



**Solicitation Information
February 12, 2016**

RFP # 7550295

TITLE: Ombudsman Services for the Financial Alignment Demonstration

Submission Deadline: March 15, 2016 at 10:30 am (ET)

PRE-BID/ PROPOSAL CONFERENCE: No

Questions concerning this solicitation must be received by the Division of Purchases at david.francis@purchasing.ri.gov no later than **February 26, 2016 at 10:00 am (ET)**. Questions should be submitted in a *Microsoft Word* attachment. Please reference the RFP# on all correspondence. Questions received, if any, will be posted on the internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

**SURETY REQUIRED: No
BOND REQUIRED: No**

**David J. Francis
Interdepartmental Project Manager**

Applicants must register on-line at the State Purchasing Website at www.purchasingri.gov.

Note to Applicants:

Offers received without the entire completed three-page RIVIP Generated Bidder Certification Form attached may result in disqualification.

THIS PAGE IS NOT A BIDDER CERTIFICATION FORM

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SECTION I: INTRODUCTION

The Rhode Island Department of Administration/Division of Purchases, on behalf of the Rhode Island Executive Office of Health and Human Services (EOHHS), is soliciting proposals from qualified non-profit community-based organizations to provide Ombudsman services to Medicare and Medicaid Eligible (MME) beneficiaries, in accordance with the terms of the Request for Proposals and the State's General Conditions of Purchase, which may be obtained at www.purchasing.ri.gov.

The work performed under this contract will commence no sooner than May 2016. The initial contract period is for up to three years and will end no later than December 31, 2018. The selected vendor must be able to begin providing services within three months of the award date. Contracts may be renewed for up to two additional 12-month periods based on vendor performance and the availability of funds.

This is a request for proposals, not an invitation to bid. Responses will be evaluated on the basis of the relative merits of the proposal, in addition to price. There will be no public opening and reading of responses received by the Division of Purchases pursuant to this request, other than to name those offerors who have submitted proposals.

Instructions and Notifications to Offerors:

1. Potential vendors are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals which depart from or materially alter the terms, requirements, or scope of work defined by this RFP will be rejected as being non-responsive.
3. All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content, shall be borne by the vendor. The State assumes no responsibility for these costs.
4. Proposals are considered to be irrevocable for a period of not less than 60 days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.
5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
6. Proposals misdirected to other state locations, or which are otherwise not present in the Division of Purchases at the time of opening for any cause will be determined to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the reception area of the Division.

7. It is intended that an award pursuant to this RFP will be made to a prime vendor, or prime vendors, who will assume responsibility for all aspects of the work. Joint venture and cooperative proposals will not be considered. Subcontracts are permitted, provided that their use is clearly indicated in the vendor's proposal and the sub vendor(s) to be used is identified in the proposal.
8. All proposals should include the vendor's FEIN or Social Security number as evidenced by a W9, downloadable from the Division's website at www.purchasing.ri.gov.
9. The purchase of services under an award made pursuant to this RFP will be contingent on the availability of State and Federal funds.
10. Vendors are advised that all materials submitted to the State for consideration in response to this RFP will be considered to be Public Records as defined in Title 38, Chapter 2 of the General Laws of Rhode Island, without exception, and will be released for inspection immediately upon request once an award has been made.
11. Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP.
12. Equal Employment Opportunity (G.L. 1956 § 28-5.1-1, et seq.) – § 28-5.1-1 Declaration of policy – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies to all areas where State dollars are spent, in employment, public services, grants and financial assistance, and in state licensing and regulation.
13. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, shall have the right to transact business in the State until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). This is a requirement only of the successful vendor(s).
14. The vendor should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBE's in all State procurements. For further information visit the website www.mbe.ri.gov.
15. Under HIPAA, a "business associate" is a person or entity, other than a member of the workforce of a HIPAA covered entity, who performs functions or activities on behalf of, or provides certain services to, a HIPAA covered entity that involves access by the business associate to HIPAA protected health information. A "business associate" also is a sub vendor that creates, receives, maintains, or transmits HIPAA protected health

information on behalf of another business associate. The HIPAA rules generally require that HIPAA covered entities and business associates enter into contracts with their business associates to ensure that the business associates will appropriately safeguard HIPAA protected health information. Therefore, if a vendor qualifies as a business associate, it will be required to sign a HIPAA business associate agreement.

SECTION II: BACKGROUND AND PURPOSE

Background

The mission of EOHHS is to ensure access to high quality and cost-effective services that foster the health, safety, and independence of all Rhode Islanders. EOHHS is the umbrella agency for the Department of Children, Youth and Families, the Department of Health, the Department of Human Services, and the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals. In addition, EOHHS is the Single State Medicaid Agency for Rhode Island. Medicaid is the public assistance program that finances primary and preventative health care coverage for low-income families and long-term care for low-income seniors and persons with disabilities. Medicaid is funded by both the federal and state governments and covers a wide range of services.

The State's Medicaid program is a principal source of health care coverage and services in Rhode Island. It is now an integral part of the State's health delivery system serving approximately 260,000 Rhode Islanders in State Fiscal Year (SFY) 2015 at a total cost of just over \$2 billion. Eighty percent of Medicaid recipients are enrolled in managed care programs.

A recent focus of the State's Medicaid program has been on EOHHS' Integrated Care Initiative (ICI), which is designed to better align the care and financing of Medicare and Medicaid, promote home and community based care, and provide cost-effective care for adults with disabilities and the elderly. During Phase I of ICI, EOHHS established a capitated Medicaid managed care plan (known as Neighborhood Unity) and an enhanced fee-for-service Primary Care Case Management model (Connect Care Choice Community Partners) for beneficiaries with full Medicare (Parts A, B, and D) and full Medicaid coverage and Medicaid-only adults who receive long-term services and supports (LTSS). Under Phase II, Rhode Island will establish a fully integrated capitated Medicare-Medicaid plan for beneficiaries with full Medicare (Parts A, B, and D) and full Medicaid coverage. Federal authority for Phase II is through the Center for Medicare and Medicaid Services (CMS) Financial Alignment Demonstration (FAD), a three-year federal demonstration to better align the financing of Medicare and Medicaid and integrate primary, acute, behavioral health, and LTSS for Medicare-Medicaid enrollees. The purpose of this RFP is to select a vendor to provide Ombudsman services for the Medicare-Medicaid beneficiaries who are eligible for the FAD.

Applicants are urged to review the following informational links below:

Information about CMS Grant Funding to support the Ombudsman Program may be found at: <https://www.cms.gov/Medicare-Medicaid-Coordination/Medicare-and-Medicaid-Coordination/Medicare-Medicaid-Coordination-Office/FinancialAlignmentInitiative/FundingtoSupportOmbudsmanPrograms.html>.

Detailed information about the FAD Memorandum of Understanding for RI may be found at: <https://www.cms.gov/Medicare-Medicaid-Coordination/Medicare-and-Medicaid-Coordination/Medicare-Medicaid-Coordination-Office/FinancialAlignmentInitiative/Downloads/RIMOU.pdf>.

Information about the Integrated Care Initiative in Rhode Island may be found at: <http://www.eohhs.ri.gov/IntegratedCare/IntegratedCareInitiative-Phase2.aspx>.

Further details regarding Rhode Island Annual Medicaid Expenditures may be found at: [http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/RI Medicaid Expend SF Y2014 FINAL 2.pdf](http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/RI%20Medicaid%20Expend%20SF%202014%20FINAL%202.pdf).

This RFP is issued under the authority of the General Laws of the State of Rhode Island (R.I.G.L.), the Affordable Care Act, Title XIX of the Social Security Act, as amended, and the implementing regulations issued under that authority. Any proposal submitted by any prospective vendor that fails to meet any published requirement may, at the option of the State, be rejected without further consideration.

Purpose

The Financial Alignment Demonstration (FAD) is a unique Federal-State partnership to align the service delivery and financing of the Medicare and Medicaid programs to better serve beneficiaries. As part of this effort, ombudsman services are needed to provide strong beneficiary support, education and outreach. The FAD Ombudsman will ensure that individuals have access to person-centered assistance in resolving problems related to the FAD. Specifically, the FAD Ombudsman will:

- Empower beneficiaries and support their engagement in resolving problems with their health care, behavioral health care, and LTSS;
- Investigate and work to resolve problems with the Medicare-Medicaid plan (MMP); and
- Provide systems-level analysis and recommendations related to the FAD.

SECTION III: SCOPE OF WORK

General Scope of Work

EOHHS intends to contract with one or more non-profit community-based organizations to develop, implement, and operate the FAD Ombudsman Program. The Ombudsman will assist members and potential members in regards to information, issues and concerns related to the demonstration. The entity will also be responsible for both individual and systemic advocacy roles. The vendor selected must be skilled in negotiation and problem resolution for Medicare-Medicaid beneficiaries. The vendor must also be knowledgeable in areas relevant to beneficiary service and empower Medicare-Medicaid beneficiaries and their representatives regarding their rights and benefits. In addition, the entity must demonstrate the capability to perform system analysis and make recommendations to improve the FAD. Please see "Specific Activities/Tasks" section below for further details relating to the scope of work.

The Ombudsman must be available during normal business hours, Monday through Friday, with after hour coverage for evenings and weekends. The entity must be accessible by phone, web and email and must be able to provide in-person access when necessary. The Ombudsman must have an adequate number of qualified staff to fulfill the requirements as described.

Qualifications

All applicants will be judged on the quality and completeness of their proposal, which must describe, but is not limited to, the following:

1. Minimum of 3 years of experience in Medicare and RI Medicaid programs including knowledge of acute, primary, behavioral health, and LTSS delivery systems, as well as person-centered planning and service approaches.
2. Minimum of 2 years' experience helping elders and individuals with disabilities maintain and utilize health care services in an appropriate manner.
3. Demonstration of skills in negotiation, experience with alternative dispute resolution techniques, and advocacy abilities in previous working environment.
4. Potential organizational or individual conflicts of interest, how the entity will prevent or address conflicts with beneficiaries' interests, and how the entity will ensure that it provides unbiased support to beneficiaries

NOTE: Vendor may not be co-located with the MMP, a service provider of the MMP, an entity funding or administering the MMP, or an entity making eligibility or enrollment decisions for beneficiaries.

5. Approach and methodology that will be utilized for the development of the FAD Ombudsman Program.
6. Approach to complaint intake, investigation, and resolution processes, including specific triage protocols and tracking techniques.
7. Demonstrated ability to comply with the HIPAA Privacy Rule and other relevant privacy laws and regulations, as well as knowledge regarding informed consent.
8. Demonstrated ability to protect the identities of individuals and to protect individuals from retaliation.
9. Ability and plan to provide culturally and linguistically competent services.
10. Demonstrated ability to comply with the Americans with Disabilities Act (ADA).

Specific Activities/Tasks

All applicants will be judged on the quality and completeness of their work plan, which must include, but is not limited to, the following:

1. Development and implementation of an outreach plan for beneficiaries and their caregivers and representatives, including education, self-help skills, and empowerment via one-on-one and group settings.
2. Coordination and referral protocols with other entities, including but not limited to: State Health Insurance Assistance Programs (SHIPs), State Protection and Advocacy Programs, Aging and Disability Resource Centers (ARDCs), health care marketplace navigators, relevant licensing and regulatory agencies, state consumer protection programs, and civil legal service providers.
3. Implementation of an information system to meet the needs of the Ombudsman program. This must include the ability to document work performed, track referrals and their status, and allow for analysis and recommendations, including the collection and reporting of complaint data and analysis of trends.
4. Development and production of reports for EOHHS including monthly reports that describe, but not limited to completed tasks, current tasks and anticipated results, problem areas and proposed resolutions, expenditures, and improvement recommendations.
5. Development and production of reports for CMS, including both qualitative and quantitative information as per the funding grant. This would include quarterly program data reports, quarterly narrative reports, semi-annual progress reports, as well as the ability for ad hoc reporting as requested by either EOHHS and/or CMS.

6. On-going communication and coordination with CMS contract management team, EOHHS, the MMP, consumer advocates, and other stakeholders. This would include attendance at all on-going EOHHS meetings with stakeholders as well as meetings with EOHHS, and at its discretion, with other entities upon request to discuss reports, recommendations or other feedback.
7. Provision of accessible and timely services to Medicare-Medicaid beneficiaries and FAD applicants, including in-person, toll-free phone, web and email options.

The selected vendor must be able to provide services to beneficiaries no later than three months after the award date. EOHHS retains the right to modify the responsibilities of the FAD Ombudsman vendor.

SECTION IV: TECHNICAL PROPOSAL

Narrative and Format:

The separate technical proposal should specifically address each of the following required elements:

1. Vendor Capability, Capacity, and Qualifications – The proposal should address all of the elements specified in Section III, Qualifications. The applicant should describe the organization's philosophy and the principles that will guide the provision of FAD Ombudsman services. A detailed description of prior related or comparable experience, including references, should be included. Demonstration of financial viability, as well as an organization chart, may be submitted as an attachment. Vendor should have a minimum of three years of experience in Rhode Island supporting consumers in their use of health care services, as well as two years of experience providing direct consumer assistance with promotion of health services, health insurance coverage, and legal assistance in appeals and related matters.
2. Program Staffing and Staff Qualifications –The proposal should identify the Program Director to oversee this contract and serve as chief liaison to EOHHS. The proposal should include this individual's resume. The proposal should describe the qualifications, experience, and appropriate number of key staff who will be providing (or will be hired to provide) FAD Ombudsman services. Any additional resumes may be submitted as attachments. The applicant must also estimate the full-time equivalents (FTEs) and/or the amount of time (hours) that each proposed staff member will devote to this contract. The applicant should describe its procedures to notify EOHHS of anticipated staffing changes at least 14 days before a change occurs and unanticipated staffing changes as soon as possible. EOHHS reserves the right to approve the Program Director and Ombudsman staff.
3. Work plan – The proposal should include a point-by-point detailed work plan of how the vendor proposes to develop, implement, and provide Ombudsman services as specified in Section III, Specific Activities/Tasks. The proposal must be fully responsive

to each requirement and the proposer should reference each requirement that is being addressed in the proposal. The applicant must provide a detailed program work plan that clearly identifies all tasks required to implement the Ombudsman project, including plans for training. Time lines should specify pre-implementation activities that will ensure that the program is prepared to begin by the commencement date, as well as on-going activities required. The proposer should identify any anticipated challenges or potential barriers in providing these Ombudsman services as well as any proposed solutions.

SECTION V: COST PROPOSAL

Applicants should provide a detailed budget for each year of this procurement. The budget should be accompanied by a narrative that explains the budget. A letter of transmittal should accompany the cost proposal. The offeror must complete and sign Attachment 1: Cost Proposal. The cost proposal must be completed by an individual who has legal authorization to commit and obligate the company or organization to the cost proposal.

The work performed under this procurement will be performed on a time and materials basis. The initial agreement period is for up to 3 years with the potential to extend for 2 additional years. The continuation of this contract depends on the availability of Federal and State funds.

The budget for each year should include, at a minimum, the following information:

- **Personnel/Staff Costs:** For each staff member who will work on the contract, indicate the hourly rate, estimated hours, fringe benefit rate and amount, and total cost for each year. The applicant should also indicate the total amount of personnel/staffing costs for each year.
- **Other Direct Costs:** The applicant should indicate all direct cost items, such as but not limited to supplies, utilities/telephone, local travel, and equipment, as well as the associated expenses that will be incurred for each year of the project. The applicant should indicate the total budget for other direct expenses for each year.
- **Indirect Cost / Overhead Rate:** The applicant should indicate its federally approved indirect cost rate or the overhead rate that will be applied to this procurement and the total indirect costs for each year. The applicant should also indicate the total amount of personnel/staffing and other direct costs to which the indirect or overhead rate is applied.
- **Total Costs:** The applicant should indicate the total cost for each year.

The proposal should include a budget narrative that details the items and costs included in the cost proposal, including the rationale and necessity for the proposed expenditures.

SECTION VI: EVALUATION AND SELECTION

Proposals will be evaluated by a technical review committee comprised of EOHHS staff. To advance to the cost evaluation phase, the technical proposal must receive a minimum of 56 (80%) out of a maximum of 70 technical points. Any technical proposals scoring less than 56 points will not have the cost component opened and evaluated; the proposal will be dropped from further consideration.

Proposals scoring 56 technical points or higher will be evaluated for cost and assigned up to a maximum of 30 points in the cost category, bringing the potential maximum score to 100 points.

EOHHS reserves the exclusive right to select the individual(s) or firm (vendor) that it deems to be in its best interest to accomplish the project as specified herein. EOHHS also reserves the right not to fund any proposal(s).

Proposals will be reviewed and scored based upon the following criteria:

Criteria	Possible Points
Vendor Capability, Capacity, and Qualifications	25 Points
Program Staffing and Staff Qualifications	25 Points
Work plan	20 Points
Total Possible Technical Points	70 Points
Cost calculated as lowest responsive cost proposal divided by (this cost proposal) times 30 points *	30 Points
Total Possible Points	100 Points

*The low bidder will receive one hundred percent (100%) of the available points for cost. All other bidders will be awarded cost points based upon the following formula:

$$(\text{low bid} / \text{vendor's bid}) * \text{available points}$$

For example: If the low bidder (Vendor A) bids \$65,000 and Vendor B bids \$100,000 for monthly cost and service fee and the total points available are Thirty (30), vendor B's cost points are calculated as follows:

$$\$65,000 / \$100,000 * 30 = 19.5$$

Points will be assigned based on the offeror's clear demonstration of its abilities to complete

the work, apply appropriate methods to complete the work, and create innovative solutions, as well as the quality of past performance in similar projects.

Applicants may be required to submit additional written information or be asked to make an oral presentation and/or demonstration before the technical review committee to clarify statements made in the proposal.

SECTION VII: PROPOSAL SUBMISSION

Questions concerning this solicitation may be e-mailed to the Division of Purchases at David.Francis@purchasing.ri.gov no later than the date and time indicated on page one of this solicitation. Please reference **RFP #7550295** on all correspondence. Questions should be submitted in a Microsoft Word attachment. Answers to questions received, if any, will be posted on the internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information. If technical assistance is required to download, call the Help Desk at (401) 574-9709.

Offerors are encouraged to submit written questions to the Division of Purchases. No other contact with State parties will be permitted. Interested offerors may submit proposals to provide the services covered by this Request on or before the date and time listed on the cover page of this solicitation. Responses received after this date and time, as registered by the official time clock in the reception area of the Division of Purchases will not be considered.

Responses [an original plus seven (7) copies] should be mailed or hand-delivered in a sealed envelope marked "**RFP# 7550295 Ombudsman Services for the Financial Alignment Demonstration**" to:

RI Dept. of Administration
Division of Purchases, 2nd floor
One Capitol Hill
Providence, RI 02908-5855

NOTE: Proposals received after the above-referenced due date and time will not be considered. Proposals misdirected to other State locations or those not presented to the Division of Purchases by the scheduled due date and time will be determined to be late and will not be considered. Proposals faxed, or emailed, to the Division of Purchases will not be considered. The official time clock is in the reception area of the Division of Purchases.

RESPONSE CONTENTS

Responses shall include the following:

1. One completed and signed three-page R.I.V.I.P. Generated Bidder Certification Form (included in the original copy only) downloaded from the RI Division of Purchases internet home page at www.purchasing.ri.gov.

2. One completed and signed W-9 (included in the original copy only) downloaded from the RI Division of Purchases Internet home page at www.purchasing.ri.gov.
3. A separate technical proposal describing the qualifications and background of the applicant and experience with and for similar projects, and all information described earlier in this solicitation. The technical proposal is limited to fifteen (15) pages (excluding any appendices), with a minimum font size of 12 points. As appropriate, include resumes of key staff that will provide services covered by this request.
4. A **separate, signed, and sealed cost proposal** to complete all of the requirements of this project.
5. In addition to the multiple hard copies of proposals required, respondents are requested to provide their proposal in electronic format (CD-ROM, disc, or flash drive). Microsoft Word, Excel OR PDF format is required. Only 1 electronic copy is requested; it should be placed in the proposal marked "original."

CONCLUDING STATEMENTS

Notwithstanding the above, the State reserves the right not to award this contract or to award on the basis of cost alone, to accept or reject any or all proposals, and to award in its best interest.

Proposals found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further.

The State may, at its sole option, elect to require presentation(s) by offerors clearly in consideration for award.

The State's General Conditions of Purchase contain the specific contract terms, stipulations and affirmations to be utilized for the contract awarded to the RFP. The State's General Conditions of Purchases/General Terms and Conditions can be found at the following URL: <https://www.purchasing.ri.gov/RIVIP/publicdocuments/ATTA.pdf>