

**NEW YORK STATE DEPARTMENT OF HEALTH
Center for Community Health
Division of Family Health
Bureau of Early Intervention**

**A Request for Proposal for
Support for the Operational Management of New York State's Early Intervention Program**

**RFP #: 17744
Questions and Responses
September 27, 2018**

Administrative Questions

1. **Question:** Can DOH provide a list of organizations that have been invited to bid on this RFP?

Response: No. This information is available through the FOIL process.

2. **Question:** Section 5.4 Payment. Can the state confirm that completed W-9 forms are not required as part of a vendor's proposal submission and only required after contract award?

Response: Yes, that is correct. The W-9 form will be required only from the selected Contractor.

3. **Question:** Section 5.7. Sales and Compensating Use Tax Certification (Tax Law § 5-a). The RFP states, "The successful Bidder must file a properly completed Form ST-220-CA with the Department of Health and Form ST-220-TD with the DTF." Can the state confirm if these forms are required as part of a vendor's proposal submission?

Response: No, the ST-220-CA and ST-220-TD forms will only be required from the selected Contractor.

4. **Question:** Section 5.13 State Finance Law Consultant Disclosure Provisions. Can the state confirm that the State Consultant Services Form A and Form B are only required after the award of a contract and are not to be included in a vendor's proposal submission?

Response: Yes, that is correct. State Consultant Services Form A and Form B are only required from the selected Contractor.

5. **Question:** Is it acceptable for a vendor to include a Table of Contents in its Administrative and Cost proposal submissions?

Response: This is not required, but a bidder can include a Table of Contents, if they choose.

6. **Question:** Attachment A, Proposal Document Checklist. Can the state confirm that this form is for a vendor's information only and not to be included in the vendor's proposal submission?

Response: Yes, that is correct. Attachment A Proposal Document Checklist is for the bidders use and does not have to be submitted with the proposal.

7. **Question:** Section 6 Proposal Content. In paragraph 2 of this section of the RFP it states, "To expedite review of the proposals, Bidders are requested to submit proposals in separate Administrative, Technical, and Cost packages inclusive of all materials as summarized in Attachment B, Proposal Documents." Can the state confirm this should read "Attachment A, Proposal Documents Checklist"?

Response: Yes, that is correct Attachment A is the Proposal Document Checklist See Amendment # 1.

8. **Question:** Section 5.21. Under 5.21, does NY DOH agree that such work product does not include any contractor pre-existing material, including but not limited to material that was developed prior to the Effective Date that is used, without modification, in the performance of the Contract?

Response: Yes, Section 5.21 refers to work created pursuant to this Contract and does not include pre-existing materials.

9. **Question:** Section 6.3 Cost Proposal. Is it acceptable for a vendor to include a Cost Proposal Narrative in support of their submitted Attachment B - Cost Proposal worksheet?

Response: Per Section, 2.2, the bidder acknowledges that, should any alternative proposals or extraneous terms be submitted with the proposal, such proposals or extraneous terms will not be evaluated. In addition, per Section 6 the bidder shall comply with the format and content requirements as detailed in this document and in Attachment B- Cost Proposal Form.

10. **Question:** Section 8.7 Reference Checks. Can the state tell us where in a vendor's response Attachment 9 References should be placed? Should it be in the Administrative or Technical proposal and in what order in relation to the other requirements?

Response: References are not required. See Amendment #1.

11. **Question:** Attachment 8 DOH Agreement, III Equal Employment Opportunity (EEO). Under subpart C. Form #4 - Staffing Plan it states, "To ensure compliance with this Section, the CONTRACTOR shall submit a staffing plan to document the composition of the proposed workforce to be utilized in the performance of this Contract by the specified categories listed, including ethnic background, gender, and Federal occupational categories. CONTRACTOR shall complete the Staffing plan form and submit it as part of their bid or proposal or within a reasonable time, but no later than the time of award of this Contract." Can the state confirm if this Form #4 is the same Form #4 which is a part of Attachment 5? If not, where can we access this additional Form #4 if it is required to accompany our submission and where would it be placed in our proposal?

Response: Yes, Form # 4 referenced in Attachment 8 DOH Agreement is the same Form # 4 contained in Attachment 5 along with Form #s 1, 2 & 5.

12. Question: Attachment 8 DOH Agreement, Table of Contents 7, Non-Collusive Bidding Certification. This section states, "Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf." Can the state confirm if this is a form that must accompany a vendor's proposal and, if so, where we can access a copy to be completed and where in our proposal submittal it should be attached?

Response: This clause has to do with the Contractor (aka Selected Bidder), as such there is nothing to be submitted with the proposal.

13. Question: Will Service Bureaus in contract with EI providers be precluded from bidding on this proposal due to conflicts associated with processing and paying claims as either a prime contractor or as a subcontractor due to their current role? Are there any limitations or specific controls required in order for them to be involved?

Response: These vendors are not precluded nor are there limitations to their involvement.

14. Question: Other than the Department and the current Statewide Fiscal Agent, are there any other organizations that the successful bidder will be expected to work with on this project?

Response: Yes. The New York State Technology Enterprise Corporation (NYSTEC).

15. Question: Is there potential for additional work to be added to this project at any point in the contract period? If yes, will we have an opportunity to negotiate pricing for the additional work outside of the scope as it is detailed in the current procurement?

Response: If additional work is needed that is outside the scope of the RFP, the Department will determine the best procurement method to accomplish such work.

Programmatic Questions:

1. Question: Sections 4.5 b.3 Fiscal Management/Claims entry, 4.5 e Claims Processing, 4.5 g. Claims Payment, and Attachment T. Are vendors required to accept 837P or 837I files from providers or both file formats?

Response: In accordance with Section 4.5b.3., "The contractor must have the capability to upload extracted electronic claim files sent by the Department or other industry approved electronic transfer method agreeable to the Department by the cutover date on October 1, 2019".

2. Question: Section 4.5 d Claim Validation and Editing. This section states, "All electronic claims entered through the web application must undergo a preliminary HIPAA compliance validation processing to validate the claim against standard file layout and segment and field requirements. The Contractor's system must notify users of the acceptance or rejection of their files or records through appropriate HIPAA transaction responses via the Contractor's web application." Can the state clarify that this statement only applies to claims that come in on an 837? Or does this also include claims entered directly via the web portal?

Response: Yes, this applies only to electronic claiming via 837.

3. **Question:** Section 4.5 e Claims Processing. Paragraph 2 on this page states, "The Contractor must furnish a remittance advice (RA) statement for each payment cycle to each provider and municipality rendering services identifying each claim paid, denied, pending or adjusted/voided by payer source." Can the state clarify if this statement can be furnished through system reporting?

Response: Yes, such remittance statement can be provided through system reporting as long as it contains the necessary transaction level claim information.

4. **Question:** Section 4.5 e Claims Processing. In the seventh paragraph at the bottom of page 32 of the RFP it states, "For both commercial and Medicaid claims, the Contractor must retrieve eligibility information via processing 999 files and 277 files at least four (4) times daily. The Contractor must actively monitor this process. The Contractor must confirm through review of the 999 files that the claim file submission was successful. If 999 file rejection errors are received, the Contractor must work with the provider to fix the file. If 277 rejections are received from insurance payers, the Contractor must upload the file and make the claims available to the provider in a way that the provider can review the errors and make corrections, with corrected claims resubmitted to insurers through the Contractor's system. The Contractor must work with providers to resolve 277 rejection errors."

We believe it should read (added language in **bold and underlined**): "For both commercial and Medicaid claims, the contractor **must submit 837 files and** retrieve 999 and 277 responses at least (4) times daily. The contractor must actively monitor this process. The contractor must confirm through review of the 999 files that the file submission was successful. If the **999 response to the 837 shows a rejected file**, the Contractor **is responsible for fixing the file format and resubmitting the file back out to the Payer**. If 277 rejections are received from the insurance payers, the Contractor must upload **the 277 file** and make the claims available to the provider in a way the provider can review the errors and make corrections **and resubmit the claims to the payers** through the Contractor's system. The Contractor must work with providers to resolve 277 rejection errors." Will DOH accept these clarifications?

Response: The RFP was amended to incorporate the clarification related to the submission of 837 files. The other clarifications noted above are not incorporated. See Amendment #1.

5. **Question:** Section 4.5 e Claims Processing. Currently approximately 20 percent of the remittance advice data posted from the 16 largest (by claims volume) Commercial Payors is provided to the current Contractor in state approved csv 'flat file' format. Each one of these 'flat files' is unique to the individual payor. Is it the state's intent to have the Contractor and their system have the ability to load these files from the Commercial Payors?

Response: See the response for question #15 in this section.

6. **Question:** Section 4.5 f Improvement in Insurance Reimbursement. This section states, "Using that information, the Contractor will generate a 270 health care eligibility benefit inquiry and get back a 271 response to be entered into their case management system. The Contractor must communicate the 271 responses back to the service coordinator through reports in the Contractor's system." Can the state confirm that eligibility information need only be visible in the case management system, based on this statement?

Response: Yes, the State can confirm that eligibility information only needs to be visible in the case management system.

7. **Question:** Section 4.5 g. This section states, "For EIP claims with commercial insurance, if the insurer reimburses all or part of the claim, the provider is reimbursed the difference between the commercial insurance payment and payment via the EIP rate schedule and billing rules. Medicaid payment is payment in full for EIP claims, and no additional payment is owed to the provider." Can the state clarify that even if Medicaid underpays compared to the EIP rate, that nothing further will be paid? On page 32 there is a statement in 4.5.e (Claims Processing) that implies a Medicaid underpayment will continue and get paid out of the escrow account, but this statement under Claims Payments seems to contradict that.

Response: EIP approved providers are paid at the EIP established rates for services furnished to eligible children and families in the EI Program. If there is an error in the Medicaid payment rate that results in a payment to a provider that is under or over the EIP rate of payment, the Contractor is expected to assist in resolving the discrepancy.

8. **Question:** Section 4.5 j. Payment of State Share. In paragraph 1 on this page of the RFP it states, "The Contractor will return a bulk load text file to BEI that includes claim and check information for those claims paid from escrow with the total amount for disbursement as close as possible to the amount of the cash available, without exceeding the available cash amount." The current file format includes reimbursement amount by county and reimbursement period; can the state please clarify what is meant by claim and check information?

Response: Claim information refers to the child ID, date of service, county, billing agency/NPI, rendering provider/NPI, service authorization, ICD code, CPT code, and claim amount. Check information refers to escrow check number, payee, date, amount, and county. See Amendment #1

9. **Question:** Section 4.5 k Banking. In paragraph 4 of this section it states, "Contractor's must complete and provide the DOH separate reconciliations for all bank accounts. The reconciliation must provide an exact accounting of all transactions recorded on the financial records of the DOH (which the DOH will furnish to the Contractor) and the bank during the previous month, and must also ensure the cumulative accuracy and agreement of the financial records of the DOH and the bank. All account reconciliations must be in a DOH approved format and, at a minimum, be in accordance with GAAP." Vendors currently only have access to disbursement accounts. Can the state please confirm that it wants a vendor to have access to all accounts to reconcile? If yes, can you provide information on specifically which accounts are included?

Response: Yes, this Contractor will reconcile all escrow related bank accounts. The State will make available the necessary financial records to the Contractor.

10. **Question:** Section 4.5 l Customer Service Center. In the 2nd paragraph on this page the RFP states, "During the second quarter of the contract, October 1, 2019 – December 31, 2019, as

the Contractor configures the provider enrollment/management and child case management system, municipal, provider and State training is expected to be developed and be delivered to users during the second quarter of the contract, January 1, 2020 – March 31, 2020. Initial user training on these system functions shall be completed in time for system implementation on or before April 1, 2020." Can the state clarify that the training is expected to be delivered in the third quarter of the contract, January 1, 2020 - March 31, 2010, not the second quarter as currently stated?

Response: Yes, see Amendment #1.

11. Question: Section 4.5 v Project Planning, Management and Controls/Project Performance. The RFP states, fourth paragraph: "In the event of a failure to meet the performance requirements listed in the Service Level Agreement (SLA), damage shall be sustained by the DOH and the Contractor must pay to the DOH its actual damages. Amounts due the DOH from assessment of damages may be deducted from any money payable to the Contractor pursuant to this contract. "

- a. Will the Contractor be provided an opportunity to cure any identified deficiencies prior to the Department assessing damages?
- b. How will DOH determine/calculate actual damages?

Response: a. The Department's intent is to work with the Contractor to correct deficiencies prior to assessing damages.

Response: b. The Department will determine and calculate actual damages in accordance with the SLA.

12. Question: Section 6.2 Technical Proposal, D.3. u. While the RFP doesn't specifically reference it in this section, should a vendor assume they are to address all parts of RFP Section 4.5 u under this portion of the Technical proposal?

Response: No, the bidder's staff plan should address service detailed in Section 4.0 Scope of Work. See amendment #1

13. Question: Section 6.2 Technical Proposal, D. 3 u Staffing Requirements. Can the state confirm that it would like a copy of Attachment V Staffing and Organization Plan to be inserted in this portion of a vendor's proposal narrative since this form is not referenced by name in this section of the RFP?

Response: No, Attachment V Staffing and Organization Plan is the Selected Contractor use.

14. Question: Section 6.2 Technical Proposal, D.3. y. While the RFP doesn't specifically reference it in this section, should a vendor assume they are to address all parts of RFP Section 4.5 y under this portion of the Technical proposal?

Response: Yes, the bidder should confirm their understanding of all information detailed in Section 4.5.y.

15. Question: Attachment S. Claims Payments, the SLA states, "Vendor will generate biweekly outbound 835 files and remittance advices to submit to providers." Since most of the current NY EIP Billing Providers do not have the ability to accept 835 remittance advice, will the State allow the contractor to provide this information as a downloadable report for the contractor's Billing and Claiming website in addition to the 835 requirement?

Response: Yes, Bidder's may propose this solution.