



STATE OF WASHINGTON  
HEALTH CARE AUTHORITY

**REQUEST FOR PROPOSALS (RFP)**

**RFP NO.** 2020HCA21

**PROJECT TITLE:** Partnership Access Lines and Psychiatric Consultation Line

**PROPOSAL DUE DATE:** February 8, 2021, by 2:00 p.m. *Pacific Time*.

Bids will be accepted by email, but not in person or by fax.

**ESTIMATED TIME PERIOD FOR CONTRACT:** May 1, 2021, to June 30, 2023.

The Health Care Authority reserves the right to extend any contract resulting from this RFP for up to four (4) additional one-year periods at its sole discretion, dependent upon mutual agreement of the contract terms by the parties.

**BIDDER ELIGIBILITY:** This procurement is open to those Bidders that satisfy the minimum qualifications stated herein and that are available for work in Washington State.

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# 1. INTRODUCTION

## 1.1. DEFINITIONS

Definitions for purposes of this RFP include the following:

**Apparent Successful Bidder (ASB)** – The Bidder selected as the entity to perform the anticipated services under this RFP, subject to completion of contract negotiations and execution of a written contract.

**Assessed Entity** – As defined within Substitute House Bill 2728 of the 2020 Washington State legislative session:

- A. Health Carriers, as defined in RCW 48.43.005;
- B. Self-funded multiple-employer welfare arrangements, as defined in RCW 48.125.010; and
- C. Employers or other entities that provide health care in this state, including self-funded entities or employee welfare benefit plans.

**Bidder** – Individual or entity interested in the RFP that submits a proposal in order to obtain a contract with HCA.

**Business Day** - Monday through Friday, 8:00 a.m. to 5:00 p.m., Pacific Time, except for holidays observed by the State of Washington, unless otherwise specified within the RFP.

**Contract** – A written agreement, resulting from this procurement, between an ASB and HCA, including all exhibits, schedules, attachments, and other terms or documents referred to, incorporated by reference, or attached hereto. HCA's Draft Contract is included as Exhibit F.

**Contractor** – What an ASB becomes after a Contract has been executed. This includes its employees and agents, and any firm, provider, organization, individual or other entity performing services under the Contract. It also includes any Subcontractor retained by Contractor as permitted under the terms of the Contract.

**Data** – Information produced, furnished, acquired, or used by Bidder in meeting the measured requirements outlined in this RFP.

**Health Care Authority (HCA)** – An executive agency of the state of Washington that is issuing this RFP.

**Partnership Access Lines (PAL)** – Through contracts with HCA, these are lines managed by the University of Washington and Seattle Children's' Hospital to support primary care providers with questions about mental health care, such as diagnostic clarification, medication adjustment or treatment planning. This also includes the Kids Referral and Assistance Services. This telephone-based referral service connects children and teens with evidence-supported outpatient mental health services in their communities.

**Proposal** – A formal offer submitted in response to this solicitation.

**Psychiatric Consultation Line (PCL)** – Through a contract with HCA, this is a telephone and video-based call center managed by the University of Washington that offers consultation services to emergency department providers, primary care providers, and municipal correctional facility providers with questions about mental health and substance use disorder in adults.

**Request for Proposals (RFP)** – Formal procurement document in which a service or need is identified but no specific method to achieve it has been chosen. The purpose of an RFP is to permit the bidder community to suggest various approaches to meet the need at a given price.

**Revised Code of Washington (RCW)** – The laws of the State of Washington, as enacted by the Legislature. Any references to specific titles, chapters, or sections of the RCW includes any substitute, successor, or replacement title, chapter, or section.

**Subcontractor** – A person, partnership, or entity not in the employ of or owned by the Bidder, who is performing all or part of those services under a separate contract with or on behalf of the Bidder. The term “Subcontractor” means Subcontractors in any tier.

**Third-Party Administrator** – A third-party administrator contracted to provide services for administering carrier assessments to fund PAL and PCL.

**Washington Administrative Code (WAC)** – Regulations issued by executive-branch agencies of the State of Washington. Any references to specific titles, chapters, or sections of the WAC includes any substitute, successor, or replacement title, chapter, or section.

## 1.2. ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

This RFP is being issued under the following schedule. The Response deadlines are Mandatory and non-negotiable. Failure to meet any of the required deadlines (dates and times) may result in disqualification from participation.

Issue Request for Proposals	January 4, 2021
Letter of Intent Due (Optional)	January 13, 2021
Questions Due	January 20, 2021 – 2:00 PM (PT)
Answers Posted	January 27, 2021
Proposals Due	February 8, 2021 – 2:00 PM (PT)
Evaluate Proposals	February 9 – 23, 2021
Conduct Oral Interviews with Finalists, if required	March 1 – 3, 2021
Announce “Apparent Successful Bidder” and send notification via e-mail to unsuccessful Bidders	March 8, 2021
Debrief Request Deadline	March 11, 2021
Negotiate Contract	March 2021 – April 2021
Implementation Start Date	May 2021
Assessment Reporting Start Date	July 1, 2021

HCA reserves the right in its sole discretion to revise the above schedule at any time.

## 1.3. PURPOSE AND OBJECTIVES

HCA is initiating this Request for Proposals (RFP) to solicit proposals from firms to administer carrier assessments to support the Washington State Partnership Access Lines (PAL) and Psychiatric Consultation Line (PCL) in compliance with Substitute House Bill (SHB) 2728 (Laws of 2020, Chapter 291).

The purpose of this RFP is to contract with a Third-Party Administrator (TPA) that will calculate and collect an assessment from payers (Assessed Entities) for their proportional amount to fund the PAL and PCL. The TPA will perform these services so that assessments are billed and collected, and deposits are made to the State, in a timely fashion to ensure full compliance by Assessed Entities.

It is possible that, during the term of a Contract resulting from this RFP, HCA may be required or provided the opportunity to administer other programs similar to PAL and PCL (Future Programs). If this occurs, HCA may decide to contract for similar services with any entity that enters into a Contract with HCA pursuant to this RFP without conducting another procurement.

HCA intends to contract with one (1) experienced TPA to calculate and administer carrier assessments on behalf of HCA for PAL and PCL. HCA intends to select one Apparent Successful Bidder (ASB) that demonstrates:

- A. Systems in place to calculate assessment rates for each Assessed Entity identified in SHB 2728;
- B. Systems in place to invoice and collect assessments from each Assessed Entity and remit collected assessment funds to the State;
- C. The ability to provide online account management and engagement, and customer services for each Assessed Entity; and
- D. The ability to meet HCA's data, reporting and communication requirements.

#### 1.4. BACKGROUND

HCA's Apple Health (Medicaid) Program has contracted with Seattle Children's Hospital and the University of Washington (UW) for services to assist Washington State providers with managing their patients' psychiatric needs and helping to connect children to care through the following behavioral health consultation and referral services: Partnership Access Lines (PAL), PAL for Moms, PAL for Kids Referral and Assistance Service, and the Psychiatric Consultation Line (PCL).

- Partnership Access Lines. The PAL supports primary care providers with questions about mental health care, such as diagnostic clarification, medication adjustment or treatment planning. Seattle Children's Hospital delivers the PAL consultation services in affiliation with the University of Washington Department of Psychiatry and Behavioral Sciences (UW). The PAL team is staffed with psychiatrists for both children and adolescents.<sup>1</sup>
- Partnership Access Line for Moms. The PAL for Moms pilot program provides consultation for health care professionals to assess and treat depression in pregnant women and new mothers.
- Partnership Access Line for Kids Referral and Assistance Service. The PAL for Kids Referral and Assistance Service pilot program facilitates referrals to children's mental health services and other resources for parents and guardians.
- Psychiatric Consultation Line. The Psychiatric Consultation Line (PCL) is a telephone and video-based call center that offers consultation services to emergency department providers, primary care providers, and municipal correctional facility providers. The Legislature provided funding in the appropriations bill for the 2019-2021 biennium for the program to operate from 8:00 a.m. to 5:00 p.m. Monday through Friday during fiscal year 2020; and 24 hours per day,

<sup>1</sup> <https://www.seattlechildrens.org/globalassets/documents/healthcare-professionals/pal/wa/wa-pal-care-guide.pdf>

seven days per week during fiscal year 2021. The Psychiatric consultation team provides psychiatric and substance use disorder clinical consultation for adult patients on the same day or within 24 hours of the next business day.

Children and Youth Behavioral Health Work Group

At the Legislature's direction, the Children and Youth Behavioral Health Work Group (formerly the Children's Mental Health Work Group) convened an advisory group consisting of representatives from UW, Seattle Children's Hospital, Managed Care Organizations (MCOs), organizations connecting families to children's mental health services and providers, health insurance carriers, and the Office of the Insurance Commissioner (OIC). In 2019, the advisory group recommended an alternative funding model for the behavioral health consultation and referral services (PAL and PCL) and designated HCA to contract with a TPA to conduct financial assessments on health plans.

Substitute House Bill 2728

SHB 2728 gives HCA the authority to contract with a TPA to calculate and administer assessments for the following Assessed Entities:

- A. Health Carriers, as defined in RCW 48.43.005;
- B. Self-funded multiple-employer welfare arrangements, as defined in RCW 48.125.010; and
- C. Employers or other entities that provide health care in this state, including self-funding entities or employee welfare benefit plans.

SHB 2728 is included as Appendix A to this RFP.

Assessments

HCA, in consultation with the UW Department of Psychiatry and Behavioral Sciences and Seattle Children's Hospital, is responsible for establishing the annual costs of operation and assessment rates for each program.

For each program, HCA will calculate the proportion of covered lives that are covered by programs administered pursuant to chapter 74.09 RCW (Apple Health/Medicaid). The State must cover the cost for the PAL and PCL programs administered to Apple Health clients pursuant to chapter 74.09 RCW through state and federal funds, as appropriated. Effective July 1, 2021, in accordance with SHB 2728, other payers will bear a portion of the costs for PAL and PCL.

HCA will provide the TPA with the total program cost to be assessed for the PAL and PCL programs and total number of Medicaid covered lives. The TPA will calculate HCA's proportion of the PAL and PCL program costs based on the number of Medicaid covered lives, and determine the total non-Medicaid program cost that will be proportionately assessed on other payers. The TPA will calculate assessments based on this total non-Medicaid program cost (as opposed to breaking out by program).

The TPA will determine each Assessed Entity's proportionate assessment amount utilizing the formula below:

$$\frac{\text{Assessed Entity's covered lives}}{\text{Total WA State Non-Medicaid Covered Lives}} \times \text{Non-Medicaid Program Cost} = \text{Assessed Entity's assessment}$$

## 1.5. SCOPE OF WORK

The TPA must provide the services and staff to perform the tasks and services listed in this section. A final Statement of Work (SOW) will be negotiated with the TPA prior to Contract execution.

The successful bidder will be responsible for (1) calculating, billing, collecting, and account management for assessments through an automated web-based system, (2) reconciliation of payments made by Assessed Entities, (3) communicating with Assessed Entities regarding assessments, and (4) remitting collected assessment fees to HCA monthly. These services include, but are not limited to, the following:

### 1. Assessment Services

The TPA will:

- A. Be able to conduct assessment calculation, billing and processing through an automated web-based system;
- B. Conduct assessment calculation and billing on a quarterly basis, including adjudication of covered lives for each Assessed Entity;
- C. Manage accounts receivable due to HCA from each Assessed Entity;
- D. Forward assessment payments to HCA on a monthly basis;
- E. Implement a protocol for collecting assessments from Assessed Entities that are delinquent in making assessment payments;
- F. Routinely monitor Assessed Entity covered lives reporting methods;
- G. Maintain a database of Assessed Entity contact and other relevant information; and
- H. Implement a protocol for processing and addressing disputes filed by Assessed Entities regarding the assessment.

### 2. Account Management Services

The TPA will:

- A. Provide online account access for all Assessed Entities to provide their covered lives count for the TPA to calculate each Assessed Entity's proportionate amount due;
- B. Provide online account access for all Assessed Entities, so that Assessed Entities can access their own data, including, but not limited to, covered lives reported in prior periods, assessments paid in prior periods, assessment due for the current period, and paid or delinquent status; and
- C. Allow for any adjustments requested by HCA, including, but not limited to, correcting errors, updating Assessed Entity information, and adding or removing Assessed Entities.

### 3. Customer Service

The TPA will:

- A. Outreach to and educate Assessed Entities on assessment processes during implementation, on quarterly assessment due dates, and when requested by Assessed Entities or HCA;



- B. Provide assistance to Assessed Entities to resolve any questions or issues they may encounter with the assessment calculations or payment or reporting processes;
- C. Manage any disputes from Assessed Entities regarding assessments; and
- D. Assist Assessed Entities with any technical difficulties they have accessing the web-based system or entering the information required to calculate the assessment.

#### **4. Reporting**

The TPA will:

- A. Maintain a reporting mechanism that requires Assessed Entities to provide an explanation if there is a change in the number of reported covered lives greater than 5% when submitting covered lives each quarter;
- B. Submit monthly reports to HCA that provide information about the amounts collected from each Assessed Entity and any unpaid or delinquent assessments within ten (10) Business Days of the end of each month. The TPA must include in this report what type of account and at which financial entity the money owed to HCA is being held; and
- C. Make available comprehensive assessment data that it has collected from or about Assessed Entities. The report(s) must be in any form acceptable to HCA, including but not limited to PDF or MS Excel. These reports may be pre-determined in the resulting contract or requested by HCA on an ad hoc basis.

#### **5. Data Requirements**

The TPA will:

- A. Meet or exceed the requirements of OCIO 141.10 – (See Appendix B);
- B. Pass the Office of Cyber Security (OCS) security design review; and
- C. Adhere to Washington State's record retention timelines.

#### **6. Communications**

The TPA will:

- A. Communicate reporting and payment due dates to Assessed Entities;
- B. Develop clear *Online Assessment Tool* Instructions;
- C. Inform Assessed Entities and HCA of any system issues, anticipated system updates or changes;
- D. Establish communication protocols regarding delinquent payments or disputes;
- E. Provide contact information to Assessed Entities so they can reach appropriate customer service resources; and
- F. Receive HCA's prior written approval for all marketing materials related to the resulting contract before distributing the materials. All marketing materials must adhere to HCA style

and brand standards, for example, when communicating with external audiences or stakeholder groups.

## **7. Implementation**

The initial term of any Contract resulting from this RFP will commence on the date of last signature and continue through June 30, 2023, unless terminated sooner as provided therein. Implementation will begin immediately following Contract execution. The TPA must complete all necessary steps to ensure successful implementation of assessment processes. The assessment reporting period begins on July 1, 2021.

The TPA will:

- A. Develop a comprehensive implementation plan that ensures assessment calculation, billing, and processing can begin on July 1, 2021;
- B. Present the implementation plan to HCA, including a demonstration of how the assessment tool will function; and
- C. Inform HCA of all implementation testing results.

### **1.6. MINIMUM QUALIFICATIONS**

The RFP is open to Bidders that satisfy the following minimum qualifications:

- 1.6.1. Licensed to do business in the State of Washington or provide a commitment that it will become licensed in Washington within 30 calendar days of being selected as the Apparent Successful Bidder.
- 1.6.2. Five (5) years of experience conducting assessments.
- 1.6.3. Five (5) years of experience working with public sector entities and commercial health carriers.
- 1.6.5 Has not, in the past five (5) years, had a TPA-related contract terminated for default or breach.

Bidders who do not meet and demonstrate these minimum requirements will be rejected as non-responsive and will not receive further consideration. Any Bidder that is rejected as non-responsive will not be evaluated or scored.

### **1.7. PERIOD OF PERFORMANCE**

HCA anticipates executing any Contract resulting from this RFP in May 2021. The initial Contract period is expected to run from the date of execution through June 30, 2023. Implementation is expected to begin upon Contract execution, and the assessment reporting period begins on July 1, 2021.

HCA reserves the right, in its sole discretion, to extend the contract for four (4) one-year periods, assuming the parties agree on the terms of any such extension.

### **1.8. CONTRACTING WITH CURRENT OR FORMER STATE EMPLOYEES**

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Bidders should familiarize themselves with the requirements prior to submitting a proposal that includes current or former state employees.

### **1.9. ADA**

HCA complies with the Americans with Disabilities Act (ADA). Bidders may contact the RFP Coordinator to receive written information in another format (e.g. large print, audio, accessible electronic formats and other formats).

## 2. GENERAL INFORMATION FOR BIDDERS

### 2.1. RFP COORDINATOR

The RFP Coordinator is the sole point of contact in HCA for this procurement. All communication between the Bidder and HCA upon release of this RFP must be with the RFP Coordinator, as follows:

Name	Sean Gregory
E-Mail Address	<a href="mailto:HCAProcurements@hca.wa.gov">HCAProcurements@hca.wa.gov</a>

Any other communication will be considered unofficial and non-binding on HCA. Bidders are to rely only on written statements issued by the RFP Coordinator. Communication directed to parties other than the RFP Coordinator may result in disqualification of the Bidder.

### 2.2. LETTER OF INTENT TO PROPOSE (OPTIONAL)

HCA encourages Bidders to submit a Letter of Intent (LOI) to Propose. The LOI must be emailed to the RFP Coordinator, listed in Section 2, and must be received by the RFP Coordinator no later than the date and time stated in the Procurement Schedule, Section 1.2. The subject line of the email must include the following:

2020HCA21 – Letter of Intent to Propose – [Your entity’s name].

The Letter of Intent to Propose may be attached to the email as a separate document, in Word or PDF, or the information may be contained in the body of the email.

Information in the Letter of Intent to Propose must be placed in the following order:

- 2.2.1. Bidder’s Organization Name;
- 2.2.2. Bidder’s authorized representative for this RFP (who must be named the authorized representative identified in the Bidder’s Proposal);
- 2.2.3. Title of authorized representative;
- 2.2.4. Address, telephone number, and email address; and
- 2.2.5. Statement of intent to propose.

### 2.3. BIDDER QUESTION PERIOD

Bidders are provided an opportunity to ask questions as set forth in section 1.2, *Estimated Schedule of Procurement Activities*. Bidders are not required to participate in the Question and Answers; however, if they elect to participate, the due date by which Bidders must submit their questions is listed in section 1.2, *Estimated Schedule of Procurement Activities*.

Bidders may submit written questions only. Questions regarding the RFP will only be accepted in writing, sent by email to the RFP Coordinator. The Bidder must include the email subject line as “RFP 2020HCA21 Question(s) – [Bidder Name]” to ensure timely review of the submitted question(s).

HCA is only obligated to answer questions received in writing by the date/time stated in section 1.2, *Estimated Schedule of Procurement Activities*. HCA will post answers to the questions in WEBS as an RFP amendment.

HCA is under no obligation to respond to any questions received after the final scheduled question opportunity, but may do so at its discretion.

## **2.4. PROPRIETARY INFORMATION / PUBLIC DISCLOSURE**

Proposals submitted in response to this RFP will become the property of HCA. All proposals received will remain confidential until the Apparent Successful Bidder is announced; thereafter, the proposals will be deemed public records as defined in chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the Bidder desires to claim as proprietary and exempt from disclosure under chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of a document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Bidder is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information" printed on the lower right hand corner of the page. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Bidder has marked as "Proprietary Information," HCA will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, HCA will release the requested information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, HCA will maintain the confidentiality of the Bidder's information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee will be charged for inspection of contract files, but 24 hours' notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

The submission of any public records request to HCA pertaining in any way to this RFP will not affect the procurement schedule, as outlined in Section 2.2, unless HCA, in its sole discretion, determines that altering the schedule would be in HCA's best interests.

## **2.5. REVISIONS TO THE RFP**

If HCA determines in its sole discretion that it is necessary to revise any part of this RFP, then HCA will provide addenda via e-mail to all individuals who have made the RFP Coordinator aware of their interest. Addenda will also be published on Washington's Electronic Bid System (WEBS), at <https://fortress.wa.gov/ga/webs/>. For this purpose, the published questions and answers and any other pertinent information will be provided as an addendum to the RFP and will be placed on the website.

HCA also reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of any contract resulting from this RFP.

## **2.6. DIVERSE BUSINESS INCLUSION PLAN**

Bidders will be required to submit a Diverse Business Inclusion Plan with their proposal. In accordance with legislative findings and policies set forth in RCW 39.19, the state of Washington encourages participation in all contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE), set forth in RCW 43.60A.200 for firms certified by the Washington State Department of Veterans Affairs, and set forth in RCW 39.26.005 for firms that are Washington Small Businesses. Participation may be either on a direct basis or on a subcontractor basis. However, no preference on the basis of participation is included in the evaluation of Diverse Business Inclusion Plans submitted, and no minimum level of minority- and women-owned business enterprise, Washington Small Business, or Washington State certified Veteran Business participation is required.

as a condition for receiving an award. Any affirmative action requirements set forth in any federal governmental regulations included or referenced in the contract documents will apply.

## **2.7. ACCEPTANCE PERIOD**

Proposals must provide one hundred twenty (120) calendar days for acceptance by HCA from the due date for receipt of proposals.

## **2.8. COMPLAINT PROCESS**

2.8.1. Bidders may submit a complaint to HCA based on any of the following:

- 2.8.1.1. The RFP unnecessarily restricts competition;
- 2.8.1.2. The RFP evaluation or scoring process is unfair or unclear; or
- 2.8.1.3. The RFP requirements are inadequate or insufficient to prepare a response.

2.8.2. A complaint must be submitted to HCA prior to five business days before the bid response deadline. The complaint must:

- 2.8.2.1. Be in writing;
- 2.8.2.2. Be sent to the RFP Coordinator in a timely manner;
- 2.8.2.3. Clearly articulate the basis for the complaint; and
- 2.8.2.4. Include a proposed remedy.

The RFP Coordinator will respond to the complaint in writing. The response to the complaint and any changes to the RFP will be posted on WEBS. The Director of HCA will be notified of all complaints and will be provided a copy of HCA's response. A Bidder or potential Bidder cannot raise during a bid protest any issue that the Bidder or potential Bidder raised in a complaint or could have raised in a complaint. HCA's action or inaction in response to a complaint will be final. There will be no appeal process.

## **2.9. RESPONSIVENESS**

The RFP Coordinator will review all proposals to determine compliance with administrative requirements and instructions specified in this RFP. A Bidder's failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

HCA also reserves the right at its sole discretion to waive minor administrative irregularities.

## **2.10. MOST FAVORABLE TERMS**

HCA reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the Bidder can propose. HCA reserve the right to contact a Bidder for clarification of its proposal.

HCA also reserves the right to use a Best and Final Offer (BAFO) before awarding any contract to further assist in determining the ASB(s).

The ASB should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Any contract resulting from this RFP will incorporate some, or all, of the Bidder's proposal. The proposal will become a part of the official procurement file on this matter without obligation to HCA.

#### **2.11. CONTRACT AND GENERAL TERMS & CONDITIONS**

The ASB will be expected to enter into a contract which is substantially the same as the sample contract and its general terms and conditions attached as Exhibit F. HCA will not accept any draft contracts prepared by any Bidder. The Bidder must be prepared to agree to all terms of the attached Draft Contract, Exhibit F, as presented or the Proposal may be rejected. The Bidder may submit exceptions as allowed in the Certifications and Assurances form, Exhibit A to this RFP. All exceptions must be submitted as an attachment to Exhibit A. HCA will review requested exceptions and accept or reject the same at its sole discretion.

If, after the announcement of the ASB, and after a reasonable period of time, the ASB and HCA cannot reach agreement on acceptable terms for the Contract, then HCA may either (1) cancel the selection and Award the Contract to the next most qualified Bidder or (2) not enter into any Contract at all.

#### **2.12. COSTS TO PROPOSE**

HCA will not be liable for any costs incurred by the Bidder in preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related in any way to this RFP.

#### **2.13. RECEIPT OF INSUFFICIENT NUMBER OF PROPOSALS**

If HCA receives only one responsive proposal as a result of this RFP, HCA reserves the right to either (1) directly negotiate and contract with the Bidder or (2) not award any contract at all. HCA may continue to have the bidder complete the entire RFP. HCA is under no obligation to tell the Bidder if it is the only Bidder.

#### **2.14. NO OBLIGATION TO CONTRACT**

This RFP does not obligate HCA to enter into any contract for services specified herein.

#### **2.15. REJECTION OF PROPOSALS**

HCA reserves the right, at its sole discretion, to reject any and all proposals received without penalty and not to issue any contract as a result of this RFP.

#### **2.16. COMMITMENT OF FUNDS**

The Director of HCA or his/her delegate is the only individual who may legally commit HCA to the expenditures of funds for a contract resulting from this RFP. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

#### **2.17. ELECTRONIC PAYMENT**

The state of Washington prefers to utilize electronic payment in its transactions. The ASB must register as a Statewide Vendor.

#### **2.18. INSURANCE COVERAGE (ADD OTHER INSURANCE AS REQUIRED)**

As a requirement of any contract resulting from this RFP, the ASB must furnish HCA with a certificate(s) of insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth in Exhibit F, Draft Contract.



### 3. PROPOSAL CONTENTS AND REQUIREMENTS

#### 3.1. PROPOSAL CONTENTS OVERVIEW

Proposals must be written in English and submitted electronically to the RFP Coordinator in the order noted below:

- A. Letter of Submittal (Section 3.4 and Exhibits A & B)
- B. Written Response (Section 3.5 and Exhibit C)
- C. Cost Proposal (Section 3.5 and Exhibit D)
- D. Executive Order 18-03 (Section 3.5 and Exhibit E)
- E. Draft Contract (Exhibit F)

#### 3.2. PROPOSAL FORMAT AND LENGTH

Proposals must comply with the format requirements or restrictions listed below. Failure to do so may result in the disqualification of the Bidder's Proposal:

- A. Use standard 8.5" x 11" white paper, with no smaller than 11-point font. Page margins must be no less than 1 inch.
- B. State the Bidder's full legal name on the first or cover page of all copies of the Proposal.
- C. Proposals must provide information in the same order as presented in this RFP and with the same headings. Title and number each item in the same way it appears in the RFP. Each question must be restated prior to the Bidder's response.
- D. Items marked "mandatory" must be included as part of the Proposal for the Proposal to be considered responsive; however, these items are not scored. Items marked "scored" must be included as part of the Proposal for the Proposal to be considered responsive and are awarded points by the evaluation team.
- E. Page limits stated in this RFP are determined by counting single-sides of the response. HCA has no obligation to read, consider, or score any material exceeding the stated page limits. Also, there will be no grounds for protest if critical information is on the pages exceeding the specified page limit that is not reviewed.
- F. Proposals are to be prepared simply and economically, providing a straightforward, concise description of the Bidder's Proposal to meet the requirements of this RFP.
- G. Bidders are liable for all errors or omissions contained in their Proposals. Bidders will not be allowed to alter Proposal documents after the deadline for Proposal submission. HCA is not liable for any errors in Proposals. HCA reserves the right to contact a Bidder for clarification of Proposal contents.
- H. HCA is under no obligation to consider any supplemental materials submitted that have not been requested.

#### 3.3. PROPOSAL SUBMISSION

The proposal must be received by the RFP Coordinator no later than the Proposal Due deadline listed in section 1.2, *Estimated Schedule of Procurement Activities*.

- A. Proposals must be submitted electronically as an attachment to an e-mail to the RFP Coordinator at the e-mail address listed in section 2.1 with the following submittal considerations:
  - i. Attachments to e-mail must be in Microsoft Word format or PDF, except Exhibit D, Cost Proposal which may be submitted as an excel document;
  - ii. The cover submittal letter and Exhibit A, the Certifications and Assurances form, must have a scanned signature of the individual within the organization authorized to bind the Bidder to the offer;
  - iii. Exhibit D, Cost Proposal, must be submitted as a separate attachment and may be submitted as an excel document; and
  - iv. HCA does not assume responsibility for problems with Bidder's e-mail. If HCA e-mail is not working, appropriate allowances will be made.
  
- B. Proposals cannot be transmitted in person or by facsimile transmission.

Bidders should allow sufficient time to ensure timely receipt of the proposal by the RFP Coordinator. Late proposals will not be accepted and will be automatically disqualified from further consideration, unless HCA e-mail is found by HCA to be at fault. All proposals and any accompanying documentation become the property of HCA and will not be returned.

#### **3.4. LETTER OF SUBMITTAL (MANDATORY)**

The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A to this RFP) must be signed and dated by a person authorized to legally bind the Bidder to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship.

Bidders who do not submit a Letter of Intent to Propose, Section 2.2, must include all elements described within Section 2.2 in their Letter of Submittal following Section 3.1.8.

Along with introductory remarks, the Letter of Submittal is to include by attachment the following information about the Bidder and any proposed subcontractors:

- A. Name, address, principal place of business, telephone number, and fax number/e-mail address of legal entity or individual with whom contract would be written.
  
- B. Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.).
  
- C. Legal status of the Bidder (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists.
  
- D. Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue. If the Bidder does not have a UBI number, the Bidder must state that it will become licensed in Washington within 30 calendar days of being selected as the Apparent Successful Bidder.
  
- E. Location of the facility from which the Bidder would operate.
  
- F. Identify any state employees or former state employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the Bidder's organization. If, following a review of this information, HCA determines that a conflict

of interest exists, the Bidder may be disqualified from further consideration for the award of a contract.

- G. Any information in the proposal that the Bidder desires to claim as proprietary and exempt from disclosure under RCW 42.56 or other applicable law must be clearly designated. The page must be identified and the particular exemption from disclosure upon which the Bidder is making the claim must be listed. Each page claimed to be exempt from disclosure must be clearly identified by the word "Proprietary" printed on the lower right-hand corner of the page. In your Letter of Submittal, please list which pages and sections that have been marked "Proprietary" and the particular exemption from disclosure upon which the Bidder is making the claim.
- H. A statement of how the Bidder meets ALL of the minimum requirements specified in Section 1.6 of this RFP.
- I. A copy of the Certificate of Assurances form (Exhibit A) signed by a person authorized to bind the Bidder to a Contract.
- J. A completed Diverse Business Inclusion Plan (Exhibit B). This is a requirement as described in section 2.6.

### **3.5 SCORING ELEMENTS (MANDATORY AND SCORED)**

Bidders must submit the Scoring Elements of their Proposal in the following three (3) separate exhibits:

#### **1. Exhibit C – Written Response**

Bidder must respond in detail to all questions as directed in Exhibit C. Bidder must also adhere to all page limit requirements provided at the top of each Written Response subsection.

#### **2. Exhibit D – Cost Proposal**

Bidder must complete the Cost Proposal spreadsheet, provided as Exhibit D, per the instructions below. The Bidder's response to the Cost Proposal must be submitted as a separate attachment.

- Bidder will use the information on the Assumptions tab of Exhibit D to develop the cost proposal. The information on the Assumptions tab is provided for illustrative purposes only.
- Bidder's Cost Proposal must be inclusive of all costs to manage the assessment process.
- Bidder must complete the Cost Proposal Table on the Cost Proposal tab. For each Cost Category, identify all costs in U.S. dollars including expenses to be charged for performing the services necessary to accomplish the objectives of the contract and any applicable taxes. (Bidders are required to collect and pay Washington state sales and use taxes, as applicable.)
- If Bidder does not have an implementation cost, or the implementation cost is included in the year 1 cost, please mark Implementation Cost (cell D4) on the Cost Proposal Tab \$0.00.
- The total cost in cell D7 on the Cost Proposal tab will be used to evaluate Bidder's Cost Proposal.
- Bidder may provide an explanation for costs on the Cost Details tab. This tab is for supporting detail for the numbers provided in the Cost Proposal Table, it must NOT include any additional costs.

### **3. Exhibit E – Executive Order 18-03 Worker’s Rights**

Bidder must review Exhibit E and respond to whether the Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses and class or collective action waivers.

## 4. EVALUATION AND CONTRACT AWARD

### 4.1 EVALUATION PROCEDURE

All proposals received by the stated deadline in Section 1.2, *Estimated Schedule of Procurement Activities*, will undergo an administrative review to be completed by the RFP Coordinator. Proposals that pass the administrative review are considered responsive and will move on to be evaluated by the evaluation team. A Bidder submitting any Proposal that does not pass administrative review will be notified by the RFP Coordinator, and the Proposal will be rejected as non-responsive.

#### 1. Administrative Review

- A. The administrative review of responsiveness is made on a pass/fail basis and will be used to initially evaluate a Bidder's compliance with the administrative requirements of this RFP. To meet the administrative requirements, a Proposal must follow the specifications, and include all of the mandatory information outlined in Section 3, *Proposal Contents and Requirements*.
- B. The RFP Coordinator may, at his or her sole discretion, contact the Bidder for clarification of any portion of the Bidder's Proposal. Bidders should take every precaution to ensure that all answers are clear, complete, and directly address the specific requirement.
- C. HCA reserves the right, in its sole discretion, to waive administrative irregularities.

#### 2. Evaluation of Proposals

- A. Responsive Proposals will be evaluated and scored in accordance with the requirements stated in this RFP and any addenda issued. Evaluations will only be based upon information provided in the Bidder's Proposal.
- B. The evaluation of Written Proposals will be accomplished by an evaluation team, to be designated by HCA. The scores assigned by individual evaluation team members will be used in calculating the total number of points awarded to each Bidder. Included in Section 4.2, *Evaluation Weighting and Scoring*, is a listing of all the sections in the Written Response broken out by question, and the associated weights and the maximum points possible for each (Evaluation Table). Also included in this section is the scale of scores used by individual team members (0 – 10) and a brief statement about the scoring criteria associated with each of the scores (Scoring Methodology).
- C. The evaluation of the Cost Proposal and Executive Order 18-03 will be accomplished by the RFP Coordinator.
- D. HCA, at its sole discretion, may elect to select the top-scoring firms as finalists for an oral presentation.
- E. The evaluation process is designed to award this procurement not necessarily to the Bidder of least cost, but rather to the Bidder whose proposal best meets the requirements of this RFP, as determined by HCA in its sole discretion. However, Bidders are encouraged to submit proposals which are consistent with state government efforts to conserve state resources.
- F. HCA reserves the right to award any contract resulting from this RFP to the Bidder whose proposal is deemed by HCA to be in the best interest of HCA and the state of Washington.

### 4.2 EVALUATION WEIGHTING AND SCORING

Bidders' final scores will be based on the three (3) scored sections (Scoring Elements): Written Response, Cost Proposal, and Executive Order 18-03.

A. Scoring of Written Response

Each question in Exhibit C, *Written Response*, has been assigned a weight. Points will be assigned to each question based upon the average of all evaluation team member scores for the question (0-10) multiplied by the weight indicated below. Individual question scores will then be combined to result in the Bidder's total weighted score. The weight and maximum available points for each question are as outlined in the following Evaluation Table:

<b>Evaluation Table – Written Response</b>			
<b>No.</b>	<b>Section Title</b>	<b>Weight</b>	<b>Maximum Points</b>
<b>1</b>	<b>Assessment Services</b>		<b>150</b>
	A	4	40
	B	4	40
	C	4	40
	D	3	30
<b>2</b>	<b>Account Management</b>		<b>140</b>
	A	7	70
	B	3	30
	C	4	40
<b>3</b>	<b>Customer Service</b>		<b>80</b>
	A	3	30
	B	2	20
	C	1.5	15
	D	1.5	15
<b>4</b>	<b>Reporting</b>		<b>70</b>
	A	2.5	25
	B	2	20
	C	2.5	25
<b>5</b>	<b>Data</b>		<b>100</b>
	A	10	100
<b>6</b>	<b>Communication</b>		<b>70</b>
	A	2.5	25
	B	2.5	25
	C	2	20
<b>7</b>	<b>Implementation</b>		<b>150</b>
	A	7.5	75
	B	2.5	25
	C	2.5	25
	D	2.5	25
<b>Maximum Total Points</b>			<b>760</b>

B. Scoring Methodology for Written Response

Scoring Methodology – Written Response		
Score	Description	Scoring Criteria
10	Far Exceeds Requirements	The Bidder has provided an innovative, detailed, and thorough response to the requirement, and clearly demonstrates a high level of experience with, or understanding of the requirement.
7	Exceeds Requirements	The Bidder has demonstrated an above-average capability, approach, or solution and has provided a complete description of the capability, approach, or solution.
5	Meets Requirements	The Bidder has an acceptable capability of solution to meet this criterion and has described its approach in sufficient detail to be considered “as substantially meeting the requirements”.
3	Below Requirements	The Bidder has established some capability to perform the requirement but descriptions regarding their approach are not sufficient to demonstrate the Bidder will be fully able to meet the requirements.
1	Substantially Below Requirements	The Bidder has not established the capability to perform the requirement, has marginally described its approach, or has simply restated the requirement.
0	No Value	The Bidder does not address any component of the requirement or no information was provided.

C. Scoring of Cost Proposal

Bidder’s total cost for the initial two-year contract will be calculated by adding the costs provided for each of the three cost categories in the Cost Proposal spreadsheet, Exhibit D. Points for the Cost Proposal will be awarded according to the following formula. Any point calculations that result in decimal points will be rounded to the nearest whole number.

The score for the cost proposal will be computed by dividing the lowest cost bid received by the Bidder’s total cost. The resultant number will be multiplied by the maximum possible points for the cost section.

$$\frac{\text{Lowest Cost Proposal}}{\text{Bidder's Cost Proposal}} \times 200 = \text{Bidder's Cost Proposal Points}$$

D. Executive Order 18-03

Pursuant to RCW 39.26.160(3) and consistent with Executive Order 18-03 – Supporting Workers’ Rights to Effectively Address Workplace Violations (dated June 12, 2018), HCA will evaluate bids for best value and provide a bid preference in the amount of 40 points to any Bidder who certifies, pursuant to the certification attached as Exhibit E, that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver. Bidders that do require their employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver will not be disqualified evaluation of this RFP, however they will receive 0 out of 40 points for this section.

E. Total Possible Score from all Scoring Elements

<b>Evaluation Table – Scoring Elements</b>		
<b>Exhibit</b>	<b>Title</b>	<b>Maximum Points</b>
C	Written Proposal	760
D	Cost Proposal	200
E	Executive Order 18-03	40
<b>Total Maximum Points</b>		<b>1000</b>

#### **4.3 ORAL PRESENTATIONS MAY BE REQUIRED**

HCA reserves the right to advance top-scoring Bidders to oral presentation. Scores from the written proposal, cost proposal, and executive order 18-03 **will not** carry forward to the scoring of oral presentations.

If oral presentations become necessary, HCA will contact the top-scoring firm(s) to schedule a date, time, and location. Commitments made by the Bidder at the oral interview, if any, will be considered binding.

The Bidders who advance to this phase of the evaluation will be provided more information, including topics to be presented to the evaluation team and associated weighting of the scored elements.

The evaluation team will unanimously assign a score for each oral presentation. Each Bidder will be assigned a score out of 500 points, based on the Scoring Methodology provided in Section 4.2. The oral presentation will determine the Apparent Successful Bidder.

#### **4.4 SUBSTANTIALLY EQUIVALENT SCORES**

Substantially equivalent scores are scores separated by two percent or less in total points. If multiple Proposals receive a substantially equivalent score, HCA may leave the matter as scored, or select as the ASB the one Proposal that is deemed by HCA, in its sole discretion, to be in HCA's best interest relative to the overall purpose and objective as stated in Sections 1.1 and 1.2 of this RFP.

If applicable, HCA's best interest will be determined by HCA managers and executive officers, who have sole discretion over this determination. The basis for such determination will be communicated in writing to all Bidders with equivalent scores.

#### **4.5 NOTIFICATION TO BIDDERS**

HCA will notify the ASB of their selection in writing upon completion of the evaluation process. Bidders whose proposals were not selected for further negotiation or award will be notified separately by e-mail.

#### **4.6 DEBRIEFING OF UNSUCCESSFUL BIDDERS**



Any Bidder who has submitted a Proposal and been notified it was not selected for a contract may request a debriefing. The request for a debriefing conference must be received by the RFP Coordinator no later than 5:00 p.m., local time, in Olympia, Washington, within three business days after the Unsuccessful Bidder Notification is e-mailed to the Bidder. The debriefing will be held within three business days of the request, or as schedules allow.

Discussion at the debriefing conference will be limited to the following:

- 4.6.1 Evaluation and scoring of the Bidder's Proposal;
- 4.6.2 Critique of the Proposal based on the evaluation; and
- 4.6.3 Review of the Bidder's final score in comparison with other final scores without identifying the other Bidders.

Topics a Bidder could have raised as part of the complaint process (Section 2.10) cannot be discussed as part of the debriefing conference, even if the Bidder did not submit a complaint.

Comparisons between proposals, or evaluations of the other proposals will not be allowed (with the exception of final score comparison as permitted by Section 4.6.3). Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of thirty (30) minutes.

## **4.7 PROTEST PROCEDURE**

A bid protest may be made only by Bidders who submitted a response to this RFP and who have participated in a debriefing conference. Upon completing the debriefing conference, the Bidder is allowed five business days to file a protest with the RFP Coordinator. Protests must be received by the RFP Coordinator no later than 4:30 p.m., local time, in Olympia, Washington on the fifth business day following the debriefing. Protests must be submitted by e-mail.

Bidders protesting this RFP must follow the procedures described below. Protests that do not follow these procedures will not be considered. This protest procedure constitutes the sole administrative remedy available to Bidders under this RFP.

All protests must be in writing, addressed to the RFP Coordinator, and signed by the protesting party or an authorized agent. The protest must state (1) the RFP number, (2) the grounds for the protest with specific facts, (3) complete statements of the action(s) being protested, and (4) the relief or corrective action being requested.

Only protests alleging an issue of fact concerning the following subjects will be considered:

- A. A matter of bias, discrimination, or conflict of interest on the part of an evaluator;
- B. Errors in computing the score; or
- C. Non-compliance with procedures described in the RFP or HCA requirements.

Protests based on anything other than those items listed above will not be considered. Protests will be rejected as without merit to the extent they address issues such as: 1) an evaluator's professional judgment on the quality of a Proposal; or 2) HCA's assessment of its own needs or requirements.

Upon receipt of a protest, HCA will undertake a protest review. The HCA Director, or an HCA employee delegated by the HCA Director who was not involved in the RFP, will consider the record and all available facts. If the HCA Director delegates the protest review to an HCA employee, the Director nonetheless reserves the right to make the final agency decision on the protest. The HCA Director or his or her designee will have the right to seek additional information from sources he or she deems appropriate in order to fully consider the protest.

If HCA determines in its sole discretion that a protest from one Bidder may affect the interests of another Bidder, then HCA may invite such Bidder to submit its views and any relevant information on the protest to the RFP Coordinator. In such a situation, the protest materials submitted by each Bidder will be made available to all other Bidders upon request.

The final determination of the protest will:

- A. Find the protest lacking in merit and uphold HCA's action; or
- B. Find only technical or harmless errors in HCA's acquisition process and determine HCA to be in substantial compliance and reject the protest; or
- C. Find merit in the protest and provide options to the HCA Director, which may include:
  - i. Correct the errors and re-evaluate all Proposals; or
  - ii. Issue a new solicitation document and begin a new process; or
  - iii. Make other findings and determine other courses of action as appropriate.

If the protest is not successful, HCA will enter into a contract with the ASB(s), assuming the parties reach agreement on the contract's terms.

## 5 RFP EXHIBITS & APPENDICIES

Exhibit A	Certifications and Assurances
Exhibit B	Diverse Business Inclusion Plan
Exhibit C	Written Response
Exhibit D	Cost Proposal
Exhibit E	Executive Order 18-03
Exhibit F	Draft Sample Contract, including General Terms and Conditions (GT&Cs) – separate document
Appendix A	Substitute House Bill 2728
Appendix B	OCIO 141.10

**EXHIBIT A – CERTIFICATIONS AND ASSURANCES**

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract:

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 120 days following receipt, and it may be accepted by HCA without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. If there are exceptions to these assurances, I/we have included them as redlines within Exhibit D.
5. I/we understand that HCA will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of HCA, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data which have been submitted have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by him/her prior to opening, directly or indirectly, to any other Bidder or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. I/we grant HCA the right to contact references and other, who may have pertinent information regarding the ability of the Bidder and the lead staff person to perform the services contemplated by this RFP.
10. If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, his/her name(s) is noted on a separately attached page.

We (circle one) **are** / **are not** submitting proposed Contract exceptions. (See section 2.11, Contract and General Terms and Conditions.) If Contract exceptions are being submitted, I/we have attached them to this form.

**On behalf of the Bidder submitting this proposal, my name below attests to the accuracy of the above statement. We are submitting a scanned signature of this form with our proposal.**

\_\_\_\_\_  
Signature of Bidder

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**EXHIBIT B – DIVERSE BUSINESS INCLUSION PLAN**

DIVERSE BUSINESS INCLUSION PLAN

Do you anticipate using, or is your firm, a State Certified Minority Business?	Y/N
Do you anticipate using, or is your firm, a State Certified Women’s Business?	Y/N
Do you anticipate using, or is your firm, a State Certified Veteran Business?	Y/N
Do you anticipate using, or is your firm, a Washington State Small Business?	Y/N

If you answered No to all of the questions above, please explain:

---

Please list the approximate percentage of work to be accomplished by each group:

Minority                    \_\_\_%  
Women                     \_\_\_%  
Veteran                    \_\_\_%  
Small Business           \_\_\_%

Please identify the person in your organization to manage your Diverse Inclusion Plan responsibility.

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_



## EXHIBIT C – WRITTEN RESPONSE

### 1. **Assessment Services** (total 150 points)

Please limit response to four (4) pages.

- A. Describe the Bidder's method for calculating assessments. (40 points)
- B. Describe the Bidder's billing process, including collecting payments, banking transactions and processes, recovering delinquent payments, and remitting payment to the State. (40 points)
- C. Describe how the Bidder will verify that covered-lives data submitted by payers is accurate, and any process to reconcile inaccurate covered-lives data. (40 points)
- D. Describe the Bidder's process for handling disputes. For example, if an Assessed Entity does not agree with the amount of its assessment. (30 points).

### 2. **Account Management** (total 140 points)

Please limit response to three (3) pages.

- A. Describe the Bidder's web-based system for assessment calculation. (70 points)
- B. Describe what types of data and information Assessed Entities will have access to in their online account. (30 points)
- C. Describe what type of access HCA will have to review general assessment data. (40 points)

### 3. **Customer Service** (total 80 points)

Please limit response to two (2) pages.

- A. Describe, in detail, the customer service functions and services that will be available to Assessed Entities. (30 points)
- B. Describe Bidder's ability to assist Assessed Entities when they have technical issues with the web-based assessment system. (20 points)
- C. Describe how the Bidder staffs its customer service function, including geographic location, available contact methods (e.g. phone, email, instant message, etc.), business hours (including time zone), and accessibility. (15 points)
- D. Please indicate the number of staff that will be dedicated to support this RFP's resulting Contract. (15 points)

### 4. **Reporting** (total 70 points)

Please limit response to two (2) pages.

- A. Describe the types of assessment reports the Bidder can produce for HCA to review assessment data and information, how the reports can be customized, and how long it takes to build a new report. (25 points)
- B. Can the Bidder produce ad hoc assessment data reports? If so, please detail the type(s) of reports available. (20 points)
- C. Describe HCA's ability to run its own queries on assessment data utilizing Bidder's system, including the variables that HCA can use in such queries (for example: date range, assessed entity type, etc.). Additionally, how many user accounts can HCA have? (25 points)

### 5. **Data** (total 100 points)

Please limit response to three (3) pages.

- A. Describe, in detail, the Bidder's ability to comply with Washington State OCIO standards (see Appendix B). (100 points)

### 6. **Communication** (total 70 points)

Please limit response to two (2) pages.

- A. Describe how Bidder will develop training materials to inform Assessed Entities about how to use the online assessment tool. (25 points)

- B. Describe the Bidder's communication plan to provide Assessed Entities with covered-lives reporting requirements, assessment payment due dates, and anticipated system changes or updates. (25 points)
- C. Describe Bidder's communication plan to provide HCA with information about the payment or delinquent status of Assessed Entities, any reported change in covered lives from Assessed Entities, and other pertinent information. (20 points)

**7. Implementation** (total 150 points)

Please limit response to five (5) pages.

- A. Please provide a sample implementation plan. This should include a detailed implementation process, inclusive of timelines, testing processes, and intended results. (80 points)
- B. Describe Bidder's contingency plan in the event that implementation is not completed prior to July 1, 2021, when the assessment reporting period begins. (25 points)
- C. Describe Bidder's staffing levels and roles dedicated to this resulting Contract during implementation, including HCA access to implementation staff. (25 points)
- D. Describe Bidder's requests from HCA during implementation (20 points).

## **EXHIBIT D – COST PROPOSAL**

The Cost Proposal is included as a separate document.



**EXHIBIT E – EXECUTIVE ORDER 18-03 – WORKERS’ RIGHTS**

**CONTRACTOR CERTIFICATION  
EXECUTIVE ORDER 18-03 – WORKERS’ RIGHTS  
WASHINGTON STATE GOODS & SERVICES CONTRACTS**

*Pursuant to the Washington State Governor’s Executive Order 18-03 (dated June 12, 2018), the Washington State Health Care Authority is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.*

Solicitation No.: RFP# 2020HCA21

I hereby certify, on behalf of the firm identified below, as follows (check one):

**NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.** This firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

**MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.** This firm requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

FIRM NAME: \_\_\_\_\_  
Name of Contractor/Bidder – Print full legal entity name of firm

By: \_\_\_\_\_  
Signature of authorized person

\_\_\_\_\_  
Print Name of person making certifications for firm

Title: \_\_\_\_\_  
Title of person signing certificate

Place: \_\_\_\_\_  
Print city and state where signed

Date: \_\_\_\_\_

**EXHIBIT F – DRAFT CONTRACT**

The Draft Contract is included as a separate document.

**APPENDIX A – SUBSTITUTE HOUSE BILL 2728**

Substitute House Bill 2728 is included as a separate document.

## **APPENDIX B – WASHINGTON STATE OCIO TECHNOLOGY STANDARDS**

The Washington State OCIO Technology Standards is included as a separate document