CONTRACT SCOPE/OVERVIEW

The Department of Labor and Industry (L&I) will award multiple contracts for case review services required by the Bureau of Disability Determination (BDD) to all responsible bidders determined by L&I to meet the qualifications in this solicitation.

BDD is seeking psychiatrists and psychologists to perform work that involves reviewing cases to help determine a claimant’s eligibility for disability benefits under the Social Security Act. A selected bidder will serve as a resource to medical, adjudicative, supervisory and administrative staff when questions or problems arise related to the psychiatrist’s or psychologist’s area of specialty. A selected bidder may need to communicate with treating physicians, consultants and other health care providers to elicit or clarify medical evidence; assist in training medical and lay staff; and participate in Social Security Administration (SSA) or BDD-sponsored medical conferences, seminars, and events.

TERM OF THE CONTRACT

The Contract is anticipated to begin on August 1, 2017 and end June 30, 2020.

It shall be understood and agreed that any quantities listed on the contract are estimated only and may be increased or decreased in accordance with the actual requirement of BDD. Purchase orders will be issued to selected bidder(s) for actual dates to begin and no work may be performed without issuance of a Purchase Order.

OPTION TO RENEW

This Contract or any part of the contract may be renewed for (1) one additional (2) two-year term at the sole discretion of BDD and the L&I. In deciding whether to renew, BDD and L&I will review the selected bidder’s past performance under the Contract. If the Contract is renewed, the same terms and conditions shall apply.

RATE INCREASE

Selected bidders may request to adjust their prices at the renewal period by submitting a letter to the L&I Contract Officer requesting a modification of their prices up to 3% after the first three-year term, provided their performance is in compliance with the performance standards outlined herein. The selected bidder must submit a written request ninety (90) days prior to the expiration of the contract. It is the responsibility of the selected bidder to adequately justify any price change requests. If approved, a Contract change notice will be issued replacing the old price list with the updated price list to the Contract. The effective date of the change will be the date the change notice is issued. L&I and BDD reserve the right to negotiate and/or deny an increase. At no time will a selected bidder be allowed to unilaterally change the prices on the Contract.
METHOD OF CONTRACT AWARD

The Commonwealth will award a contract to each responsive and responsible bidder meeting the minimum requirements set forth in this Invitation for Bid (IFB). An award of a contract is not a guarantee of an assignment of a purchase order or any amount of work.

METHOD OF PURCHASE ORDER AWARD

Purchase Orders for case review services under the contract will be issued first to those bidders demonstrating a minimum of 2 years’ experience performing Psychiatric/Psychological case review services for the Disability Determination Service as administered by the Social Security Administration in order by the lowest bid up to that bidder's stated capacity, then to the next lowest bidder up to their capacity, and so on, until the Commonwealth obtains sufficient resources to fulfill its required estimated quantity of work.

BDD may require a bidder to perform non-case review services at BDD’s discretion and based on operational needs.

In the event the Commonwealth is unable to fulfill its required work estimates through those selected bidders possessing the Social Security experience stated above, the Commonwealth may choose to then issue Purchase Orders to those bidders not possessing Social Security experience, by the method stated above (i.e., lowest bid up to that bidder’s stated capacity), and provide the training required by the Social Security Administration. Further, the Commonwealth reserves the right to supplement this multiple-award contract in its sole discretion and without liability to existing selected bidders, as well as to utilize any other procurement method to obtain these services.

The addition and/or deletion of any bidder or selected bidder during the term of the contract will be at the sole discretion of the BDD and the Department of Labor & Industry. The BDD and the Department of Labor & Industry reserve the right to issue a supplementary bid as required, and to add bidders during the term of the contract.

If a bidder was previously terminated from any engagement with the Department of Labor & Industry because of poor performance, the Commonwealth reserves the right to not consider the bidder for an award.
CASE REVIEW SERVICES AND BIDS

The bidder shall provide psychologist/psychiatrist case review services for the BDD as described in this Solicitation, Work Statement and Job Description, at the amounts and/or prices for the listed items.

Case volume estimates per branch are strictly estimates based on historical data, and actual case volumes may differ. There is no minimum volume guaranteed to a selected bidder(s).

| Estimated Case Volume by Branch Per Year |
|---------------------------|------------------|
| **Branch**               | **Estimated Case Volume** |
| Greensburg               | 68,858            |
| Harrisburg               | 56,794            |
| Wilkes-Barre             | 81,066            |

LOCATION OF SERVICES

Services will generally be performed at one of the following BDD locations during normal business hours (Monday-Friday, 7:00 a.m. to 4:30 p.m.):

(1) 1171 South Cameron Street, Harrisburg, PA 17104 (Dauphin County)
(2) 47 South Washington Street, Wilkes Barre, PA 18702 (Luzerne County)
(3) 144 North Main Street, Greensburg, PA 15605 (Westmoreland County)

BDD office locations are subject to change, within a reasonable distance from the existing location. Selected bidders and their employees and/or sub-contractors will not receive travel reimbursement if a BDD office is relocated. Teleworking may be available at the sole discretion of BDD.

MINIMUM QUALIFICATIONS

Refer to the Bureau of Disability Determination Requirements Checklist (Attachment).

(1) Psychiatrists must have an active unlimited license in good standing to practice medicine in the Commonwealth of Pennsylvania. Professional qualifications will be considered in the following order of preference:

   (a) Diplomate of the American Board of Psychiatry and Neurology with certification in psychiatry.

   (b) Completion of a Board approved residency in psychiatry without Board Certification.
(2) Psychologists must have an active unlimited license in good standing to practice psychology in the Commonwealth of Pennsylvania. Professional credentials will be considered in the following order of preference:

(a) Diplomate (clinical) of the American Board of Professional Psychology or certification by National register of Health Service Providers in Psychology and at least two years of supervised clinical experience as a psychologist in health service, at least one year of which is post master’s degree.

(b) Doctorate in Psychology (Ph.D., Psy.D., or Ed.D.) from a program in clinical psychology of an educational institution accredited by an organization recognized by the Council on Post-Secondary Accreditation and at least two years of supervised clinical experience as a psychologist in health services, at least one year of which is post master’s degree.

(3) Selected bidders must be able to provide services to BDD at a minimum of 40 case reviews per five (5)-day work week. In addition, the number of cases requiring completion may be increased or decreased based upon the caseload that BDD must service. BDD may add additional bidders if necessary to service its caseload.

(4) Selected bidders and their employees and/or sub-contractors must be proficient in using a computer with a Windows based platform.

(5) Selected bidders and their employees and/or sub-contractors must comply with all directives issued by BDD as they relate to services provided. Psychiatrists will be required to provide medical malpractice insurance in accordance with the Medical Care Availability and Reduction of Error (MCARE) Act. (40 P.S. §§ 1303.101-1303.1115). Such insurance shall insure the interests of both the bidder(s) and the Commonwealth against any and all claims which may arise out of the bidder(s) operations under any contract resulting from this IFB. In the event that any carrier of such insurance issues a notice of cancellation, the bidder must immediately notify BDD of such notice of cancellation.

(6) Psychiatrists will be required to provide medical malpractice insurance in accordance with the Medical Care Availability and Reduction of Error (MCARE) Act. (40 P.S. §§ 1303.101-1303.1115). Such insurance shall insure the interests of both the bidder(s) and the Commonwealth against any and all claims which may arise out of the bidder(s) operations under any contract resulting from this IFB. In the event that any carrier of such insurance issues a notice of cancellation, the bidder must immediately notify BDD of such notice of cancellation.
(7) Psychologists will be required to provide malpractice insurance. This malpractice insurance shall insure the interests of both the bidder(s) and the Commonwealth against any and all claims which may arise out of the bidder(s) operations under any contract resulting from this IFB. The basic insurance coverage will be $750,000 per occurrence or claim, and $2,250,000 per annual aggregate. In the event that any carrier of such insurance issues a notice of cancellation, the bidder(s) must immediately notify BDD of such notice of cancellation.

(8) Selected bidders and their employees and/or sub-contractors must have the ability to maintain good working relationships with Disability Claims Adjudicators who have administrative responsibility for disability determinations.

(9) Selected bidders and their employees and/or sub-contractors must be cleared and not found unsuitable under Homeland Security Procedure Directive-12 (HSPD-12).

(10) Selected bidders and their employees and/or sub-contractors must not be excluded from participating in the Medicare and Medicaid programs.

TRAINING

Selected bidders and their employees and/or sub-contractors attending any training provided by BDD will be paid at an hourly rate of $80.00.

Initial Training

Selected bidders which do not have the minimum 2 years’ experience performing Psychiatric/Psychological services for the Bureau of Disability Determination, as administered by the Social Security Administration, are required to attend up to 45 hours of combined classroom and online training provided by BDD on policies and procedures prior to performing any case reviews for BDD. Selected bidders are responsible for initial training of any of its employees and/or sub-contractors unless otherwise directed by BDD. By the end of the initial training period, the selected bidder and its employees and/or sub-contractors are expected to achieve independent case reviewer status and will be subject to mandatory case reviews by BDD for a period of time determined by BDD.

Ongoing Training

Selected bidders will be required to attend ongoing training necessary to perform independent case reviews and meet mandated training requirements of SSA and/or the Commonwealth of PA. Examples of such training include but are not limited to SSA/BDD policy updates, procedural changes, or regulatory changes. Selected bidders and their employees and/or sub-contractors may also be required to attend additional training at the discretion of BDD. Unless specified by BDD, selected bidders are responsible for providing ongoing BDD-required training to their employees and/or sub-contractors.
When possible, BDD will provide at least 2 weeks’ notice of ongoing training. Selected bidders must be available for training at a date and time directed by BDD. At the discretion of BDD, employees and/or sub-contractors of a selected bidder may be required to attend training. It is the selected bidder’s responsibility to ensure that its employees and/or sub-contractors are available to attend required training. BDD has the option to waive attendance at training by any selected bidder or its employee or sub-contractor.

A request to approve nonattendance by a selected bidder or its employee and/or sub-contractor at required ongoing training must be submitted to BDD in writing by the selected bidder within one (1) week of training notification. Nonattendance not authorized by BDD by a selected bidder or its employee and/or sub-contractor at required ongoing training may result in any of the remedies in section (7)(a)-(d) of the PERFORMANCE STANDARDS, Independent Case Reviews (below). Make-up training sessions will be provided at the discretion of BDD. Selected bidders are responsible for making up missed training. Selected bidders are responsible for providing training missed by their employees and/or sub-contractors at no cost to BDD. Payment for self-review of training materials will be at the discretion of BDD.

**JOB DESCRIPTION**

**Independent Case Reviews**

1. Selected bidders and their employees and/or sub-contractors will review claims for disability under the Social Security Act to help determine eligibility for benefits. The evaluation of applications based on mental disorders requires consideration of the nature and clinical manifestations of the medically determinable impairment(s) as well as consideration of the degree of limitation such impairment(s) may impose on the individual’s ability to work and/or function.

The evaluation will be based on evidence from physicians, psychologists, and other medical, non-medical, and third party sources. The evaluation will consider evidence including but not limited to clinical signs, symptoms and laboratory findings, including the results of psychological testing, and evidence of an individual’s functioning across different settings. The degree of functional limitation will be rated in four broad areas:

(a) Understanding, remembering or applying information;

(b) Interacting with others;

(c) Concentrating, persisting, or maintaining pace; and,

(d) Adapting or managing oneself.

Case reviews involve evaluation of the degree and duration of impairment and may include determination of residual functional capacity, onset or cessation dates, need for reexamination, or other issues. Determinations require completion of forms
explaining medical determinations, adequacy of documentation, and any other matter needed to support the determination.

(2) At the discretion of BDD, cases may be assigned from any location up to the number of cases bid.

(3) Selected bidders and their employees and/or sub-contractors must:

(a) serve as a resource to medical, adjudicative, supervisory and administrative staff on claims relating to the bidder’s area of specialty;

(b) communicate with treating physicians and other health care providers to elicit or clarify medical evidence;

(c) record findings in the Bureau’s electronic process systems as specified by BDD case review policies and procedures;

(d) attend required meetings, briefings, and workgroups necessary to perform independent case reviews (e.g. policy updates, procedural changes) or to discuss administrative issues related to this contract;

(e) provide a satisfactory written assessment that can be utilized by others in the disability program;

(f) correct case reviews when returned at no additional cost to BDD;

(g) keep abreast of SSA policy and current medical research, as this is necessary for successful independent case review. This includes reading correspondence (including e-mails) related to the duties the selected bidder and/or its employee and/or sub-contractor must perform under this contract; and,

(h) immediately notify BDD in writing of any adverse action with regard to the license of a selected bidder or its employees and/or sub-contractors to practice medicine or psychology.

Non-Case Review Services

BDD may require the selected bidder to perform professional consultative services related to their practice that are not directly associated with any particular case or case review. These services will be reimbursed at $80.00 per hour and may include, but are not limited to:

(1) participate in presentations related to the selected bidder’s medical specialty and the application of disability policies;
(2) provide consultation and expertise on policy development issues including written and/or oral summarizations;

(3) participate in workgroups, visits, and meetings as requested by BDD to discuss issues related to the disability process; e.g. new medical technologies, revision of medical listings, and other policy issues (this does not include meetings, briefings, or workgroups necessary for independent case reviews);

(4) assist BDD in providing one-on-one orientation to other medical reviewers; and/or,

(5) assist with training of other medical staff and lay staff.

TRAVEL

Selected bidders and their employees and/or sub-contractors are responsible for travel costs necessary to arrive at the work location. If attendance is necessary for medical meetings or providing training to BDD employees in locations other than the usual place of performance, BDD will provide reimbursement for travel expenses in accordance with Management Directive 230.10 regarding Travel and Subsistence Allowances.

REPORTS

Selected bidders and their employees and/or sub-contractors must maintain and submit accurate records of time spent and number of completed case reviews. Selected bidders and their employees and/or sub-contractors may be required to submit other reports deemed necessary by the BDD.

PERFORMANCE STANDARDS

Independent Case Reviews

(1) Selected bidders and any of their employees and/or sub-contractors are required to perform case reviews at a monthly accuracy rate of at least 93% for BDD to consider such performance satisfactory. BDD will calculate monthly accuracy rates based upon total BDD internal quality assurance sampling for the calendar month. Monthly accuracy rates will be reported as an average of combined accuracy rates from all deficiency groups defined by SSA. Failure to meet this standard for three (3) consecutive calendar months may result in any of the actions outlined in subsection (7) below.

(2) Selected bidders and any of their employees and/or sub-contractors must complete any assigned case review within two (2) business days of receiving a case assignment.

(3) Case reviews must address all relevant issues in accordance with applicable SSA authorities including, but not limited to the Social Security Act, SSA’s Program Operations Manual System (POMS), federal regulations, Social Security Rulings,
and Acquiescence Rulings. Case reviews must be presented in an unbiased, logical, and understandable manner. The entire case file must be considered. BDD will pay particular attention to the adequacy of the documentation, the review and determination regarding the claimant’s onset of disability, and the severity and expected duration of the claimant’s medical impairment. BDD will return case reviews that fail to comply with SSA authorities to the reviewer for correction or clarification of the issue(s). A selected bidder and its employee and/or sub-contractor shall perform the correction at no additional cost to BDD. If the selected bidder’s employee or sub-contractor is no longer working for the selected bidder, the selected bidder will correct the case.

(4) Selected bidders and their employees and/or sub-contractors must respond promptly to all questions posed by BDD regarding the case. If the selected bidder’s employee or sub-contractor is no longer working for the selected bidder, the selected bidder is responsible for responding.

(5) Selected bidders and their employees and/or sub-contractors must maintain a valid license at all times during the performance of an awarded contract. A selected bidder and its employees and/or sub-contractors must immediately notify BDD of any revocation, suspension or similar invalidity involving the license of the selected bidder or its employees and/or sub-contractors.

(6) Invoices for services rendered must be submitted to BDD bi-weekly. BDD must receive all invoices within 60 days from the date the services were performed.

(7) Failure by any selected bidder or its employee and/or sub-contractor to meet any of the conditions defined in subsections (1) thru (6) above may, at BDD’s discretion, result in, but is not limited to:

   (a) termination of the contract where the failure is by the selected bidder;

   (b) preclusion of the non-satisfactory selected bidder or its employee and/or sub-contractor from working on BDD cases;

   (c) additional training for the selected bidder and its employees and/or sub-contractors as deemed necessary by BDD; and/or,

   (d) reduction of cases assigned to the selected bidder.
Non-Case Services

With respect to non-case services, BDD will use the following standards to measure the performance by a selected bidder or its employees and/or sub-contractors:

1. Oral and written presentations are appropriate for the intended audience;
2. Responds to all questions posed by BDD staff regarding his/her deliverables or performance under this task;
3. Completes assigned tasks within acceptable timeframes as defined by BDD; and,
4. Final product is consistent with BDD policy and presented in an unbiased, logical and understandable manner.

CONFLICT OF INTEREST

Neither a bidder nor any of its employees and/or sub-contractors will perform consultative examinations for any State Disability Determination Service (DDS) or component of SSA that performs services for the Social Security Disability and/or Supplemental Security Income programs.

By submitting a response to this IFB, a bidder(s) agrees that bidder(s) and any employee and/or sub-contractor will disqualify himself/herself from any case in which s/he has any professional, familial, financial or other relationship to the claimant.

EMPLOYMENT WITH AN AGENCY OF THE COMMONWEALTH OF PENNSYLVANIA

If it is determined that due to a bidder’s employment or contractual agreement with another agency of the Commonwealth of Pennsylvania that a dual state employment issue exists, as defined in Management Directive 525.11, BDD may be required to limit the bidder’s price and/or hours of service.

Bidder must disclose any current Commonwealth employment or contractual agreements by bidder and any of its employees and/or sub-contractors in any response filed to this IFB.

DOMESTIC WORKFORCE UTILIZATION CERTIFICATION

To the extent that any services could be performed outside of the geographical boundaries of the United States, the selected bidder will be required to certify that those services will be performed exclusively within the geographical boundaries of the United States or specify the percentage of the direct labor that will be performed outside of the United States. The certification form is included with the IFB and must be completed by the bidder. The Contracting Agency will use the certification in the selection process.