

SOLICITATION ADDENDUM

Date: **4/9/2021**
Subject: **Hearing Officer Services RFP**
Solicitation Number: **OGC-2021-14**
Due Date/Time: **April 20, 2021 @ 4:00 pm EST**
Addendum Number: **1**

To All Suppliers:

The Commonwealth of Pennsylvania defines a solicitation “Addendum” as an addition to or amendment of the original terms, conditions, specifications, or instructions of a procurement solicitation (e.g., Invitation for Bids or Request for Proposals).

The Issuing Office received the following questions regarding the above-referenced RFP and provides the following responses.

Q.1. Regarding Appendix D “Statement of Qualifications/Technical Questionnaire”, is it necessary for each hearing officer to complete a separate form or can we submit one form for the company as a whole which will include all proposed hearings officers?

A.1. There is no prohibition with using a single form for the company but there should be a separate resume for each individual as mentioned in #7.

Q.2. Our firm specializes in the elimination of adjudication backlogs. Does the OGC have a pending backlog of cases to be heard/adjudicated?

A.2. There is no significant backlog of work currently assigned to the hearing examiners. It is unknown by the Hearing Examiner’s Office whether some agencies maybe holding significant numbers of cases due to the pandemic and waiting for live hearings to become the norm again, at which time they will request that matter be adjudicated by the Hearing Examiner’s Office.

Q.3. Does OGC plan on using the hearing officers or creating a contingency roster of officers that may be called upon?

A.3. OGC will utilize the hearing officers as services are needed.

Q.4. Page 14 of the RFP, Section III-4A, states the following: “Firms must provide the anticipated number of hours firms envision working on this engagement given the description of the scope of requested services in the Statement of Work.”

Can the offeror provide a range of minutes/hours associated with each task needing completion with this RFP by a hearing officer (e.g. time to complete receipt of case and data entry, conflicts check, review of files, hearing prep and scheduling, presiding over hearing, and adjudication)

A.4. Yes.

Q.5. Are labor hours incurred for Travel Time considered billable hours?

A.5. No.

Q.6. Can Offeror provide in its billing structure separate rates for administrative professionals?

A.6. No.

Q.7. In Appendix B (Cost Submittal), Tab 2 (Cost Matrix), the tab states “Offerors should fill out the matrix above distributing a total of 1000 hours per year”. IS OGC stating to place “1000” in the “estimated hours column for all positions?”

A.7. Offerors should place a total of 1000 estimated hours in the columns across all positions. Not 1000 hours per position.

Q.8. In Appendix B (Cost Submittal), Tab 2 (Cost Matrix), the “Estimated Cost per position” formula only takes the Year 1 Position multiplied by the hours (presuming 1000 hours). Should the formula account for Years 2 and 3, or just as Year 1 as it currently does.

A.8. Just Year 1.

Q.9. In Appendix B, Tab 4 (alternative cost proposal), is the alternative proposal also to be used in future negotiations as in tab 3 (optional billable items). Is it mandatory to complete?

A.9. The alternative proposal could possibly be used in future negotiations. It is not mandatory to complete.

Q.10. For RFP, Part IV (SOW), IV-1, can the offeror answer those questions within the context of answering Appendix D, or does OGC want a separate Appendix and then a separate answer to all of IV-1? Many of the questions in IV-1 appear to be asking for affirmation, which can be done in Appendix D.

A.10. There are no separate answers needed here because this section simply describes the work. To the extent the offeror perceives an inquiry here that is not covered in Appendix D, it can be answered within Appendix D by specifying that that response relates to a perceived question or unique point in Part IV-1.

Q.11. If Offeror is a certified VBE and/or a certified SDB with Pennsylvania and wishes to submit an offer as prime contractor, should Offeror complete the VBE Participation Submittal and/or SDB Participation Submittal. If yes, can the Offeror Simply note that they intend to do 100% of the work as a VBE or SDB on the participation forms?

A.11. A dually-verified SDB and VBE intending to meet both goals through self-performance must submit all of the following:

- SDB Participation Submittal (SDB-2), indicating they are meeting the goal in full;
- SDB Utilization Schedule (SDB-3), indicating they are utilizing themselves at 100% of the contract value;
- VBE Participation Submittal (VBE-2), indicating they are meeting the goal in full; AND
- VBE Utilization Schedule (VBE-3), indicating they are utilizing themselves at 100% of the contract value.

Q.12. In Appendix D, No. 3 states the following: “Hearing Officers must be willing to accept no more than \$100 an hour for services performed.” In previous editions of this bid, \$100.00 was also the hourly rate. Can you confirm that \$100.00 is the hourly rate for hearing officers? Can offeror bill less?

A.12. Offerors can bill less.

Q.13. Does the \$100.00 per hour rate also apply to Year 2 and 3 (assuming most years have an incremental cost associated with the inflationary rate for future years)?

A.13. Yes, however, Offerors are free to propose other terms as they see fit.

Q.14. Offeror wishes to confirm that email bids are acceptable. If so, Offeror wishes to confirm that five separate PDF or word doc attachments are acceptable to submit within one email.

A.14. Yes, only emailed bids are being accepted for this RFP. Yes, five separate PDF or word document attachments are acceptable to submit within one email.

Q.15. Offeror has completed thousands of hearings as hearing officers for federal and state agencies involved with Medicare, Medicaid, and the Affordable Care Act. As contemplated under Pennsylvania Health Insurance Exchange Authority (PENNIE), any appeals may go to an independent hearing officer. Will the hearing officers as anticipated by PENNIE come from **OGC 2021-14?**

A.15. We have a memorandum of Understanding to perform Hearing Examiner work with Pennie so it is possible that a contracted hearing examiner could be assigned some of those cases. However, if the individual feels he or she would be conflicted out of Pennie cases, he or she could simply refuse that specific assignment if asked.

*** If you asked a question, and do not see your question listed, please let me know right away so we can get you a response as soon as possible.**

Except as clarified and amended by this Addendum, the terms, conditions, specifications, and instructions of the solicitation and any previous solicitation addenda, remain as originally written.



pennsylvania
DEPARTMENT OF GENERAL SERVICES
BUREAU OF PROCUREMENT

Respectfully,

Name: Mrs. Jordan M. Kiessling
Title: Issuing Officer
Phone: 717-346-8110
Email: jkiessling@pa.gov