

New Hampshire Department of Education
Bureau of Vocational Rehabilitation
21 South Fruit Street Suite 20
Concord, New Hampshire 03301

March 5, 2019

REQUEST FOR PROPOSALS
RFP VR-2019-2

Vocational Rehabilitation Fee Schedule

SECTION 1 – Overview and Schedule

The purpose of this Request for Proposal (RFP) is to solicit proposals from methodology experts who have successfully developed medical reimbursement fee schedules. The contract will be awarded to the most qualified vendor who can develop and publish a schedule of *reasonable* reimbursement fees for the State of New Hampshire, Department of Education, Division of Workforce Innovation, Bureau of Vocational Rehabilitation (NHVR). NHVR's mission is to assist eligible New Hampshire citizens with disabilities to secure suitable employment, financial, and personal independence by providing rehabilitation services. Assistance is delivered by providing services such as medical, dental, surgical, hospital or other health care treatments, medical and surgical supplies and durable medical equipment.

The code of Federal Regulations (Department of Education 34 CFR § 361.50, attached as Appendix A) indicates that NHVR may establish a fee schedule designed to ensure a reasonable cost to the program for each service, if the schedule is –

- (i) Not so low as to effectively deny an individual a necessary service; and
- (ii) Not absolute and permits exceptions so that individual needs can be addressed.

The proposal shall demonstrate how the contractor will work *independently* from Vocational Rehabilitation to provide the structure, format, and methodology on the proposed rate schedule. The contractor will utilize data from the Department of Education Rehabilitation Services

Administration (RSA), other federal entities, similar data from other states, other State Agencies, and service providers and associations.

A. Schedule

EVENT	DATE	LOCAL TIME
RFP Released to Proposers	March 5, 2019	
Proposer Inquiry Period Ends	March 15, 2019	
Final Agency Responses to Proposer Inquiries	March 22, 2019	4:30 PM
Proposers Submit Proposals	April 5, 2019	4:30 PM
Review and Scoring of Proposals	April 12, 2019	
Estimated Notification of Selection and Begin Contract Negotiations	April 19, 2019	
Estimated Date of Approval of Final Contract/Work Begins	May 2019	

SECTION 2 – Agency Overview

The New Hampshire Bureau of Vocational Rehabilitation assists eligible New Hampshire citizens with disabilities to secure suitable employment and financial and personal independence by providing appropriate individualized rehabilitation services necessary

Vocational Rehabilitation is a joint State/Federal program that seeks to empower people to make informed choices, build viable careers, and live more independently in the community.

SECTION 3 – Proposed Scope of Work

- 3.1 The contractor shall provide NHVR with a rate structure based on the five character codes from the most current *Current Procedural Terminology (CPT®)* codes by the American Medical Association (AMA), Health Care Procedure Coding System (HCPCS) National Level II Medicare codes, and *Current Dental Terminology (CDT)*, copyright © American Dental Association.
- 3.2 The vendor must show how the content was developed, including resource details, approach and or methodologies that were utilized, which includes, but is not limited to, data gathering and statistically sound analyses, sound economic and market-driven principles.

- 3.2 The contractor shall provide NHVR with the 50 (fifty) copies of the final rate schedule as well as the final document in Microsoft .doc and Adobe .pdf format at no additional cost.
- 3.3 The contractor shall provide NHVR telephone consultation consisting of a minimum of ten (10) hours at no cost to the agency to interpret and clarify the information once the Medical Fee Schedule is published.

Section 4 – Vendor Requirements

4.1 The bidder shall have extensive experience and expert knowledge in field of medical billing codes (AMA CPT® Codes) and practices.

4.2 The bidder will have the understanding and expert knowledge regarding the laws and regulations of the State of New Hampshire and the Department of Education Vocational Rehabilitation regarding medical rates.

4.3 The bidder shall at no cost to the agency possess the required AMA CPT® license from the American Medical Association, valid for the duration of this contract.

4.4 The bidder shall possess expert knowledge and experience in Medicare billing practices.

4.5 The vendor shall demonstrate knowledge and experience specifically related to individuals with disabilities and the delivery of services to these individuals.

4.6 The vendor shall provide at least two (2) examples projects that was performed of comparable scope. NHVR will only consider bids from vendors that demonstrate in their proposal that they have background knowledge and experience creating a fee schedule.

4.7 The vendor must include a project plan with sufficient detail to provide evidence of sound methodologies for the establishment of fees. At a minimum, the project plan should describe how the content will be developed, including resource details, data to be gathered, approach and/or methodologies that will be utilized, which includes but is not limited to data gathering/analysis and stakeholder surveys/feedback, and demonstration of producing statistically sound analyses and sound economic and market-driven principles and recommendations.

SECTION 5 – Process for Submitting a Proposal

A. Proposal Submission, Deadline, and Location Instructions

Proposals submitted in response to this RFP must be received by the NHVR, no later than the time and date specified in the Schedule section herein. Proposals may be submitted by (U.S. Mail, delivery service, in person, or electronic). Proposals must be addressed to:

**State of New Hampshire
Department of Education
Bureau of Vocational Rehabilitation
21 South Fruit Street Suite 20
Concord, NH 03301**

Proposals must be clearly marked as follows:

**STATE OF NEW HAMPSHIRE

RESPONSE TO RFP VR 2019-2
Vocational Rehabilitation Fee Schedule**

Unless waived as a non-material deviation in accordance with Section 6B, late submissions will not be accepted and will be returned to the proposer unopened. Delivery of the Proposals shall be at the Proposer's expense. The time of receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above. The Agency accepts no responsibility for mislabeled mail or mail that is not delivered or is undeliverable for whatever reason. Any damage that may occur due to shipping shall be the Proposer's responsibility.

All Proposals submitted in response to this RFP must consist of at least:

- a) One (1) original and (3) clearly identified copies of the Proposal, including all required attachments;

B. Proposal Inquiries

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the following RFP designated Points of Contact:

Christopher Semonelli
Bureau of Vocational Rehabilitation
21 South Fruit Street, Suite 20
Concord, NH 03301
e-mail: Christopher.Semonelljr@doe.nh.gov

Inquiries must be received by the Agency's RFP Points of Contact no later than the conclusion of the Proposer Inquiry Period (see Schedule of Events section, herein). Inquiries received later than the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. All questions and responses will be posted on the New Hampshire Department of Education website (www.education.nh.gov). Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency. Official responses by the Agency will be made only in writing by the process described above.

C. Restriction of Contact with Agency Employees

From the date of release of this RFP until an award is made and announced regarding the selection of a Proposer, all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Points of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential contractor during the selection process, unless otherwise authorized by the RFP Points of Contact. Proposers may be disqualified for violating this restriction on communications.

D. Validity of Proposal

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

SECTION 6 - Content and Requirements for a Proposal

Proposals shall follow the following format and provide the required information set forth below:

1. Cover Letter of interest and general description of recommended approaches, scope of work, processes and deliverables for the project.
2. Glossary of Common Terms, to include any technical terms and acronyms
3. Company Profile/Background, overview of the company including:
 - a. Number of years in business
 - b. Number of employees
 - c. Location(s)
 - d. Expertise
4. Key Personnel
5. References (minimum 3)
6. Project Summary
7. Implementation Plan including schedule
8. Budget Proposal

Project Summary Guidelines

Proposers must include a Project Summary, not to exceed 5 pages (Arial 10 Font), describing the Proposer's project design and approach for meeting the goals and deliverables outlined above. The Project Summary should include

- Prior experience showing work with the similar entities delivering the required services.
- Performance Goals and Measurement
- Clearly defined deliverables and milestones
- Plan and Timeline for achieving goals and deliverables outlined above
- Plan for corrective action if deliverables or timeline are not being met
- Staffing/Project Personnel
- Clear communication plan for the project

SECTION 7 – Evaluation of Proposals

A. Criteria for Evaluation and Scoring

Each responsive Proposal will be evaluated and considered with regard to the following criteria:

If the Agency, determines to make an award, the Agency will issue an “intent to negotiate” notice to a Proposer based on these evaluations. Should the Agency be unable to reach agreement with the selected Proposer during Contract discussions, the Agency may then undertake Contract discussions with the second preferred Proposer and so on, or the Agency may reject all proposals, cancel this RFP, or solicit new Proposals under a new acquisition process.

The Agency will use a scoring scale of 100 points, a maximum of 15 points awarded based on the Price Proposal, a maximum of 85 points awarded for the Technical Proposal, which will be distributed as set forth in the table below.

TECHNICAL SCORING	POINTS
APPROACH - Statement outlining the overall approach to be employed by the bidder	10
PROJECT SUMMARY - Detailed plan of action including proposed strategies and activities to be carried out to provide the services outlined in Section 3 A thorough description of the methodologies to be used is required.	30
ORGANIZATIONAL CAPABILITIES - Description of the bidder's organizational capabilities to deliver the services, including a brief description of their company, a history of their firm's and/or personal experience in implementing similar projects, including at least once example if a completed project of comparable scope. A description of related experience in the field, and comprehensive résumés for all staff who will work on this project and three references along with your proposal.	30
BUDGET PROPOSAL- The budget will explain how all costs listed in the budget are necessary, reasonable, and allocable to deliver the outcomes specified in the proposal. All expenditures should be clearly connected to an activity related to the Services to be Provided.	15
TOTAL POTENTIAL TECHNICAL POINTS AWARDED	85

B. PROPOSAL EVALUATION PROCESS

Each proposal will be evaluated and considered with regard to the solution and services proposed, qualifications of the vendor and any subcontractors, experience and qualifications of proposed candidates, cost and the total quality of the proposed solution.

Each proposal will be reviewed and rated by an evaluation team. The Department shall be under no obligation to contact bidders for clarification of their proposals, but it shall reserve the right to do so at any time prior to the award of the contract(s). All proposals received by the deadline will be evaluated based section **7. A Criteria for Evaluation and Scoring** section outlined in this RFP.

If the State, determines to make an award, the State will issue an Intent to Award Notice to a vendor based on these evaluations. Should the State be unable to reach agreement with the selected vendor during contract discussions, the State may then undertake contract discussions with the second preferred vendor and so on. Such discussions may continue at the sole option of the State, until an agreement is reached, or all proposals are rejected.

Any resulting contract from this RFP will be a non-exclusive contract. The State reserves the right, at its discretion, to retain other vendors to provide any of the services or deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total proposal.

B. Final Technical Scoring of Proposals

Following oral interviews, product demonstrations, reference checks (if applicable/appropriate) and/or review of written clarifications of Proposals requested by the Agency, the evaluation team will determine a final score for each Technical Proposal.

C. Price Proposal Review

Price Proposals will be reviewed upon completion of the final technical scoring of Proposals. The Proposer's Price Proposal will be allocated a maximum potential score of 15 points contained in. Proposers are advised that this **is not a low bid award** and that the scoring of the Price Proposal will be combined with the scoring of the Technical Proposal to determine the overall highest scoring Proposer.

The following formula will be used to assign points for costs:

$$\text{Proposer's Price Score} = \frac{\text{Lowest Proposed Price}}{\text{Proposer's Proposed Price}} \times \text{Number of Points for Score}$$

For the purpose of use of this formula, the lowest proposed price is defined as the lowest price proposed by a Proposer who has met the requirements stated in the proposal.

D. No Best and Final Offer

The Proposal should be submitted initially on the most favorable terms which the Proposer can offer. There will be no best and final offer procedure. The Proposer should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or all of the Proposal.

Final Selection

The Agency will conduct a final selection based on the final evaluation of the initial proposals or, if requested, as a result of the Best and Final Offer and begin contract negotiations with the selected Proposer.

E. Rights of the Agency in Accepting and Evaluating Proposals

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals;
- Request additional information to clarify elements of a Proposal;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed;
- At its sole discretion, reject any and all Proposals at any time; and

- Open contract discussions with the second highest scoring Proposer and so on, if the Agency is unable to reach an agreement on Contract terms with the higher scoring Proposer(s).

SECTION 8 – Terms and Conditions Related to the RFP Process

A. RFP Addendum

The Agency reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum/addenda to this RFP, the Agency, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

B. Non-Collusion

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and Work quoted have been established without collusion with other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

C. Property of the Agency

All material received in response to this RFP shall become the property of the State and will not be returned to the Proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

D. Confidentiality of a Proposal

Unless necessary for the approval of a Contract, the substance of a Proposal must remain confidential until the Effective Date of any Contract resulting from this RFP. A Proposer's disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

E. Public Disclosure

Pursuant to RSA 21-G:37, all responses to this RFP shall be considered confidential until the award of a Contract. At the time of receipt of Proposals, the Agency will post the number of responses received with no further information. No later than five (5) business days prior to submission of a Contract to the Governor & Executive Council pursuant to this RFP, the Agency will post the name and rank or score of each Proposer. In the event that the Contract does not require Governor & Executive Council approval, the Agency shall disclose the rank or score of the Proposals at least 5 business days before final approval of the Contract.

The content of each Proposer's Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this Request for Proposal (RFP) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any Contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). Accordingly, business financial

information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV.

If you believe any information being submitted in response to this Request for Proposal, Bid or Information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as “CONFIDENTIAL”. A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure.

Marking of the entire Proposal or entire sections of the Proposal (e.g. pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the Contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date the Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency’s notice without any liability to the Proposers.

F. Non-Commitment

Notwithstanding any other provision of this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

G. Proposal Preparation Cost

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

H. Ethical Requirements

From the time this RFP is published until a contract is awarded, no bidder shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense

under RSA 640:2. Any bidder who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the department of administrative services, which shall note that information on the list maintained on the State's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

I. Challenges on Form or Process of the RFP

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten(10) business days prior to the Proposal Submission Deadline. By submitting a Proposal, the Proposer is deemed to have waived any challenges to the form or procedures set forth in this RFP.

SECTION 9 – Contract Terms and Award

A. Non-Exclusive Contract

Any resulting Contract from this RFP will be a non-exclusive Contract. The State reserves the right, at its discretion, to retain other Contractors to provide any of the Services or Deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total Proposal.

B. Award

If the State decides to award a Contract as a result of this RFP process, any award is contingent upon approval of the Contract by the Governor and Executive Council of the State of New Hampshire and upon continued appropriation of funding for the Contract.

C. Standard Contract Terms

The Agency will require the successful Proposer to execute a Firm Fixed Price/Not to Exceed Contract using the Standard Terms and Conditions of the State of New Hampshire which is attached as Appendix A.

The Term of the Contract will be for (1) years from the date of approval.

The Agency may consider modifications of this form during negotiations. To the extent that a Proposer believes that exceptions to the standard form contract will be necessary for the Proposer to enter into the Agreement, the Proposer should note those issues during the Proposer Inquiry Period. The Agency will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If the Agency accepts a Proposer's exception the Agency will, at the conclusion of the inquiry period, provide notice to all potential proposers of the exceptions which have been accepted and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a Proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.

Enclosures:

Attachment A: Department of Education 34 CFR § 361.50

Attachment B: P-37 Contract Form

Attachment C: ALT W-9 Vendor Application