs should be labeled "Copy 1 of 10", "Copy 2 of 10", etc. as applicable.

The paper copy must be submitted in a three-ring binder with the name of the Offeror's organization appearing on the outside front cover. Offerors are encouraged to use recycled, non-glossy 8 ½ by 11- inch paper with printing on one side only. While the appearance of proposals is important and professionalism in proposal presentation should not be neglected, the use of non-recycled or non-recyclable or glossy materials is discouraged.

4.5. PROPOSAL SUBMISSION

The complete proposal package, including all required copies, should be received by the Proposal Submission Deadline at the address for the Department's sole point of contact as specified in Section 1.2.

Proposals must be submitted in a sealed package showing the following information clearly on the outside of the package:

- 1) Offeror's Name
- 2) Solicitation Number and Title
- 3) Proposal Submission Deadline

4.6. MODIFICATION OR WITHDRAWAL OF PROPOSALS

Proposals may be modified or withdrawn by the Offeror prior to the established Proposal Submission Deadline.

4.7. BINDING OFFER

A proposal submitted in response to this solicitation shall constitute a binding offer. Acknowledgment of this condition shall be indicated by the signature of the authorized officer or agent of Offeror on the State of Colorado Department of Health Care Policy and Financing Signature Page (Appendix B).

4.8. PROPOSAL MATERIALS OWNERSHIP

All products and materials submitted in response to this solicitation become the property of the State of Colorado at the Proposal Submission Deadline, unless otherwise noted in this solicitation.

Proposals may be reviewed by any person after the "Notice of Intent to Make an Award" announcement has been issued, subject to the terms of C.R.S. Title 24, Article 72, Part 2, as amended.

SECTION 5.0 AWARD AND CONTRACT

5.1. NOTICE OF INTENT TO AWARD

Upon approval of the Evaluation Committee's recommendation for award, the Department will issue a "Notice of Intent to Make an Award" announcement to all Offerors that will state the Department's intent to make an award to the selected Offeror(s). The award will also be published on the PRI web page.

5.2. PROPOSAL CONTENT ACCEPTANCE

The contents of the proposal of the successful Offeror(s), including persons specified to implement the project, will become contractual obligations if acquisition action ensues. Failure of the successful Offeror(s) to accept these obligations in a contracting instrument may result in cancellation of the award and such Offeror may be removed from consideration for future solicitations.

A contract will be offered to the successful Offeror(s) and, upon successful completion of negotiations, will be signed by both parties.

Should the contract not be completed and agreed to by both parties within 45 calendar days following the issuance of the "Notice of Intent to Make an Award" announcement through no fault of the Department's, the Department, at its sole discretion, may elect to cancel the existing award announcement and make an award to the next most advantageous Offeror(s).

5.3. CONTRACT TERMS AND CONDITIONS

The contracting document resulting from this solicitation will be substantially similar to the draft contracting document included with this solicitation as Appendix E. The Provisions 1 through 21, Special Provisions and the Health Insurance Portability and Accountability Act Business Associate Addendum of the Draft Contract shall not be negotiable.

By submitting a proposal, the Offeror confirms its willingness to enter into a contracting document containing the terms and conditions or substantially similar terms and conditions to the

draft contract and the requirements of this solicitation without exception, deletion, qualification or contingency.

If the Offeror is not willing to accept all terms and conditions, the Offeror should provide a statement of explanation and a listing of all exceptions the Offeror requires. Requests for changes, additions or exceptions to the standard terms and conditions must be submitted as a separate attachment to the proposal. The request must include a listing of all changes, additions or exceptions desired; an explanation of why Offeror is requesting each change, addition or exception; and the specific affect it will have on the Offeror's ability to perform the requirements of this solicitation.

The Department will not accept any proposals that are conditional on acceptance of modified terms and conditions.

Prior to the execution of a contract with the Department, the successful Offeror must provide documentation that contract signing authority is vested in the individual signing the contract.

5.4. NEWS RELEASES

News releases pertaining to this solicitation or intent to award shall NOT be made prior to execution of the contract or without prior written approval by the Department.

5.5. CONTRACT TERM

The anticipated term of the contract resulting from this solicitation consists of the Start-Up Period through the Initial Contract Period as stated in Section 2.0 Schedule of Activities contingent upon funds being appropriated, budgeted and otherwise made available, and other contractual requirements, if applicable, being satisfied.

The Contract is subject to and contingent upon the continuing availability of Federal and State funds for the purpose hereof. The Offeror recognizes that it is to be paid, reimbursed or otherwise compensated with Federal and State funds provided to the Department for the purposes of contracting for the services provided herein. The Offeror expressly understands and agrees that all its rights, demands and claims to compensation arising under the Contract are contingent upon receipt of such funds by the Department. In the event that the Department does not receive such funds or any part thereof, the Department may immediately terminate the Contract without liability, including liability for termination cost.