

REQUEST FOR APPLICATIONS

**Medical Assistance Transportation Program
Full Risk Broker Services in Pennsylvania**

ISSUING OFFICE

**Commonwealth of Pennsylvania
Department of Human Services
Bureau of Procurement and Contract Management
Room 402 Health and Welfare Building
625 Forster Street
Harrisburg, PA 17120**

RFA NUMBER

28-18

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REQUEST FOR APPLICATIONS FOR

Medical Assistance Transportation Program Full Risk Broker Services in Pennsylvania

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CALENDAR OF EVENTS

The Commonwealth will make every effort to adhere to the following schedule:

Activity	Responsibility	Date
Deadline to submit questions via email to RA-PWRFAQUESTIONS@PA.GOV	Potential Applicants	January 11, 2019 @ 5:00 PM EST
Pre-Application Conference—Commonwealth Tower, 12 th Floor, ClothesTree Conference Room, 202 Walnut St., Harrisburg, PA 17101.	DHS/Potential Applicants	January 11, 2019 @ 1:00 PM EST
Answers to Potential Applicant questions posted to the DGS website at http://www.emarketplace.state.pa.us/Search.aspx no later than this date.	DHS	January 25, 2019
Please monitor website for all communications regarding the RFA.	Potential Applicants	Ongoing
Sealed application must be received by the Issuing Office at: Commonwealth of Pennsylvania Department of Human Services Bureau of Procurement & Contract Management Room 402 Health & Welfare Building 625 Forster Street Harrisburg, PA 17120	Applicants	March 5, 2019 @ 12:00 PM EST

PART I

GENERAL INFORMATION

- I-1. Purpose.** This request for applications (“RFA”) provides to those interested in submitting applications for the subject procurement (“Applicants” or “Broker”) sufficient information to enable them to prepare and submit applications for the Department of Human Services’ (“Department” or “DHS”) consideration on behalf of the Commonwealth of Pennsylvania (“Commonwealth”) to satisfy a need for **Medical Assistance Transportation Program Full Risk Broker Services in Pennsylvania for the benefit of eligible Medical Assistance (“MA”) consumers (“Project”)**. This RFA contains instructions governing the requested applications, including the requirements for the information and material to be included; a description of the service to be provided; requirements which Applicants must meet to be eligible for consideration; general evaluation criteria; and other requirements specific to this RFA.
- I-2. Issuing Office.** The DHS Office of Administration, Bureau of Procurement and Contract Management (“Issuing Office”) has issued this RFA on behalf of the Office of Medical Assistance Programs (“OMAP”). The sole point of contact in the Commonwealth for this RFA shall be Michelle Herring, RA-PWRFAQUESTIONS@PA.GOV, the Issuing Officer for this RFA. Please refer all inquiries to the Issuing Officer.
- I-3. Overview of Project.** The Department is issuing this RFA to procure the services of transportation brokers that will be responsible for coordination of non-emergency medical transportation (“NEMT”) for eligible MA consumers and non-medical transportation for eligible MA waiver consumers. The selected Applicants will provide transportation through a structured and cost-effective approach by coordinating various transportation modes that meet the needs of MA consumers in Pennsylvania. The state will be divided into three regions, as referenced below.

States are required to provide necessary emergency and NEMT for MA consumers to and from MA-enrolled providers under 42 C.F.R. § 431.53. States are permitted to use a broker model to provide NEMT services. See 42 C.F.R. § 440.170(a)(4). The Department provides NEMT services through its Medical Assistance Transportation Program (“MATP”). MATP provides transportation to MA consumers, who otherwise have no other means of transportation or have unmet transportation needs, and require access to medical treatment or evaluation, or to obtain their prescription drugs or medical equipment. Additionally, the selected Applicants will provide non-medical transportation services to consumers who are Nursing Facility Clinically Eligible (“NFCE”) who do not reside in a nursing home and have transportation services in their Individual Service Plans (“waiver participants” or “NFCE eligible consumers”). Examples of non-medical transportation for waiver participants include transportation to: community activities, grocery shopping, religious services, Adult Daily Living Centers, and employment.

The majority of MA consumers in Pennsylvania receive their physical and behavioral health services through the Department’s mandatory managed care program known as HealthChoices. The CHC managed care program provides physical health services and

long-term services and supports to adults with physical disabilities and individuals who are dually eligible for Medicare and MA (“dually eligible for MA and SSRPs”). MA Consumers not covered by HealthChoices or CHC are covered through the Department’s Fee for Service Program.

Applicants may submit applications for all three (3) service regions; however, the Department will not award more than two (2) service regions to a single Applicant. The service regions are as follows:

- A. Western Region – consists of the following counties: Allegheny, Armstrong, Beaver, Butler, Cameron, Clarion, Crawford, Elk, Erie, Fayette, Forest, Greene, Jefferson, Indiana, Lawrence, McKean, Mercer, Venango, Warren, Washington, and Westmoreland Counties. As of September 30, 2018, the MA population of this region was 682,270.
- B. Central Region – consists of the following counties: Adams, Bedford, Blair, Bradford, Cambria, Centre, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Perry, Potter, Snyder, Somerset, Sullivan, Tioga, Union and York Counties. As of September 30, 2018, the MA population of this region was 495,508.
- C. Eastern Region – consists of the following counties: Berks, Bucks, Carbon, Chester, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Schuylkill, Susquehanna, Wayne, and Wyoming Counties. As of September 30, 2018, the MA population of this region was 1,611,177.

I-4. Objectives.

- A. **General.** The Department is seeking Applicants to provide administrative and operational efficiencies while providing appropriate and cost-effective transportation services to MA consumers enabling them to access necessary medical services and community activities. The selected Applicant will schedule, manage and make payment for all MATP NEMT services and non-medical transportation for NFCE eligible consumers. Transportation modes may include but are not limited to taxicabs, vans, mini-buses, wheelchair vans, mileage reimbursement, paratransit, shared ride and fixed route.
- B. **Specific.** The selected Applicant must provide coordinated transportation services for MA consumers, streamlined processes for consumers and subcontracted transportation providers, and adequate access to transportation for consumers residing in all counties of the region(s) for which it has been selected. The selected Applicant must also:

1. Arrange cost effective transportation services for consumers that reduce the number of no-shows for medical services and medical appointments due to a lack of transportation and coordinate non-medical transportation for NFCE eligible consumers.
 2. Establish an adequately staffed Customer Service Center located within the service region, with a sufficient number of trained customer service specialists and operations staff, to interact and assist MA consumers requesting NEMT and non-medical transportation.
 3. Perform gatekeeping and scheduling functions to provide for the appropriate use of transportation services.
 4. Establish a sufficient network of transportation providers that meets the service delivery needs of MA consumers.
 5. Have the technological capacity to provide the full scope of services and to administer an efficient and effective program.
 6. Develop and maintain a complaint process that provides for the effective response to consumer issues regarding the delivery of transportation services.
 7. Develop policies and procedures to eliminate fraud and abuse.
- I-5. Type of Agreement.** DHS intends to award multiple grants as a result of this RFA. For those awards that are made, DHS will enter into a grant agreement providing for capitated payments plus a direct payment for dually eligibles. The agreement will contain the Standard Grant Terms and Conditions as shown in **Appendix S, and the Business Associate Addendum as shown in Appendix J** of this RFA. The Department, in its sole discretion, may undertake negotiations with Applicants whose applications, in the Department's judgement, show them to be qualified, responsible and capable of performing the Project.
- I-6. Rejection of Applications.** The Department, in its sole and complete discretion, may reject any application received as a result of this RFA.
- I-7. Incurring Costs.** The Department is not liable for any costs the Applicant incurs in preparation and submission of its application, in participating in the RFA process or in anticipation of award of an agreement.
- I-8. Pre-Application Conference.** The Department will hold a Pre-Application conference as specified in the Calendar of Events. The purpose of this conference is to provide opportunity for clarification of the RFA. Applicants should forward all questions to the Issuing Officer in accordance with **Part I, Section I-9** of this RFA to provide for adequate time for analysis before the Department provides an answer. Applicants may also ask questions at the conference. The Pre-Application conference is for information

only. Any answers furnished during the conference will not be official until they have been verified, in writing, by the Department. **Attendance at the Pre-Application Conference is optional, but strongly encouraged.**

- I-9. Questions & Answers.** If an Applicant has any questions regarding this RFA, the Applicant must submit the questions by email (**with the subject line “RFA 28-18 Question”**) to the Issuing Officer named in **Part I, Section I-2** of this RFA. If the Applicant has questions, they must be submitted via email **no later than** the date indicated on the Calendar of Events. The Applicant shall not attempt to contact the Issuing Officer by any other means.

An Applicant who submits a question *after* the deadline date for receipt of questions indicated on the Calendar of Events assumes the risk that its application will not be responsive or competitive because the Department is not able to respond before the application due date or in sufficient time for the Applicant to prepare a responsive or competitive application. When questions are submitted after the deadline date indicated on the Calendar of Events, the Issuing Officer *may* respond to questions of an administrative nature by directing the questioning Applicant to specific provisions in the RFA. To the extent that the Department decides to respond to a non-administrative question *after* the deadline date for receipt of questions indicated on the Calendar of Events, the Department will provide the answer to all Applicants through an addendum.

All questions and responses as posted on the DGS website are an addendum to, and part of, this RFA in accordance with RFA **Part I, Section I-10** of this RFA. Each Applicant shall be responsible for monitoring the DGS website for new or revised RFA information. The Department shall not be bound by any verbal information nor shall it be bound by any written information that is not either contained within the RFA or formally issued as an addendum.

- I-10. Addenda to the RFA.** If the Department deems it necessary to revise any part of this RFA before the application response date, the Department will post an addendum to the Department of General Services (“DGS”) website at <http://www.emarketplace.state.pa.us/Search.aspx>. It is the Applicant’s responsibility to periodically check the website for any new information or addenda to the RFA.

- I-11. Response Date.** To be considered for selection, hard copies of applications must arrive at the Issuing Office on or before the time and date specified in the RFA Calendar of Events. The Department will **not** accept applications via email or facsimile transmission. Applicants who send applications by mail or other delivery service should allow sufficient delivery time for the timely receipt of their applications. If, due to inclement weather, natural disaster, or any other cause, the Commonwealth office location to which applications are to be returned is closed on the application response date, the deadline for submission will be automatically extended until the next Commonwealth business day on which the office is open, unless the Issuing Office otherwise notifies Applicants. The hour for submission of applications shall remain the same. The Department will reject, unopened, any late applications.

I-12. Application Requirements.

A. Application Submission:

1. Applicants may submit applications for one, all, or any combination of the service regions; however, the Department will not award more than two (2) service regions to a single Applicant. If an Applicant is submitting more than two (2) applications, the Applicant must indicate its first, second and third preference for an award. This information must be included on the Application Cover Sheet (**Appendix A**) of each application. Each application for a service region must be submitted as a separate application containing Technical, Cost and Small Diverse Business/Small Business (“SDB/SB”) for the specific service region. After final evaluation of applications, if it is determined to be in the Commonwealth’s best interest, the Commonwealth may request Applicants submit an integrated solution
2. To be considered, Applicants should submit a complete response for each region for which the Applicant is submitting an application to the Issuing Office, using the format provided in Part I, **Section I-12B**, providing **six (6) paper copies [one marked “ORIGINAL”] of the Technical Submittal, two (2) paper copies of the Cost Submittal, and two (2) paper copies of the “SDB/SB” Participation Submittal and related Letter(s) of Intent**. In addition to the paper copies of the application, Applicants shall submit **two (2) complete and exact copies** of the entire application (Technical, Cost and SDB/SB submittals, along with all requested documents) on CD-ROM or Flash drive in Microsoft Office or Microsoft Office-compatible format. The electronic copy must be a mirror image of the paper copy and any spreadsheets must be in Microsoft Excel. Additionally, on the CD-ROM or Flash Drive, include separate folders that contain a complete and exact copy of the entire Technical (excluding financial capability) Submittal in PDF (portable device format). To the extent that the Applicant designates information as confidential or proprietary or trade secret protected in accordance with **Part I, Section I-18** of this RFA, the Applicant must also include one (1) redacted version of the Technical Submittal, excluding financial capability on a CD-ROM or Flash Drive in Microsoft Office or Microsoft Office-compatible format. The CD-ROM or Flash drive should clearly identify the Applicant and include the name and version number of the virus scanning software that was used to scan the CD-ROM or Flash drive before it was submitted. Applicants may not lock or protect any cells or tabs.

The Applicant shall make no other distribution of its application(s) to any other Applicant or Commonwealth official or Commonwealth consultant. Each application page should be numbered for ease of reference. An official authorized to bind the Applicant to its provisions must sign the application(s). If the official signs the **Application Cover Sheet (Appendix A** to this RFA) and the Application Cover Sheet is attached to the Applicant’s application(s), the requirement will be met. For this RFA, the application must remain valid for one

hundred and twenty (120) days or until an agreement is fully executed. If the Department selects the Applicant's application for award, the contents of the selected Applicant's application will become, except to the extent the contents are changed through Best and Final Offers or negotiations, contractual obligations.

Each Applicant submitting an application specifically waives any right to withdraw or modify it, except that the Applicant may withdraw its application by written notice received at the Issuing Office's address for application delivery prior to the exact hour and date specified for application receipt. An Applicant or its authorized representative may withdraw its application in person prior to the exact hour and date set for application receipt, provided the withdrawing person provides appropriate identification and signs a receipt for the application. An Applicant may modify its submitted application prior to the exact hour and date set for application receipt only by submitting a new sealed application or sealed modification which complies with the RFA requirements.

B. Application Format: Applicants must submit their application(s) in the format, including heading descriptions, outlined below. To be considered, an application must respond to all application requirements. Applicants should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to the application(s). All cost data relating to this application and all SDB and SB cost data should be kept separate from and not included in the Technical Submittal. Applicants should not reiterate technical information in the Cost Submittal. If submitting an application for multiple service regions, the Applicant must label each application with the service region for which it is being submitted. Further, each application must be specific to the service region to which it applies and must be packaged separately. Each application shall consist of the following three (3) separately sealed submittals:

1. Technical Submittal:

a. In response to Part III;

The Technical Submittal must include a Transmittal Letter and include Tabs 1 through 13. Applicants must format their responses as follows:

- Tab 1: Table of Contents
- Tab 2: Requirements
- Tab 3: Statement of the Problem
- Tab 4: Management Summary
- Tab 5: Work Plan
- Tab 6: Prior Experience
- Tab 7: Personnel
- Tab 8: Training
- Tab 9: Financial Capability
- Tab 10: Objections to Standard Grant Terms and Conditions
- Tab 11: Conflict Free

- Tab 12: Corporate Reference Questionnaire **Appendix D**
 - Tab 13: Key Personnel Reference Questionnaire **Appendix E**
- b. Complete, sign and include **Appendix I - Lobbying Certification** and if applicable, the **Disclosure of Lobbying Activities**; and
 - c. Complete, sign and include **Appendix B – Domestic Workforce Utilization Certification**.
2. Cost Submittal, in response to **Part IV** of this RFA; and
 3. SDB/SB Participation Submittal, in response to **Part V** of this RFA:

Complete and include **Appendix G - SDB/SB Participation Submittal Form and Letters of Intent**. Applicant must provide a Letter of Intent for each SDB and SB listed on its SDB/SB Participation Submittal Form.

Applications must adhere to the following format:

- a. Pages must be eight-and-one half (8.5) by eleven (11) inches with right and left margins of one (1) inch; and be double-sided.
- b. Must use Arial or Times New Roman font with a type size of twelve (12).
- c. Tab and Section headings, shown in this **Part I, Section I-12**, **MUST** be used.
- d. Each page of the application must include a page number, service region and identification of the Applicant in the page footer.
- e. Materials provided in any appendix must be specifically referenced by page numbers in the body of the application.
- f. Exceptions for paper and font size are permissible for project schedule (Microsoft Project) or for graphical exhibits and material in appendices which may be printed on white paper with dimensions of eleven (11) by seventeen (17) inches.

The Department may request additional information that, in the Department's opinion, is necessary to determine the Applicant's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFA.

The Department may make investigations as deemed necessary to determine the ability of the Applicant to perform the Project, and the Applicant shall furnish to the Issuing Office all requested information and data. The Department may reject any application if the evidence submitted by, or investigation of, such Applicant fails to satisfy the Department that such Applicant is properly qualified to carry out the obligations of the RFA and to complete the Project as specified.

- I-13. Economy of Preparation.** Applicants should prepare applications simply and economically, providing a straightforward, concise description of the Applicant's ability to meet the requirements of the RFA.
- I-14. Alternate Applications.** The Department has identified the basic approach to meeting its requirements, allowing Applicants to be creative and propose their best solution to meeting these requirements. The Department will not accept alternate applications.
- I-15. Discussions for Clarification.** Applicants may be required to make an oral or written clarification of their applications to the Department to ensure thorough mutual understanding and Applicant responsiveness to the solicitation requirements. The Department will initiate requests for clarification. Clarifications may occur at any stage of the evaluation and selection process prior to the award of an agreement.
- I-16. Oral Presentations.** Applicants may be required to make an oral presentation to demonstrate its capabilities and ability to provide required services. The Department will initiate requests for oral presentations; and may include a request that key personnel be present. The oral presentations will be held in Harrisburg, Pennsylvania. Oral presentations may be requested at any stage of the evaluation and selection process prior to the award of the grant agreement.
- I-17. Prime Contractor Responsibilities.** The selected Applicants must perform Project services valued at least 50% of the total grant value excluding the costs of transportation services provided to MA consumers. Nevertheless, the grant requires the selected Applicant to assume responsibility for all services offered in its application whether it produces them itself or by sub-contract. The Department will consider the selected Applicant to be the sole point of contact with regard to all agreement matters.
- I-18. Application Contents.**
- A. Confidential Information.** The Commonwealth is not requesting, and does not require, confidential proprietary information or trade secrets to be included as part of Applicants' submissions in order to evaluate responses to this RFA. Accordingly, except as provided, Applicants should not label applications as confidential or proprietary or trade secret protected. Any Applicant who determines that it must divulge such information as part of its application must submit the signed written statement described in Subsection C below and must provide a redacted version of its application(s) in accordance with **Part I, Section I-12** of this RFA, which removes only the confidential proprietary information and trade secrets, for required public disclosure purposes.
- B. Commonwealth Use.** All material submitted with the application shall be considered the property of the Commonwealth and may be returned only at the Department's option. The Commonwealth has the right to use any or all ideas not protected by intellectual property rights that are presented in any application regardless of whether the application becomes part of an agreement. Notwithstanding any Applicant

copyright designations contained on applications, the Commonwealth shall have the right to make copies and distribute applications internally and to comply with public record or other disclosure requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.

- C. **Public Disclosure.** After the award of grants pursuant to this RFA, all application submissions are subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law, 65 P.S. § 67.101, et seq. If an application submission contains confidential proprietary information or trade secrets, a signed written statement to this effect must be provided with the submission in accordance with 65 P.S. § 67.707(b) for the information to be considered exempt under 65 P.S. § 67.708(b)(11) from public records requests. Refer to **Appendix C** of the RFA for a **Trade Secret Confidential Proprietary Information Notice Form** that may be utilized as the signed written statement, if applicable. The financial capability information submitted in response to **Part III-7** of this RFA is exempt from public records disclosure under 65 P.S. § 67.708(b) (26).

I-19. Best and Final Offers (“BAFO”).

- A. While not required, the Department may conduct discussions with Applicants for the purpose of obtaining BAFOs. To obtain BAFOs, the Department may do one or more of the following, in any combination and order:
1. Schedule oral presentations;
 2. Request revised applications; and
 3. Enter into pre-selection negotiations.
- B. The following Applicants will **not** be invited by the Department to submit a BAFO:
1. Those Applicants, which the Department has determined to be not responsible or whose applications the Department has determined to be not responsive.
 2. Those Applicants, which the Department has determined in accordance with **Part II, Section II-5** of this RFA, from the submitted and gathered financial and other information, do not possess the financial capability, experience or qualifications to assure good faith performance of the grant agreement.
 3. Those Applicants whose raw score for their Technical Submittal is less than 75% of the total amount of raw technical points allotted to the technical criterion.
 4. Those Applicants that DHS has determined, in accordance with **Part III, Section III-1. E**, from the submitted conflict-free information, are not conflict-free and

either did not propose a plan to become conflict-free or will not be conflict-free by the effective date of the grant agreement.

The Department may further limit participation in the BAFO process to those remaining responsible Applicants that the Department has, within its discretion, determined to be within the top competitive range of responsive applications.

- C. The Evaluation Criteria found in **Part II, Section II-4** of this RFA, shall also be used to evaluate the BAFOs.
 - D. Price reductions offered shall have no effect upon the Applicant's Technical Submittal.
 - E. Any reduction to commitments to SDB and SB must be proportional to the reduction in the total price offered through any BAFO process or grant agreement negotiations unless approved by DGS Bureau of Diversity, Inclusion and Small Business Opportunities ("BDISBO").
- I-20. News Releases.** Applicants shall not issue news releases, Internet postings, advertisements or any other public communications pertaining to this Project without prior written approval of the Department, and then only in coordination with the Department.
- I-21. Restriction of Contact.** From the issue date of this RFA until the Department selects an application for award, the Issuing Officer is the sole point of contact concerning this RFA. Any violation of this condition may be cause for the Department to reject the offending Applicant's application. If the Department later discovers that the Applicant has engaged in any violations of this condition, the Department may reject the offending Applicant's application or rescind its grant agreement. Applicants must not distribute any part of their applications beyond the Issuing Office. An Applicant who shares information contained in its application with other Commonwealth personnel or competing Applicant personnel may be disqualified.
- I-22. Department Participation.** Selected Applicants shall provide all services, supplies, facilities, and other support necessary to complete the identified work, except as otherwise provided in **Part I, Section I-22** of this RFA. The Department will monitor the selected Applicant's performance. Designated Department staff will coordinate and conduct readiness review activities, provide or arrange technical assistance and monitor for compliance with agreement requirements and approved program policies and procedures.
- I-23. Term of Agreement.** The term of each agreement will commence on the Effective Date and will end **three (3) years** after the Effective Date. The Department shall have the option to extend the agreements for one (1) additional two (2) year period. The Department will fix the Effective Date after the agreement has been fully executed by the selected Applicant and by the Commonwealth and all approvals required by the

Commonwealth have been obtained. The selected Applicant shall not start the performance of any work prior to the Effective Date of the agreement and the Commonwealth shall not be liable to pay the selected Applicants for any service or work performed or expenses incurred before the Effective Date of the agreement.

I-24. Applicant's Representations and Authorizations. By submitting its application, each Applicant understands, represents, and acknowledges that:

- A.** All of the Applicant's information and representations in the application are material and important, and the Department will rely upon the contents of the application in awarding the agreement. The Commonwealth may treat any misstatement, omission or misrepresentation as fraudulent concealment of the true facts relating to the application submission, punishable pursuant to 18 Pa. C.S. § 4904.
- B.** The Applicant has arrived at the price(s) and amounts in its application independently and without consultation, communication, or agreement with any other Applicant or potential Applicant.
- C.** The Applicant has not disclosed the price(s), the amount of the application, nor the approximate price(s) or amount(s) of its application to any other firm or person who is an Applicant or potential Applicant for this RFA, and the Applicant shall not disclose any of these items on or before the application submission deadline specified in the Calendar of Events.
- D.** The Applicant has not attempted, nor will it attempt, to induce any firm or person to refrain from submitting an application, or to submit an intentionally high or noncompetitive application or other form of complementary application.
- E.** The Applicant makes its application in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive application.
- F.** To the best knowledge of the person signing the application for the Applicant, the Applicant, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last four (4) years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as the Applicant has disclosed in its application.
- G.** To the best of the knowledge of the person signing the application for the Applicant and except as the Applicant has otherwise disclosed in its application, the Applicant has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the Applicant that is owed to the Commonwealth.

- H. The Applicant and its subcontractors are not currently under suspension or debarment and have not been precluded from participation in any federally funded health care program by the Commonwealth, any other state or the federal government, and if the Applicant cannot so certify, then it shall submit along with its application a written explanation of why it cannot make such certification.
- I. The Applicant has not made, under separate agreement with the Department, any recommendations to the Department concerning the need for the services described in its application or the specifications for the services described in the application.
- J. Each Applicant, by submitting its application, authorizes Commonwealth agencies to release to the Commonwealth information concerning the Applicant's Pennsylvania taxes, unemployment compensation and workers' compensation liabilities.
- K. Until the selected Applicant receives a fully executed and approved written agreement from the Issuing Office, there is no legal and valid agreement, in law or in equity, and the Applicant shall not begin to perform.
- L. The Applicant is not currently engaged and will not during the duration of the agreement engage, in a boycott of a person or an entity based in or doing business with a jurisdiction which the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce.

I-25. Notification of Selection.

- A. **Negotiations.** The Department will notify all Applicants in writing of the Applicants selected for negotiations after the Department has determined, taking into consideration all the evaluation factors, the applications that are the most advantageous to the Department.
- B. **Award.** Applicants whose applications are not selected will be notified when negotiations have been successfully completed and the Department has received the final negotiated agreement signed by each selected Applicant.

I-26. Debriefing Conferences. Upon notification of award, Applicants whose applications were not selected will be given the opportunity to be debriefed. The purpose of the debriefing is to assist the Applicant in understanding some of the strengths and weaknesses of certain aspects of its technical submittal. The Issuing Office will schedule the debriefing at a mutually agreeable time. The debriefing will not compare the Applicant with other Applicants, other than the position of the Applicant's application in relation to all other applications for a service region.

I-27. Use of Electronic Versions of this RFA. This RFA is being made available by electronic means. If an Applicant electronically accepts the RFA, the Applicant acknowledges and accepts full responsibility to ensure that no changes are made to the RFA. In the event of a conflict between a version of the RFA in the Applicant's

possession and the Issuing Office's version of the RFA, the Issuing Office's version shall govern.

I-28. Information Technology Policies. This RFA is subject to the Information Technology Policies ("ITPs") {formerly known as Information Technology Bulletins} issued by the Office of Administration, Office for Information Technology ("OA-OIT"); and DHS Business and Technical Standards created and published by DHS. ITPs may be found at <http://www.oa.pa.gov/Policies/Pages/itp.aspx>. The DHS Business and Technical Standards may be found at <http://www.dhs.pa.gov/provider/busandtechstandards/index.htm>

All applications must be submitted on the basis that all ITPs and DHS Business and Technical Standards are applicable to this procurement. It is the responsibility of the Applicant to read and be familiar with the ITPs and DHS Business and Technical Standards. Notwithstanding the foregoing, if the Applicant believes that any ITP or DHS Business and Technical Standard is not applicable to this procurement, it must list all such ITPs and Business and Technical Standard in its technical response and explain why it believes the ITP or DHS Business and Technical Standard is not applicable. DHS may, in its sole discretion, accept or reject any request that an ITP or DHS Business or Technical Standard not be considered to be applicable to the procurement. The Applicant's failure to list an ITP or DHS Business and Technical Standard will result in its waiving its right to do so later, unless DHS in its sole discretion, determines that it would be in the best interest of the Commonwealth to waive the pertinent ITP or DHS Business and Technical Standard.

* When the terms "include" or "including" are used in this RFA, they mean "includes but not limited to" or "including but not limited to" unless the context indicates otherwise.

PART II

CRITERIA FOR SELECTION

- II-1. Mandatory Responsiveness Requirements.** To be eligible for selection, an application must:
- A.** Be timely received from an Applicant (see **Part I, Section I-11**); and
 - B.** Be properly signed by the Applicant (see **Part I, Section I-12A**).
- II-2. Technical Nonconforming Applications.** The two (2) Mandatory Responsiveness Requirements set forth in **Section II-1** above (A-B) are the only RFA requirements that the Commonwealth will consider to be *non-waivable*. The Department may, in its sole discretion, (1) waive any other technical or immaterial nonconformities in an Applicant's application, (2) allow the Applicant to cure the nonconformity, or (3) consider the nonconformity in the scoring of the Applicant's application.
- II-3. Evaluation.** The Department has selected a committee of qualified personnel to review and evaluate timely submitted applications. Independent of the committee, BDISBO will evaluate the SDB/SB Participation Submittal and provide the Department with a rating for this component of each application. The Department will notify in writing of its selection for negotiation the responsible Applicants whose application are the most advantageous to the Commonwealth as determined by the Department after taking into consideration all evaluation factors.
- II-4. Evaluation Criteria.** The following criteria will be used in evaluating each application:
- A. Technical:** The Department has established the weight for the Technical criterion for this RFA as fifty percent (**50 %**) of the total points. Evaluation will be based upon the following: **Soundness of Approach, Applicant Qualifications, Personnel Qualifications, and Understanding the Problem.**
 - **Soundness of Approach.** This includes the Applicant's technical approach to address all requirements and tasks of the RFA and the extent to which it meets the Project's objectives.
 - **Applicant Qualifications.** This includes the ability of the Applicant to meet the terms of the RFA, including the time constraints involved with the Project and the quality, relevancy, and recentness of projects completed by the Applicant. This also includes the Applicant's ability to undertake a Project of this size.
 - **Personnel Qualifications.** This includes the competence of the personnel who would be assigned to the Project by the Applicant and the sufficiency and appropriateness of the staffing for the Project. Qualifications of professional personnel will be measured by experience and education, with particular reference to experience with services similar to that described in the RFA. Particular

emphasis is placed on the qualifications of the Pennsylvania Program Manager, the Transportation Manager, the Special Needs Coordinator, the Operations Manager and the Customer Support Manager.

- **Understanding the Problem.** This includes the Applicant's understanding of the needs that generated the RFA, of the Commonwealth's objectives, and of the nature and scope of the work involved.

The final Technical scores are determined by giving the maximum number of technical points available to the application with the highest raw technical score. The remaining applications are rated by applying the Technical Scoring Formula set forth at the following webpage:

<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/default.aspx>.

- B. Cost:** The Department has established the weight for the Cost criterion for this RFA as thirty percent (30%) of the total points. The cost criterion is rated by giving the application with the lowest total cost the maximum number of Cost points available. The remaining applications are rated by applying the Cost Formula set forth at the following webpage:

<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/default.aspx>.

- C. Small Diverse Business and Small Business Participation:** BDISBO has established the evaluation weight for the SDB/SB Participation criterion for this RFA as twenty percent (20%) of the total points.

1. The SDB and SB point allocation is based entirely on the percentage of the agreement cost committed to SDBs and SBs. If the Applicant is a SDB, 100% of the agreement cost is allocated to SDB participation. If the Applicant is a SB, 100% of the agreement cost is allocated to SB participation.
2. A total combined SDB/SB commitment of less than one percent (1%) of the total grant agreement cost is considered de minimis and will receive no SDB or SB points.
3. Based on a maximum total of 200 available points for the SDB and SB Participation Submittal, the scoring mechanism is as follows:

SDB and SB Raw Score =

200 (SDB% + (1/3 * SB %))

4. The SDB and SB raw score is capped at 200.

5. The Applicant with the highest raw score will receive 200 points. Each Applicant's raw score will be pro-rated against the highest Applicant's raw score by applying the formula set forth on the following webpage:
http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/RFA_SCORING_FORMULA.aspx.
6. The Applicant's prior performance in meeting its obligations to SDBs and SBs will be considered by BDISBO during the scoring process. To the extent the Applicant has failed to meet prior commitments, BDISBO may recommend to the Issuing Office that the Applicant be determined non-responsible for the limited purpose of eligibility to receive SDB and SB points.

D. Domestic Workforce Utilization: Any points received for the Domestic Workforce Utilization ("DWU") criterion are bonus points in addition to the total points for this RFA. The maximum amount of bonus points available for this criterion is three percent (3%) of the total points for this RFA.

To the extent permitted by the laws and treaties of the United States, each application will be scored for its commitment to use domestic workforce in the fulfillment of the agreement. Maximum consideration will be given to those Applicants who will perform direct labor exclusively within the geographical boundaries of the United States or within the geographical boundaries of a country that is a party to the World Trade Organization Government Procurement Agreement. Those who propose to perform a portion of the direct labor outside of the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement will receive a correspondingly smaller score for this criterion. See the following webpage for the DWU Formula:

<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/default.aspx>.

II-5. Applicant Responsibility. To be responsible, an Applicant must submit a responsive application and possess the capability to fully perform the agreement requirements in all respects and the integrity and reliability for the good faith performance of the agreement.

In order for an Applicant to be considered responsible for this RFA and eligible for selection for BAFO or selection for negotiations:

- A. The total raw score for the Technical Submittal of the Applicant's application must be greater than or equal to **75%** of the **available raw technical points**; and
- B. The Applicant's financial information must demonstrate that the Applicant possesses the financial capability to ensure good faith performance of the agreement. The Commonwealth will review the Applicant's previous three (3) financial statements, any additional information received from the Applicant, and any other publicly-available financial information concerning the Applicant and assess each Applicant's

financial capacity based on calculating and analyzing various financial ratios, and comparison with industry standards and trends.

An Applicant that fails to demonstrate sufficient financial capability to ensure good faith performance of the agreement as specified may be considered by the Department, in its sole discretion, for BAFO or negotiations contingent upon such Applicant providing performance security for the first agreement year cost proposed by the Applicant in a form acceptable to the Department. Based on the financial condition of the Applicant, the Department may require a certified or bank (cashier's) check, letter of credit, or a performance bond conditioned upon the faithful performance of the agreement by the Applicant. The required performance security must be issued or executed by a bank or surety company authorized to do business in the Commonwealth. The cost of the required performance security will be the sole responsibility of the Applicant and cannot increase the Applicant's cost application or the agreement cost to the Commonwealth.

Further, the Department will award an agreement only to Applicants determined to be responsible in accordance with the most current version of Commonwealth Management Directive 215.9, Contractor Responsibility Program.

II-6. Final Ranking and Award.

- A.** For each service region, the Issuing Office will combine the evaluation committee's final technical scores, BDISBO's final SDB and SB Participation Submittal scores, the final cost scores, and (when applicable) the DWU scores, in accordance with the relative weights assigned to these areas as set forth in this **Part II**.
- B.** The Issuing Office will rank the responsible Applicants for each service region according to the total overall score assigned to each, in descending order.
- C.** For each service region and except as provided in **Part II, Section II-6.D., and E.**, the Department must select for negotiations the Applicant with the highest overall score.
- D.** The Department will not award more than two (2) service regions to one Applicant. If an Applicant receives the highest score in each of the three service regions, the Department will award that Applicant the two service regions in accordance with its preferred order of award unless such an award results in a service region for which no responsible Applicant exists. In this instance, the Department will award the highest scoring Applicant for all service regions, its first and third stated preferences for award. The Department will award the third service region to the second highest scoring applicant for that service region based on the scores calculated in **Part II, Section II-6.A.**
- E.** For one, two, or all three service regions, the Department has the discretion to reject all applications or cancel the RFA, at any time prior to the time an agreement is fully

executed, when it is in the best interests of the Commonwealth. The reasons for the rejection or cancellation shall be made part of the RFA file.

PART III

TECHNICAL SUBMITTAL

III-1. Requirements.

A. Disaster Recovery. The selected Applicants must develop and document a Disaster Recovery (“DR”) plan for electronic records and files maintained by the selected Applicants. The selected Applicants must utilize reasonable data backup and DR procedures to prevent loss of information and an interruption in the use of its proposed systems.

The selected Applicants must:

- a. Describe its data backup and DR plans for restoring and maintaining operations during natural or human-induced disasters, or any other occurrence that damages systems or data.
- b. Provide detailed information regarding its backup and DR systems, architecture/frameworks, capabilities, governance, and procedures.
- c. Describe how its backup and DR plans enable the continuation of critical business processes for the protection and security of the data.
- d. Provide an annual update of the data backup and DR plan and the DR plan testing process and testing frequency.

B. Emergency Preparedness. To support continuity of operations during an emergency, the Commonwealth needs a strategy for maintaining operations for an extended period of time. One part of this strategy is to ensure that entities providing critical grant services to MA consumers have planned for such an emergency and put contingencies in place to provide needed services.

1. Describe how you anticipate such a crisis will impact your operations, particularly the customer service center functions.
2. Describe your emergency response continuity of operations plan. Please attach a copy of your plan, or, at a minimum, summarize how your plan addresses the following aspects of preparedness:
 - a. Employee training (describe your organization’s training plan, and how frequently your plan will be shared with employees).
 - b. Identified essential functions and key employees (within your organization) necessary to carry them out.
 - c. Contingency plans for:

- i. How your organization will handle staffing issues when a portion of key employees are incapacitated due to illness or other reasons.
 - ii. How employees in your organization will carry out the essential functions if prevented from coming to the primary workplace.
 - iii. How your organization will manage operations in the event of a disruption in the availability of transportation services, such as a transit strike, extreme weather.
- d. How your organization will communicate with staff, the Commonwealth and suppliers when primary communications systems are overloaded or otherwise fail, including key contacts, chain of communications (including suppliers), etc.
 - e. How and when your emergency plan will be tested, and if the plan will be tested by a third-party.

C. Lobbying Certification and Disclosure of Lobbying Activities. This Project will be funded, in whole or in part, with federal monies. Public Law 101-121, Section 319, prohibits federal funds from being expended by the recipient or by any lower tier sub-recipients of a federal contract, grant, loan, or a cooperative agreement to pay any person for influencing, or attempting to influence a federal agency or Congress in connection with the awarding of any federal contract, the making of any federal grant or loan, or entering into any cooperative agreement. All parties who submit applications in response to this RFA must sign the **Lobbying Certification Form**, attached as **Appendix I**, and if applicable, complete the **Disclosure of Lobbying Activities Form**, also attached as **Appendix I**.

D. Regulatory Compliance. The selected Applicants must comply with the following federal and state regulatory requirements and restrictions, as may be amended, as they may apply to this Project.

1. The selected Applicant must comply with Title VI and VII of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d *et seq.* and 2000e *et seq.*), Title IX of the Education Amendments of 1972 (regarding education programs and activities), the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 *et seq.*), the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), the Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*), Section 1557 of the Patient Protection and Affordable Care Act and the Pennsylvania Human Relations Act of 1955 (43 P.S. § 951 *et seq.*), as amended. The selected Applicant must have working knowledge of, and all services provided must be compliant with applicable federal, state, and local laws and regulations.
2. The selected Applicant and its subcontractors, must also comply with all other Federal and State laws in general and specifically those that govern the MA Program, including but not limited to:

- a. Title XIX of the Social Security Act, 42 U.S.C. §§1396-1396v, and accompanying regulations, including 42 C.F.R. § 440.170.
 - b. The Pennsylvania Human Services Code, Act of June 13, 1967, Pub. L. 31, No. 21, as amended (62 P.S. §§ 101 et seq.) and regulations.
3. If amendments, revisions or additions to the requirements of State or Federal law, regulations, guidelines, populations served or policies (including IT standards) occur after the Effective Date, the selected Applicant and DHS will meet to determine the impact of such changes on the transportation requirements. Each selected Applicant will investigate the impact of the change on its requirements and price. If DHS and the selected Applicants agree on the results of the investigation and any necessary modifications to the agreement, the agreement will be modified to take into account the agreed upon changes and the change will be implemented. If the change is within the scope of the agreement and does not require modification of its provisions, DHS will issue a change order in accordance with the Standard Grant Terms and Conditions (**Appendix S**). If the change is within the scope of the agreement but requires modification of other provisions, DHS and the selected Applicant will execute a written amendment.

Significant changes include substantial and sustained increases or decreases in trip volumes over several months other than those caused by the routine monthly fluctuation in the MA population. In instances of temporary increases in trip volumes caused by or changes in the design of existing programs, the Department may agree to a temporary increase in the PMPM rate during the affected period. These temporary fees will be negotiated and will be incorporated into the Grant pursuant to the Standard Grant Terms and Conditions (**Appendix S**).

E. Referral and Conflict Free Requirements. The selected Applicants are subject to the requirements related to prohibitions on referrals and conflicts of interest as described at 42 CFR §440.170(a)(4) (ii). The selected Applicant is liable for the full costs of services resulting from a prohibited referral or subcontract. As the transportation broker, each selected Applicant:

- 1. Is prohibited from providing transportation services. This prohibition includes the selected broker's owners, investors, Board of Directors, corporate officers, contractors and employees.
- 2. Is prohibited from making a referral or subcontracting to a transportation service provider if:
 - a. The selected Applicants has a financial relationship with the transportation provider as defined at 42 C.F.R. § 411.354(a) with the term "selected Applicant" substituted for the term "physician" and the term "NEMT" substituted for "DHS."

- b. The selected Applicants has an immediate family member, defined as husband, wife, adoptive or birth parent, child, sibling, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, grandchild and spouse of a grandparent or grandchild who has a direct or indirect financial relationship with the transportation provider.
- c. In accordance with 42 C.F.R. § 440.170(a)(ii)(B), these prohibitions do not apply if documentation supports the following:
 - 1. Transportation is provided in a rural area, as defined at 42 C.F.R. § 412.62(f), and no other MA participating provider or other provider determined by the State to be qualified is available except the non-governmental broker.
 - 2. Transportation is so specialized that no available MA participating provider or other provider determined by the State to be qualified is available except the non-governmental broker.
 - 3. With the exception of the non-governmental broker, the availability of other MA participating providers or other providers determined by the State to be qualified is insufficient to meet the need for transportation.
 - 4. The broker is a government entity and the individual service is provided by the broker, or is referred or subcontracted to another government-owned or operated transportation provider generally available in the community, if:
 - i. The agreement with the broker provides for payment that does not exceed the actual costs calculated as though the broker were a distinct unit, and excludes from payments any personnel or other costs shared with or allocated from parent or related entities; and the governmental broker maintains an accounting system such that all funds allocated to the MA brokerage program and all costs charged to the brokerage program will be completely separate from any other program;
 - ii. The broker documents that, with respect to the individual's specific transportation needs, the government provider is the most appropriate and lowest cost alternative; and
 - iii. The broker documents that the MA program is paying no more for fixed route public transportation than the rate charged to the general public and no more for public paratransit services than the rate charged to other State human services agencies for comparable services.
- 3. Is prohibited from withholding necessary transportation from a MA Consumer for the purposes of financial gain, or any other purpose.
- 4. Is prohibited from authorizing transportation that is not the most appropriate and cost-effective means of transportation for a MA Consumer for the purposes of financial gain, or for any other purposes.
- 5. May not accept an offer or payment or other remuneration, including a kickback, rebate, cash, gift or service in kind made by a transportation service provider in order to influence referrals or subcontracts for transportation services.

6. Is prohibited from paying more for fixed route public transportation than the rate charged to the general public and more for public para-transit services than the rate charged to other state human service agencies.
7. Must provide the Department with an annual written statement certifying its compliance with the referral and conflict free requirements stated in this RFA **Part III-1, Section E.**

The Department will not select for grant award any entity that is not conflict free at the time of Application submission or if in the Department's opinion, the submitted conflict-free plan fails to adequately address the conflict free requirements. If the Offeror is not conflict free at the time of application submittal, the Applicant must submit a detailed work plan, detailing the sequencing of events and the time required to become conflict free and must sufficiently demonstrate that the Applicant will meet the conflict free requirements prior to the start of the grant agreement. The Department will review the information and assess the Offeror's plan, both for its feasibility and sufficiency, in meeting the conflict free requirements.

F. Confidentiality Requirements. The selected Applicants must comply with all federal and state laws and regulations related to the use and disclosure of information, including information that constitutes Protected Health Information ("PHI") as defined by the Health Insurance Portability and Accountability Act ("HIPAA") of 1996, Pub. L. 104-191, and privacy regulations in 45 C.F.R. Parts 160 and 164 Subparts A and E. The selected Applicants will comply with the Business Associate Addendum contained in **Appendix J** of this RFA. In accordance with federal and state law, the selected Applicants must also safeguard information relating to MA consumers. See 42 C.F.R. Part 431 Subpart F and 55 Pa. Code Chapter 105.

By state and federal law, the selected Applicants are required to maintain MA consumer confidentially except with regard to such information as is necessary to authorize and order required transportation services. The selected Applicant staff must sign a Confidentiality Statement, which includes a prohibition of disclosing personal information about MA consumers and their medical diagnoses to other individuals, including transportation providers. Each selected Applicant may communicate to a transportation provider the following information as may be necessary to meet a consumer's needs: physical limitations, need for assistance, special equipment used by consumer, emotional problems affecting consumer during transport, and need for assistance entering or exiting a vehicle or getting to or from the vehicle and home or their destination.

III-2. Statement of the Problem. State in succinct terms your understanding of the problem presented, or the service required by this RFA. The Applicant's response should demonstrate that the Applicant fully understands the scope of services to be provided, the Applicant's responsibilities, and how the Applicant will effectively manage the provision of transportation services.

III-3. Management Summary. Include a narrative description of the proposed effort and a list of the items to be delivered or services to be provided. The summary will condense and highlight the contents of the Technical Submittal in a manner that allows a broad understanding of the entire Technical Submittal.

III-4. Prior Experience. The Applicant should include experience in the providing transportation brokerage services, mobility management or other similar experience. Experience should be work done by individuals who will be assigned to this Project as well as that of your company. Projects referred to must be identified and the name of the customer shown, including the name, address and telephone number of the responsible official of the customer, company, or agency who may be contacted.

A. Corporate Background. The Applicant must describe the corporate history and relevant experience of the Applicant and any subcontractors. This section must detail information on the ownership of the company (names and percentages of ownership), the date the company was established, the date the company began operations, the physical location of the company, and the current size of the company. The Applicant must provide a corporate organizational chart.

The Applicant must describe its corporate identity, legal status, including the name, address, telephone number, and email address for the legal entity that is submitting the application(s). In addition, the Applicant must provide the name of the principal officers, a description of its major services, including whether it provides services as a NEMT provider. List any specific licenses and accreditations held by the Applicant.

Applicants must provide similar organizational background information for any significant subcontractor. A “significant subcontractor” is defined as an organization undertaking more than ten percent (10%) of the total cost of the work associated with this RFA.

If an Applicant is proposing to use the services or products of a subsidiary or affiliated firm, the Applicant must describe the business arrangement with that entity and the scope of the services, including whether it provides services as a NEMT provider, and the services that the entity will provide.

If the experience of any proposed subcontractor is being used to meet the qualifications and requirements of this RFA, the Applicant must provide the same information as listed in this section for the subcontractor. This information must be presented separately within this section, clearly identifying the subcontractor experience and name of the subcontractor.

Applicant also should describe their experience or similar experience in the following:

1. Developing cost effective strategies that increase access and quality and reduce cost in the context of transportation, healthcare or other human service areas.
2. Developing targeted outreach materials.
3. Implementing mobility management strategies as a systems approach to managing transportation resources.
4. Operation and management of a Customer Service Center.
5. Experience in managing subcontracted paratransit providers or other subcontractors.
6. Implementation and use of processes to establish, monitor, and measure continuous quality improvement in the areas of transportation service delivery, customer service, and overall management.
7. Working with populations with special needs.
8. Working with community organizations and designing, developing, and operating programs that involve community stakeholders in determining program improvement initiatives and outreach efforts.
9. Developing transportation networks.

B. References. The Applicant must provide a list of at least three (3) relevant contacts within the past three (3) years to serve as corporate references. The references must be outside clients (non-DHS). This list shall include the following for each reference:

1. Name of customer
2. Type of contract
3. Contract description, including type of service provided
4. Total contract value
5. Contracting officer's name and telephone number
6. Role of subcontractors (if any)
7. Time period in which service was provided

The Applicant must submit **Appendix D, Corporate Reference Questionnaire**, directly to the contacts listed. The references must return the completed questionnaires in sealed envelopes to the Applicant. The Applicant must include these sealed references with its Technical Submittal under **Tab 12**.

The Applicant must disclose any contract or agreement cancellations, or terminations within five (5) years preceding the issuance of this RFA. If a contract or agreement was canceled or terminated for lack of performance, the Applicant must provide details on the customer's allegations, the Applicant's position relevant to the allegations, and the final resolution of the cancellation or the termination. For each terminated or cancelled agreement or contract, the Applicant must include each customer's Company or entity name, address, contact name, phone number, and email address.

The Department may disqualify an Applicant based on a failure to disclose such a cancelled or terminated contract or agreement. If the Department learns about such a failure after an agreement is awarded, the Department may terminate the agreement.

III-5. Personnel

A. Applicant Personnel. Include the number of executive and professional personnel, analysts, auditors, researchers, programmers, consultants, and other staff who will be engaged in the work. Show where these personnel will be physically located during the time they are engaged in the Project. For “Key Personnel”, defined as Pennsylvania Program Manager, Transportation Manager, Special Needs Coordinator, Operations Manager, and Customer Support Manager, include the employee’s name and, through a resume or similar document, the Project personnel’s education and experience with similar size and scope projects. Indicate the responsibilities each individual will have in this Project and how long each has been with your company. The general responsibilities and preferred qualifications for each Key Personnel are as follows:

- 1. Pennsylvania Regional Program Manager.** This person should have large project management skills, knowledge of mobility management concepts, knowledge of health care and Medicaid, and experience with low-income populations, including special needs populations and community-based organizations or other similar experience, and leadership skills. In addition, this person should have a background in business and management in either the public or private sector. This individual will be responsible for identifying and reinforcing agreement requirements and will be responsible and accountable for all activities related to the services required by this RFA. The Pennsylvania Regional Program Manager must be available for scheduled and ad hoc meetings and consultation.
- 2. Transportation Manager.** This person should have experience or similar experience in the oversight of transportation service delivery in the areas of quality assurance, compliance, driver training, vehicle inspections, field investigations and mobility management. This individual oversees and manages relationships with subcontracted providers and is responsible for timely service delivery from subcontracted providers.
- 3. Special Needs Coordinator.** This person should have demonstrated experience in working with special needs populations similar to those served by the MA Program or other similar experience. This person is responsible for coordinating NEMT and non-medical transportation services on behalf of consumers with special needs. The person shall serve as a liaison between special need consumers and their physical and behavioral health plan, medical and waiver providers and other health and human service systems in arranging transportation, as necessary.
- 4. Operations Manager(s).** The Department will allow flexibility for the Applicant to designate how many individuals are necessary for this position in order to handle the day-to-day operations. The individual(s) should have operations management and community relations skills.

5. Customer Support Manager. This person must have an ability to manage a large volume Customer Service Center that provides assistance to low- income and vulnerable populations or other similar experience.

Submitted responses are not to include personal information that will, or will be likely to, require redaction to release of the application under the Pennsylvania Right-to-Know Law, including but not limited to home addresses and phone numbers, Social Security Numbers, driver's license numbers or numbers from state identification cards issued in lieu of a driver's license, and financial account numbers. If the Commonwealth requires any of this information, the information will be requested separately and as necessary.

Include organizational charts outlining the staffing, reporting relationships and staff members in its description. Show the total number of staff proposed and indicate the Full Time Equivalents ("FTE") to account for any additional staff (non-Key Personnel) that are not assigned on a full-time basis. Provide similar information for any subcontractors that are proposed. The organizational chart must illustrate the lines of authority, designate the positions responsible and accountable for the completion of each component in the RFA, indicate the job position and title and number of personnel that will be assigned to each role, and the number of hours per week each person is projected to work on the Project. The organizational chart must clearly indicate any functions that are subcontracted along with the name of the subcontracting entities and the services they will perform.

For personnel other than Key Personnel, identify positions and include position descriptions for each position (these may be included as an attachment) for the proposed team, including minimum education, experience and training requirements and primary responsibilities.

Identify the Implementation team, including corporate staff, who will be involved during the Readiness Review and Implementation phase of the Project, including their roles and responsibilities.

Provide a timeline and strategy for hiring a sufficient number of qualified professional and technical staff to comply with the requirements of the RFA.

A minimum of three (3) client references for each Key Personnel must be identified. All client references for Key Personnel must be outside clients (non-DHS) who can give information on the individual's experience and competence to perform project tasks similar to those requested in this RFA. Key Personnel may be a member of the Applicant's organization, or any subcontractor included in the Applicant's application.

The Applicant must submit **Appendix E, Key Personnel Reference Questionnaire**, directly to the contacts listed. The references must return completed questionnaires in

sealed envelopes to the Applicant. The Applicant should include these sealed references with its application under **Tab 13**.

Key Personnel Diversions or Replacement. Once Key Personnel are approved by the Department, a selected Applicant may not divert or replace personnel without prior approval of the Department's Grant Administrator. The selected Applicant must provide notice of a proposed diversion or replacement to the Department's Grant Administrator at least thirty (30) days in advance and provide the name, qualifications, and background check (if required) of the person who will replace the diverted personnel. The Department's Grant Administrator will notify the selected Applicant within ten (10) business days of the diversion notice whether the proposed diversion is acceptable and if the replacement was approved.

"Divert" or "diversion" is the transfer of personnel by the selected Applicant or its subcontractor to another assignment within the control of either the Applicant or subcontractor. Advance notification and approval does not include changes in Key Personnel due to resignations, death, disability, dismissal for cause or dismissal as a result of the termination of a subcontract or any other causes that are beyond the control of the selected Applicant or its subcontractor. The Department's Grant Administrator must approve the replacement personnel.

The Department's Grant Administrator may request that a selected Applicant remove a person from this Project at any time. In the event that a person is removed from the Project, the selected Applicant will have ten (10) days to fill the vacancy with a person acceptable in terms of experience and skills, subject to the Department Grant Administrator's approval.

B. Subcontractors: Provide a subcontracting plan for all subcontractors, including SDB and SB subcontractors, who will be assigned to the Project. The selected Applicant are prohibited from subcontracting or outsourcing any part of this Project without the express written approval of the Commonwealth. Upon award of a grant agreement resulting from this RFA, subcontractors included in the application are deemed approved. For each position included in your subcontracting plan, provide:

1. Name of subcontractor;
2. Address of subcontractor;
3. Number of years worked with the subcontractor;
4. Number of employees by job category to work on this project;
5. Description of services to be performed;
6. What percentage of time the staff will be dedicated to this project;
7. Geographical location of staff; and
8. Resumes (if appropriate and available).

The Applicant's subcontractor information shall include (through a resume or a similar document) the employees' names, education and experience in the services outlined in this RFA. Information provided shall also indicate the responsibilities

each individual will have in this Project and how long each has been with subcontractor's company.

- III-6. Training.** If appropriate, indicate recommended training of agency personnel. Include the agency personnel to be trained, the number to be trained, duration of the program, place of training, curricula, training materials to be used, number and frequency of sessions, and number and level of instructors.
- III-7. Financial Capability.** Describe your company's financial stability and economic capability to perform the agreement requirements. Provide your company's financial statements (audited, if available) for the past three fiscal years. Financial statements must include the company's Balance Sheet and Income Statement or Profit/Loss Statements. Also include a Dun & Bradstreet comprehensive report, if available. The Commonwealth may request additional information to evaluate an Applicant's financial capability.
- III-8. Work Plan.** Describe in narrative form your technical plan for accomplishing the work. Use the task descriptions and project phases provided below as a reference point. Indicate the number of person hours allocated to each task. Include a Program Evaluation and Review Technique ("PERT") or similar type display, time related, showing each event. If more than one approach is apparent, comment on why you chose your approach. The relationship between Key Personnel and the specific tasks, assignments, and deliverables proposed to accomplish the scope of work should also be described. Indicate the number of staff hours allocated to each task.

The Applicant should describe its management approach, including how it will implement its proposed work plan. Where applicable, the Applicant should provide specific examples of methodologies or approaches, including monitoring approaches, it will use to fulfill the RFA requirements and examples of similar experience and approach on comparable projects. The Applicant should describe the management and monitoring controls it will use to achieve the required quality of services and all performance requirements. The Applicant should also address its approach to internally monitor and evaluate the effectiveness of meeting the agreement requirements.

The work plan must include the planned approach and process for establishing and maintaining communication between all parties and a technical approach that is aligned with all written specifications and requirements contained in the RFA. The Applicant should clearly state how the objectives of the project will be met and how each task will be performed. Where the application deviates from the RFA work statement, the Applicant should explain why.

Tasks:

- A. Readiness Review and Implementation Phase.** The Department will provide each selected Applicant up to six (6) months to develop and ramp-up services. The Department may continue to develop the elements, program standards, and forms to be used for the Readiness Review. Describe your plan to meet the following

requirements and include a PERT or similar display, time related, showing each event.

1. Readiness Review Process.

- a. On the Effective Date of the agreement, each selected Applicant will begin participation in Readiness Review. Through Readiness Review, the Department will document the status of each selected Applicant with respect to meeting the agreement requirements. The Department will not permit a selected Applicant to serve consumers if the Applicant does not show acceptable evidence of readiness relative to each agreement requirement.
- b. The Department will review each selected Applicant's organizational policies and procedures to confirm they comply with applicable State and Federal laws and regulations, and agreement requirements.
- c. Each selected Applicant must acquire sufficient knowledge of Pennsylvania's MATP and the transportation requirements for NFCE eligible consumers to understand and carry out the agreement requirements in an effective and timely manner.
- d. Each selected Applicant must effectively coordinate and work with designated stakeholders, the incumbent, and third-party vendors, if applicable, during the Readiness Review phase to perform and manage all tasks.
- e. Each selected Applicant must conduct Readiness Review activities so as to allow for a smooth transition of the on-going business and operational activities currently being provided to consumers.
- f. Each selected Applicant must assume ownership and independently manage the operational business functions and timely delivery of services to MA consumers for its service region without disruption.
- g. Each selected Applicant must develop and maintain a complaint process for MA consumers that has been approved by the Department prior to implementation.
- h. Each selected Applicant must have an understanding of subsidized public transit programs in Pennsylvania, including an understanding of demand-responsive public transportation ("shared ride services") and the Free Transit Program for Seniors.

2. Implementation Work Plan. Applicants should submit a detailed Implementation Work Plan and not simply a statement pledging to comply with the RFA requirements. The Applicant's Implementation Work Plan should include, the following elements:

- a. **Staffing.** The proposed schedule for recruitment and hiring of all proposed staffing.
- b. **Training Schedule.** The training schedule for all staff, including a timeline for completion of training materials.

- c. **Customer Service Center Responsibilities.** The plan and timeframe to transition the Customer Service Center responsibilities from the incumbent and/or to operationalize new centers as may be required for the region.
 - d. **Operational Responsibilities.** The plan and timeframes for Applicant and the incumbent to transition trip data on individual consumers to include name and address, pick-up and drop-off times, locations, mode of transportation, and strategy for subcontracts with service delivery organizations and providers.
 - e. **Materials Development and Production.** The plan and timeline for material development and production, which includes time for Department review and approval. Include dates for concept development, solicitation of MA Consumer and community comments if new materials are developed, including drafts, final product, printing and mailing.
 - f. **Telephone Hardware Installation.** The process and timeline for implementing and testing a fully operational telephone system, including planned dates for purchase or lease, installation start and end, and testing.
 - g. **Software.** The process and timeline for implementing and testing trip scheduling software.
3. **Initial Notice and Consumer Handbook.** Each selected Applicant must develop a Consumer Handbook, at a minimum, for all users of transportation services prior to the selected Applicant assuming responsibility for the provision of transportation services. In an initial notice sent with the Handbook, the selected Applicant shall inform consumers of the availability of transportation services, including the Applicant's name, address, telephone numbers, and hours of operation, as well as a brief description of how to utilize the selected Applicant to arrange for transportation services. All consumer notices and handbooks must be approved by the Department prior to mailing or distributing.
 4. **Implementation Quality Management.** Describe your approach for quality management during the implementation phase, including processes, procedures, assessments and accountability controls.
 5. **Implementation Progress.** During the implementation phase, each selected Applicant must provide progress assessments and status updates. A selected Applicant will have regular status meetings with the Department's Readiness Review Team, which will be either face-to-face or via conference call. Each selected Applicant must coordinate with the Department regarding implementation tasks, prioritization of issues or conflicting activities interfering with implementation tasks. Describe how you will meet this requirement.
 6. **Use Effective Security Measures.** Each selected Applicant must have a system with security measures in place to prevent the unauthorized use of, or access to, data. Each selected Applicant must maintain the confidentiality of all

information and only use information available to it to fulfill its obligations under a resulting agreement. Describe the Applicant's system and security measures to protect the confidentiality of all information, and to prevent the unauthorized use of or access to data. Include how the Applicant will comply with all applicable confidentiality requirements, including HIPAA and requirements relating to safeguarding information relating to consumers of public assistance.

- 7. Resolution of Information Technology (IT) Problems.** Each selected Applicant must have an IT system that is operational and shall resolve systems problems when they occur.
 - 8. Implementation Results.** At the end of the implementation phase, each selected Applicant will prepare a Readiness Review and Implementation Results Report. This report will document the completion of transition activities and will provide the status of each high-level task and activity that took place during the implementation period. The report will highlight how the selected Applicant achieved each of the objectives stated in the Implementation Plan and the resolution of issues identified and prioritized during the transition process. Describe how you will meet this requirement.
- B. Inform and Educate MA Consumers.** The selected Applicant must inform and educate MA consumers about the availability and services of MATP and non-medical transportation in its service region. The selected Applicant must develop a basic informational brochure for its service region to be available at County Assistance Offices ("CAOs") and district offices, high volume MA-enrolled medical service providers, human services and community agencies, social service agencies, and other appropriate locations. Materials shall also be made available on the Applicants website. The Applicant must address, at a minimum:
1. A description of the availability of services;
 2. Eligibility for services;
 3. The service authorization process; and
 4. How to access and use the services properly.

Describe the Applicant's approach to informing consumers about services. Include examples of outreach materials as attachments.

- C. Consumer Handbook.** Each selected Applicant must mail and make available a Consumer Handbook to MA consumers requesting NEMT or non-medical transportation within five (5) business days of the request for services. The handbook must address, at a minimum:
1. A description of MATP and non-medical transportation policies and requirements
 2. How to obtain and maintain services;
 3. Complaint and Fair Hearing procedures and timeframes;

4. How to access auxiliary aids and services, including alternate formats and languages;
5. The toll-free Customer Service telephone number;
6. How to report suspected fraud and abuse;
7. How to use the services properly; and
8. Consumer rights and protections.

Please provide samples of similar documents developed for comparable projects.

D. Written Materials. The selected Applicant must submit all written material to be communicated to consumers to the Department for advance written approval prior to distribution.

1. **Consumer Materials.** The selected Applicants must prepare and distribute written consumer information in a manner and format that is easily understandable and readily accessible to consumers in compliance with 42 C.F.R. § 438.10. The material must be written at no higher than a sixth (6th) grade reading level, use a font size no smaller than 12 points and include taglines as specified in **Section III-8. E.** The selected Applicants may not provide consumer information electronically unless: the format is readily accessible as defined in 42 C.F.R. §438.10(a); the information is placed on a location on the selected Applicant’s website that is prominent and readily accessible; the information can be electronically retained and printed and is consistent with the content and language requirements of 42 C.F.R. § 438.10 and the consumer is informed that the information is available upon request in paper form without charge and the selected Applicant provides the requested information within five (5) business days of a request.

For electronic services and information, the term “readily accessible” includes compliance with current accessibility standards such as Section 504 of the Rehabilitation Act and W3C’s Web Content Accessibility Guidelines 2.0 and successor versions.

2. Each selected Applicant must produce sufficient materials to respond to all information requests for its service region. Some requests, such as from medical providers and advocates, may be fulfilled by referral to a website with downloadable information.
3. Upon request by the Department, the selected Applicant must develop and distribute additional mailings to announce special initiatives or policy or program changes. Each selected Applicant must develop such materials in the form and context approved and required by the Department. The selected Applicants will provide mailings at least thirty (30) business days in advance.
4. If the selected Applicant changes any policy, process, or procedure that materially affects how MATP or waiver users access transportation services

and that have been approved by the Department, the selected Applicant must provide notice to the affected consumers at least thirty (30) business days in advance of the change.

E. Limited English Proficiency (“LEP”). Each selected Applicant must comply with the language requirements of 42 C.F.R. § 438.10(d). Upon request, the selected Applicant must provide, at no cost to the consumer, oral interpretation services in the requested language, written translations in prevalent non-English languages, sign language interpreter services or other alternate forms of communication to meet the needs of the consumer.

1. The selected Applicants must notify consumers of the availability of oral interpretation services for any language and written translations for prevalent non-English languages, including information on how to access, or receive assistance with accessing, desired materials in an alternate language. The selected Applicant must also post this information on its website.
2. The selected Applicant must make all vital documents disseminated to English speaking consumers available in prevalent non-English alternative languages, upon request and at no cost to the consumer. Vital documents include, but are not limited to, informational brochures, appeal notices and consumer handbooks. The selected Applicants must include on its written material taglines in prevalent non-English languages and large print (no smaller than 18-point font) explaining the availability of written translations and oral interpretation services as well as provide the selected Applicant’s toll-free and TTY/TDY telephone numbers.

Describe how you will meet the LEP requirements of 42 C.F.R. §438.10 and Title VI in providing meaningful access for individuals with LEP.

F. Alternate Formats and Auxiliary Aids and Services Requirements. Upon a consumer’s request and at no cost to the consumer, the selected Applicants must provide alternative formats of communication and auxiliary aids and services for consumers with disabilities as required by 42 C.F.R. § 438.10(d), including Braille, audio tapes, large print, compact disc, DVD, computer diskette, and/or electronic communication. The selected Applicants must notify consumers of the availability of alternate formats and auxiliary aids and services and include appropriate instructions on all materials about how to access, or receive assistance with accessing, desired materials.

Describe how you will meet the alternate format and auxiliary aids and services requirements of 42 C.F.R. § 438.10 and meet the needs of individuals who require such formats and services.

G. Operate a Customer Service Center. Each selected Applicant will establish and maintain an Customer Service Center for its service region in accordance with the following:

1. Establish and maintain a Customer Service Center physically located in its service region.
2. Utilize a toll-free number for consumers.
3. Have sufficient staffing at the Customer Service Center to meet the following functions:
 - a. Provide education and information to consumers, medical providers, and the general public on MATP and transportation available to NFCE eligible consumers;
 - b. Communicate clearly and act in a responsible, courteous and professional manner;
 - c. Verify consumer eligibility for MATP and non-medical transportation for NFCE eligible consumers;
 - d. Assess a consumer's needs for transportation services, including determining that transportation is not otherwise available and not covered by other programs or funding;
 - e. Select the most appropriate and least costly transportation mode to meet a consumer's cognitive and physical needs; and
 - f. Arrange transportation for consumers.

Describe the Applicant's approach to operating an effective Customer Service Center. The Applicant's approach should include, but not be limited to, staffing structure, staff qualifications and training. Include examples of scripts and any other pertinent materials that Customer Service staff would use to interact and work with consumers, medical providers, and the general public to meet the above requirements.

4. Operate a Customer Service Center seven (7) days a week, Monday through Sunday, from at least 6:00 a.m. to 9:00 p.m., except for official state-employee work cancellations for inclement weather, natural disasters, or other Commonwealth-declared emergencies. The Department may require expanded hours, if the Department determines a need. The selected Applicants may not use electronic call answering methods as a substitute for staff persons to perform services during operational hours.

Please describe how call center hours will differ from operating hours, i.e. hours of which transportation will be provided.

5. Provide electronic call answering methods for the toll-free phone line for messages during non-operational hours. Each selected Applicant's staff must return all after hours calls the next business day. During non-operational hours, the selected Applicants must provide electronic messages in prevalent non-English languages, as determined by the Department. The recording must be first in English and must provide general information about the MATP and the available non-medical transportation services and give the caller options to hear

the message repeated in the prevalent language

6. Develop and submit with its technical submittal a plan for hiring Customer Service Center staff to address overflow calls and for handling sudden and unexpected increases in call volumes so that the Applicant meets performance standards. The Applicant should also address its plan for providing coverage when staff is temporarily unavailable such as for staff training, illness or vacations. The Applicant should describe how they would implement and coordinate its plan with the Department.

If the Department changes its current MA Program so that the change affects services provided under the agreement, the selected Applicant must analyze staffing needs, and modify required staffing, as needed. The selected Applicant will review its contingency plan each renewal term, or as directed by the Department, and submit modifications to the Department for approval prior to use.

7. Have a telecommunications system as part of its operation of the Customer Service Center. Each selected Applicant's system must have the capability to record all incoming and outgoing calls. The staff, or an automated message, will inform callers that calls may be recorded and monitored for quality assurance purposes.
8. Store all recorded incoming and outgoing calls for a minimum of thirty (30) calendar days from the date of the call. The selected Applicant must archive all calls for a maximum of seven (7) years from the date of the call. The selected Applicant must provide the Department with any recorded call within three (3) business days of the Department's request.
9. Collect, document and store consumer specific information, such as language preference, communication needs and other information that may impact transportation needs, on all inquiries and calls from consumers. Describe the system the Applicant will use to store consumer information.
10. Meet or exceed the following minimum standards that apply to monthly averages, during operational hours:
 - a. Abandoned call rate must not be in excess of 5%;
 - b. Less than 1% for blocked call rate (busy signal);
 - c. Sixty (60) seconds or less for the average speed to answer a call; and
 - d. Two (2) minutes or less for average hold time.
11. The Applicant should describe its Automatic Call Distribution ("ACD") Software and its capabilities to track performance.
12. Assess the quality of services performed by Customer Service Center staff. Describe the Applicant's process for monitoring Customer Service Center staff.

H. Telecommunications Capabilities. Each selected Applicant must establish and maintain sufficient telecommunications capabilities for its service region:

1. A selected Applicant's telecommunication capabilities must include:
 - a. All telephone services;
 - b. Telephone equipment and telephone lines;
 - c. Automated data files;
 - d. An Interactive Voice Response (“IVR”) system and provide a schematic of the proposed IVR system;
 - e. An ACD system and provide a schematic of the proposed ACD that the Applicant will use; and
 - f. Text Telephone Typewriter (“TTY”) and/or Pennsylvania Telecommunication Relay Service for communication with individuals who are deaf or hearing impaired.
2. The selected Applicants shall immediately report all interruptions in any telecommunication services to the Department.

I. Systems Requirements. The selected Applicant must maintain sufficient computer hardware and software to support automated call intake, eligibility verification, needs assessment, and trip reservations for its service region, as well as to meet the monthly reporting and data requirements established under this RFA. The selected Applicant will be required to provide an architectural diagram of its system network.

At a minimum, each selected Applicant must use a reservation and scheduling software that has the capability to schedule trips and group appropriate rides to provide timely pick-ups and drop-offs and to maximize the utilization of transportation modes and the purchasing power of the selected Applicant to broker better pricing from transportation providers. The software must also have the ability to do the following:

1. Provide standing order subscription trip and random trip reservation capability.
2. The ability to use the approved Eligibility Verification System (“EVS”) options listed in **Appendix O** to determine consumer eligibility and to maintain the most current eligibility information.
3. Capture all data elements defined below for each consumer:
 - MA ID number
 - Name
 - Address
 - Phone Number
 - Special needs

- LEP/Primary Language
- Required mode
- Notes

For each trip:

- Requester name (if different)
- Date/time of request
- Date/time of medical appointment or non-medical transportation
- Mode of transportation requested
- Mode of transportation authorized
- Denial reason
- Justification of mode authorized
- Scheduled pick-up/drop-off times
- Actual pick-up/drop-off times
- Escorts
- Pick-up location
- Drop-off location
- Subcontracted provider assigned
- Trip mileage
- Miles traveled by MA consumer
- Destination: Medical provider's name
- Destination: Medical provider's address
- Non-medical destination name
- Non-medical destination address

4. Pennsylvania Department of Transportation ("PennDOT") shared ride program (inclusive of senior shared ride) uses proprietary software to schedule trips (Ecolane). The selected Applicants must work with PennDOT to gain access to Ecolane Software)

Describe the Applicant's information systems hardware, software, and its capabilities as they relate to the required reporting and effective management. Please include in your description how the Applicant will maintain its systems (equipment and software) to provide for efficient operation, in compliance with this RFA, including upgrades, enhancements, and bug fixes.

In addition, please describe how the Applicant will have hardware, software, and firmware products, individually and in combination, that are compatible with the Department's systems. This includes testing prior to the start of operations.

Please explain how the Applicant will electronically store data using its computer system, how often data will be backed up and where the data will be stored.

The Department is also interested in the feasibility of an on-line application and scheduling of trips by consumers or high- v o l u m e MA health care providers.

- J. Recruit and Maintain an Adequate Transportation Network.** Each selected Applicant must have a network of transportation providers with sufficient capacity to meet the NEMT and non-medical waiver transportation needs of consumers in its service region. The selected Applicants must maintain, within its network- an array of transportation modes and services, including sub-contractual agreements with paratransit providers and other arrangements such as volunteers, mileage reimbursement, ride sharing and public transportation. Each selected Applicant must provide access to transportation services at least as comparable to transportation resources available to the general public. Each selected Applicant must provide for service delivery that meet the needs of consumers for routinely scheduled trips, standing orders, and urgent care trips. If the Applicants intends to subcontract with a ride sharing company, the Applicant must provide the subcontract to the Department for approval prior to implementation.

The selected Applicant must implement written policies and procedures for the selection and retention of network transportation providers, including credentialing and recredentialing.

Describe the Applicant's credentialing process to develop and maintain its transportation network to meet all agreement requirements, including all state and federal requirements.

Describe the Applicant's approach to developing sufficient capacity to meet the needs of consumers in the service region.

- K. Paratransit Network.** Each selected Applicant must establish a network of providers to deliver paratransit services for eligible consumers to get to medical appointments. The selected Applicant will provide paratransit under this RFA through subcontracts with paratransit providers and will be responsible for credentialing transportation providers and for payment of paratransit services. The selected Applicant must require that its subcontractors and subcontractor vehicles meet all state and federal requirements and regulations.

- L. Transportation Network Standards.** Each selected Applicant must establish and maintain a transportation network that satisfies the following standards:

- 1. Driver Clearances.** Each selected Applicant must require that all drivers have valid driver licenses and appropriate clearances including criminal history background checks and child abuse clearances prior to providing services to MA consumers. Each selected Applicant shall develop and implement a policy on background checks and clearances and apply it to determine whether employment is appropriate based on the results. A selected Applicant must make this policy available to consumers and the Department upon request.

Each selected Applicant shall require that all drivers, including volunteers, have the following clearances:

- Pennsylvania Child Abuse History Clearance;
- Pennsylvania State Police Criminal Record Check; and
- Federal Bureau of Investigation Criminal Background Check.

The Pennsylvania Child Abuse History Clearance can be submitted and paid for online through the Child Welfare Information Solution self-service portal <https://www.compass.state.pa.us/cwis/public/home>

For more information on obtaining the Pennsylvania State Police Criminal Record Check or Federal Bureau of Investigation Criminal Background Check, please go to: http://www.dhs.pa.gov/cs/groups/webcontent/documents/form/s_001762.pdf

- 2. Vehicle Standards.** The selected Applicant must use transportation providers that adequately maintain vehicles and vehicle equipment to meet the requirements of this RFA. Vehicles and all components must comply with or exceed the manufacturers, state and federal, safety and mechanical operating and maintenance standards for the particular vehicles and models used under the Agreement. Vehicles must comply with all applicable federal laws including the Americans with Disabilities Act (“ADA”) regulations. The selected Applicant must immediately remove from service any vehicle found to be noncompliant with Pennsylvania Department of Transportation vehicle licensing requirements, safety standards, ADA regulations, insurance or RFA requirements.

Describe the Applicant’s approach to monitoring the vehicle standards of its subcontracted transportation providers.

- 3. Semi-Annual Vehicle Inspections.** The selected Applicant must develop and implement a semi-annual inspection process to verify that all vehicles meet the requirements of Section 2, Vehicle Standards, and that safety and passenger comfort features are in good working order (e.g., brakes, tire tread, turn signals, horn, seat belts, air conditioning/heating, etc.). The selected Applicants must conduct these semi-annual inspections using its own staff or an alternate method approved by the Department. Prior to the execution of a service agreement between the selected Applicant and a transportation provider, the selected Applicant will conduct and complete an initial inspection of all transportation provider vehicles. The selected Applicant will complete subsequent inspections no later than six (6) months after the most recent inspection. The selected Applicant must maintain records of all inspections and made available upon Department request.
- 4.** The selected Applicant will develop and implement an emergency safety inspection protocol for reports or complaints of problems involving subcontractor vehicles or services.

- 5. Training.** As part of its credentialing program, the selected Applicant will train all drivers prior to their participation. In addition to the driver standards set forth in this RFA, the selected Applicant must establish and implement its own driver training standards to provide effective service delivery by qualified personnel.

Describe the Applicant's training program including content and duration. Please provide examples of training programs conducted for comparable projects.

In addition, please describe the Applicant's standards as it pertains to driver qualifications and driver conduct.

- 6. Monitoring.** The selected Applicants will develop and implement a subcontractor monitoring plan, which must be submitted to the Department for approval. The selected Applicants will monitor their transportation providers for compliance with the terms of their subcontracts or provider agreements and all transportation provider related requirements of this RFA, including driver requirements, vehicle requirements, complaint resolution and the delivery of courteous, safe, timely and efficient transportation services. At a minimum, each selected Applicant will include in its plan the following monitoring activities:

- a. On-Street observations;
- b. Random audit of rides performed;
- c. Accident and incident reporting;
- d. Statistical reporting of trip characteristics;
- e. Analysis of complaints, including the tracking and investigation of complaints and their disposition;
- f. Review of driver and attendant licensure, driving record, background checks, clearances, experience and appropriate driver training;
- g. Client safety;
- h. Completion of driver logs and inspection of manifests, vehicle inspections, insurance coverage, maintenance, etc.;
- i. Monitoring of on-time performance; and
- j. Monitoring or GPS or tablet-based systems to track routes, timeliness, vehicle speed, and stop-over times during loading and unloading of passengers.

Describe the Applicant's monitoring requirements, including but not limited to inspection schedules and inspection procedures. Include examples for all attachments.

- 7. Subcontractor Agreements.** The selected Applicant must submit all agreements and subcontracts for the provision of transportation services to the Department for prior approval. In its agreements or contracts, the selected Applicant must address the following minimum requirements and responsibilities for its

transportation providers:

- a. Scope of services required from the transportation provider;
- b. How the services, activities, and tasks to be performed by the transportation provider will be carried out;
- c. Pick-up and drop off requirements;
- d. Driver, equipment, and vehicle requirements and service standards necessary to carry out the range of services covered;
- e. Procedures to monitor the transportation provider and how non-compliance will be addressed;
- f. Effective date and duration, termination, and renewal options;
- g. Any damages that may be assessed against providers;
- h. Reporting and driver log requirements for the transportation providers;
- i. Financial terms of the agreement including billing schedules and terms of payment;
- j. Provider complaint procedures; and
- k. Agreement by the transportation provider to be bound by the State and Federal terms and conditions.
- l. Training Requirements

See **Appendix L MATP Subcontract Requirements** for additional subcontract requirements.

Describe the Applicant's relationship with its transportation providers (a sample sub-contract or agreement may be attached).

- 8. Timely Payment.** The selected Applicant's payments to transportation providers must be sufficient to support efficiency, economy and quality of care, to enlist enough providers and to provide consumer access to covered transportation services for the service region.

The selected Applicant must provide timely payment to each transportation provider based on the authorized services rendered. Upon submission of an accurate invoice with proper documentation, the selected Applicant must make timely decisions on payment or non-payment (adjudication) of all authorized trips in accordance with the following requirements:

- a. 90% of accurate invoices must be adjudicated within 30 calendar days of receipt.
- b. 100% of accurate invoices must be adjudicated within 45 calendar days of receipt.
- c. 100% of all invoices must be adjudicated within 90 calendar days of receipt.

An accurate invoice includes properly completed trip tickets or vehicle manifests.

Describe the Applicant's payment mechanisms, policies, and processes to provide timely payment of transportation providers.

M. Authorize Transportation Service. The selected Applicant's Customer Service Center shall receive and process all consumer requests for transportation services. The selected Applicant must provide transportation services to eligible consumers who are permanent or temporary residents of Pennsylvania. For non-medical transportation services for waiver participants, the selected Applicants must coordinate with the participant's CHC Managed Care Organization ("MCO"). In authorizing services, the selected Applicant must:

- 1. Verify Eligibility.** At the time of each trip, the selected Applicant must verify that a consumer is MA eligible. The selected Applicant must comply with the eligibility requirements for MATP published at 55 Pa. Code Chapter 2070, with the exception of the requirement of a signed application, which the Department will waive.

The selected Applicants must use the EVS to verify MA eligibility. After verifying the consumer's MA eligibility, the selected Applicant must also verify that the consumer's MA Category and Program Status Codes are valid for MATP services using the MATP Eligibility Guide. Please refer to **Appendix P**. Please describe the Applicant's approach to verifying eligibility.

- 2. Determine Need.** The selected Applicant must determine that transportation for a consumer is not otherwise available and for MATP consumers that the trip is to an MA enrolled provider for an MA covered service. See **Appendix N Covered Services under MATP**. In addition, the selected Applicant will not authorize transportation, if the Applicant could have arranged transportation for the consumer at no cost to MA or if another option other than MA funded transportation is available.

The selected Applicant will not provide requested trips where the distance from point of origin to destination is less than one-quarter mile. The selected Applicant must determine exceptions based on safety issues and the mental and/or physical capacity of the eligible consumer.

The selected Applicant must accept the information provided verbally by a consumer, or person speaking on behalf of the consumer, as valid when determining or predetermining the need for transportation services unless the selected Applicant has cause to doubt the validity of information provided. If the selected Applicant has cause to doubt the validity of the information provided by or on behalf of the consumer, the selected Applicant may require documentation of that information.

In situations when a consumer does not meet the need for MATP and requires further assistance, the selected Applicant must direct the consumer to the

appropriate transportation resource. The selected Applicant must know appropriate local transportation or community resources to which to refer the consumer. Please describe the Applicant's approach to determining need.

- 3. Determine Mode of Transportation.** Once the selected Applicant establishes eligibility and need, the selected Applicant must determine on a case-by-case basis the mode of transportation that is the least costly and most appropriate for the consumer. When determining the most appropriate mode of transportation for a consumer, the selected Applicant must consider the consumer's current level of mobility and functional independence.

Please describe the Applicant's approach to determining mode and any assessment tool(s) that are used to consider mobility and functional independence.

- N. Authorize and Schedule Transportation.** The selected Applicants must authorize, schedule, and provide the most appropriate and cost-effective means of transportation for MA consumers who are eligible for service to and from MA enrolled providers or for waiver participants to other locations based on the consumer's mental and physical capability to use various modes of available transportation.

The selected Applicants must schedule and provide authorized transportation services to consumers from two (2) calendar days to fourteen (14) calendar days prior to a non-urgent, scheduled medical appointment. Advanced scheduling will be mandatory for all transportation services, except urgent care, as described below, follow-up appointments, and unscheduled pick-up when the timeframe does not allow for advance scheduling.

The selected Applicant must provide same-day, after normal business hours, and weekend transportation services when a consumer has no other available means of transportation and requests services for urgent care. The selected Applicants must complete valid requests for urgent care transport within three (3) hours of the time the consumer makes the request.

The Department defines urgent care, for the purpose of this RFA, as any illness or severe condition, which under reasonable standards of medical practice would be diagnosed and treated within a 24-hour period and if left untreated, could rapidly become a crisis or emergency situation or discharge from the hospital will be delayed.

The selected Applicant must require verification of "urgency" from the medical provider, which may be obtained by the consumer or the selected Applicant directly. Verification of urgency from a provider need not be in writing. The selected Applicants can accept a provider's verbal authorization.

The selected Applicants must consider a consumer's non-MATP related travel plans in the scheduling and routing of MATP services when the consumer is eligible for transportation through waiver services.

Describe the Applicant's approach to scheduled transportation to the above standards.

O. Covered and Non-Covered Services. The selected Applicants must use **Appendix N** of the RFA to determine which services are covered or not covered for MATP.

P. Coverage Area. The selected Applicants must transport consumers to or from a stated point of origin, at the request of the consumer or person acting on behalf of the consumer, for a covered MATP covered services to MA enrolled providers who are generally available to and used by other members of the community or locality to provide similar services. Please refer to **Appendix N** of the RFA for a list of covered MA services.

Q. Modes of Transportation. At a minimum, the selected Applicants must provide the following modes of transportation:

1. Public Transportation. The selected Applicants must provide services using public transportation, whenever possible, if it is cost-effective. Each selected Applicant must have procedures in place to determine whether public transportation is accessible and appropriate for the MA consumer who is requesting services.

Each selected Applicant must have procedures for the timely distribution of tokens, passes, and other transportation instruments or reimbursement to eligible consumers prior to a public transportation trip to cover the established fare. Consumers must have written verification (e.g., a signature) that the medical service was provided and was MA compensable or that the waiver services or location was part of an authorized plan of care.

The selected Applicants are prohibited from paying more for public transportation than the rate charged to the general public. In addition, the selected Applicants must consider cost effectiveness prior to purchasing transportation passes for a MA consumer. For example, the cost of a public transportation pass (monthly, weekly, etc.) for an individual consumer must not exceed the cost of needed individual transit trips. To determine this, the selected Applicant shall compare the cost of a pass to the cost of single fixed route trips (bus, subway, etc.) a consumer would make to a MA-enrolled provider to obtain an MA-covered service.

Describe how the Applicant will provide public transportation services, including the process and requirements for consumers to use public transportation. Describe the Applicant's approach to written verification requirements for consumers. Describe the Applicant's approach to establishing a relationship with

public transportation entities, the process for distributing transit instruments or checks, and the process for verifying that the instruments were used for eligible medical or non-medical trips.

- 2. Mileage Reimbursement.** The selected Applicants must reimburse consumers who have access to a private vehicle, either their own or another individual's, but cannot meet the cost of fuel, parking, and tolls. The selected Applicant must determine the rate per mile, but the rate may not exceed the current IRS mileage rate. Prior to reimbursing a consumer, the selected Applicant must obtain written verification that the trip was for a MA covered service to or from an MA enrolled provider or for a waiver approved service as well as the actual mileage for the trip.

Describe how the Applicant will provide mileage reimbursement, including the process and requirements for consumers, including its verification process and requirements. Identify the mileage rate the Applicant proposes and a description of the rationale for that rate. If the mileage rate varies within a region, provide an explanation for the variance.

- 3. Volunteer Transportation.** The selected Applicants may authorize volunteer drivers, where available, to provide transportation services by driving personal vehicles, or those of a county or non-profit agency, to MA covered services or to locations identified as part of a waiver participant's plan of care. The selected Applicants may only reimburse volunteers for their actual mileage and other expenses, to include parking fees, tolls, etc., and not for their services.

If use of volunteer transportation is contemplated, the selected Applicant must arrange transportation with the volunteer organization directly, including scheduling appointments and notifying consumers of the arrangements.

Use of volunteer transportation does not alleviate a selected Applicant's responsibility to provide transportation that meets the safety, comfort, and appropriate mode of transportation to meet the consumer's health care status. The selected Applicant must require that all volunteers and vehicles used to provide volunteer transportation be properly licensed and insured. The selected Applicant must require volunteer transportation drivers:

- a.** Be at least 21 years of age and have a valid driver's license, a clean driving record and the required insurance coverage. Their vehicle must be in good condition with working seat belts and have all safety inspection and registration stickers up-to-date.
- b.** Have child abuse and criminal history clearance checks conducted at least annually or at the customary frequency used for school bus drivers, or similar programs.

Please indicate whether the Applicant plans to use volunteers to deliver transportation services. If so, the Applicant should describe their approach to developing this mode of transportation.

- 4. Paratransit.** The selected Applicant must provide paratransit services to and from a medical appointment or location identified as part of a waiver participant's plan of care when public transportation is unavailable, inaccessible, or not appropriate due to the physical or mental needs of a consumer.

Paratransit includes passenger cars, vans, small buses, taxicabs, wheelchair vans, that are more flexible than conventional fixed-route transit but more structured than the use of private automobiles. This includes vehicles carrying, at any one-time, unrelated passenger(s) with different origins and/or destinations. Paratransit also includes multi-modal. The selected Applicant must validate that the trip is for a medical service to a MA enrolled provider and is MA compensable for MATP consumers. For waiver participants, the selected Applicants must verify that the trip is to a location that is identified as part of the participant's plan of care.

Describe how the Applicant will provide paratransit services, including the process and requirements for consumers to use paratransit. Please include a description of the division of labor between the Applicant and the paratransit provider (e.g., which entity schedules trips, which entity routes trips, which entity contacts the consumer about pick-up time, which entity dispatches trips, etc.). Describe any innovative approaches used to contain cost around this mode of transportation.

- 5. Exceptional Transportation.** The selected Applicant must refer all consumers who request exceptional transportation to their local CAO. Exceptional transportation is nonemergency transportation that is necessary under extraordinary medical circumstances. This type of transportation may require great distances for medical treatment not normally provided through regional medical providers. Exceptional transportation includes stretcher transportation, air travel, lodging, meals and transportation for visitation purposes.
- 6. Non-Emergency Medically Necessary Ambulance Transportation.** The selected Applicants must refer a consumer, covered by the Department's Fee-For-Service program, requesting non-emergency medically necessary ambulance transportation to his or her local CAO.

The selected Applicant must refer a consumer, covered by the Department's mandatory managed care program, HealthChoices or CHC, requesting non-emergency medically necessary ambulance transportation to his or her Managed Care Organization ("MCO").

R. Pick-up and Drop-off Standards. The selected Applicants must transport MA consumers to and from medical appointments or for waiver participants to locations identified their plan of care on time and provide transportation services that comply with the following service delivery standards. The selected Applicant must include the following standards in all transportation service agreements.

- 1. Curb-to-Curb Service.** For standard paratransit services, the selected Applicants must provide curb-to-curb services. The selected Applicants must provide curb-to-curb service for MA consumers who need little if any assistance between the vehicle and the door of the pick-up point or destination. The assistance provided by the driver includes opening and closing the vehicle doors, helping the consumer enter or exit the vehicle, folding and storing the consumer's wheelchair or other mobility device as necessary, and securing the wheelchair or other wheeled mobility device in the vehicle. It does not include the lifting of a consumer. Drivers are to remain at or near their vehicle and are not to enter any buildings.
- 2. Paratransit Pick up Rule.** The selected Applicants must pick up consumers within a window beginning fifteen (15) minutes before and extending to fifteen (15) minutes after the scheduled pick-up time. This creates a thirty (30) minute pick-up window. The selected Applicant must make consumers aware that they are to be ready and waiting at least fifteen (15) minutes before the scheduled pick-up time. Vehicles that arrive before the thirty (30) minute window shall wait until the scheduled pick-up time to accommodate a consumer who is not ready. Vehicles arriving at the scheduled pick-up time or within fifteen (15) minutes after are not required to wait for a consumer who is not ready. For purposes of the complaint process, pick-ups within the thirty (30) minute window are on time.
- 3. Paratransit One-Hour Rule.** The selected Applicants must not drop off consumers at a medical provider's office more than one (1) hour prior to the scheduled medical appointment time. The selected Applicant must not pick up consumers more than one (1) hour after a medical visit has concluded.
- 4. Trip Length Standards.** During multi-load situations, the selected Applicant and their subcontracted transportation provider(s) must limit a consumer's time in a vehicle to no more than forty-five (45) minutes longer than the average travel time for direct transport from the first point of pick-up to the destination, to the extent possible.
- 5. Completed Trips.** The selected Applicants, for the purposes of data reporting and invoicing, will only report a completed trip as follows:
 - a one-way trip from the consumer's home or other designated location to the destination where the covered medical or waiver service will be provided to the consumer;

- a one-way trip from the covered medical service location or waiver service location to the consumer's home or other designated location;
- a one-way trip from one covered medical or waiver service to another covered medical or waiver service.

Each trip must be reserved and must have occurred using the appropriate mode of transportation. For example, a reserved trip from a consumer's home to a primary care physician appointment; from the physician's office to the Pharmacy, and from the Pharmacy to the consumer's home constitutes three (3) one-way completed trips.

A trip is not considered completed if a selected Applicant schedules a paratransit trip for a consumer and the ride does not show up, forcing the individual to use mass transit or another means of transportation to travel to or from a covered medical or waiver service. Additionally, if the transportation provider does not arrive within **t h i r t y** (30) minutes of the scheduled pick up time, the trip is not considered completed.

- 6. Verification of Trips.** The selected Applicants must have a process to verify consumers are attending medical appointments or participating in waiver services for each mode of transportation. The selected Applicant must perform and document a pre-trip verification review by verifying the medical appointment for a covered service with the medical service provider prior to transportation services being provided. The selected Applicants must perform and document a post trip verification review of trips and verify "routine trips" are for medical or waiver services.

Describe the process and methods the Applicant will use to verify trips and medical appointments.

- 7. Door-to-Door Service.** The selected Applicants must provide door-to-door service when appropriate for the consumer's physical or mental capabilities.

The selected Applicants will provide door-to-door service to consumers who need assistance to move safely between the door of the vehicle and the door of the passenger's pick-up point or destination. The driver will exit the vehicle and assist the passenger from the door of the pick-up point (e.g., residence), will escort the passenger to the door of the vehicle and assist the passenger in entering the vehicle. The driver is responsible for assisting the consumer throughout the trip but is not responsible for lifting a consumer. Drivers are not allowed to enter a residence.

The selected Applicants must assess and determine if a consumer is eligible for door to door service. The certification must document that the consumer has a physical, sensory, mental, developmental or cognitive disability that

requires door-to-door assistance to be provided for the safe transport of the consumer.

The selected Applicants must communicate the availability of door-to-door service to all consumers at the time the consumer requests a service and any time a consumer requests a change to paratransit service. The selected Applicant will determine whether door-to-door or curb-to-curb service will be required at the time a consumer schedules a trip.

- S. Escorts and Attendant Services.** The selected Applicants must allow an escort, without charge to the consumer or escort, to accompany a consumer on a MATP trip if a consumer cannot travel independently, because of age, disability or language. Examples of an escort include, but are not limited to, parent, guardian, or the adult child of a geriatric parent. The Department will not pay the selected Applicant separately for an escort's trip.

When the selected Applicant is transporting a group of children, the selected Applicant will provide an attendant. The attendant shall be a paid employee of the selected Applicant, or its transportation provider. Unlike an escort, who accompanies the MA consumer, the attendant remains with the vehicle. The Department will not pay the selected Applicant separately for an attendant's trip.

Describe how the Applicant will meet the requirements for escorts and attendants, including the Applicant's services and standards designed to meet the needs of children. For example, the submittal may include escorts; pick-up and drop-off time standards and ride time limits for children.

- T. Special Needs Coordination and Outreach.** The selected Applicants will work closely with the Department and the HealthChoices Physical Health Managed Care Organizations ("PH-MCOs"), Community HealthChoices Managed Care Organizations ("CHC-MCOs") and Behavioral Health Managed Care Organizations ("BH-MCOs") to timely respond to and resolve transportation barriers experienced by consumers with special needs. The selected Applicant must elicit information regarding special needs of the consumer. With the consumer's permission, the selected Applicant will be required to pass this information to the consumer's PH-MCO, CHC-MCO and/or BH-MCO.

The selected Applicants must have a special need coordinator(s) to coordinate with the special needs units of the consumer's PH-MCO, CHC-MCO and BH-MCO to provide access to transportation for each consumer with special needs, as necessary.

The Applicant shall describe how it will develop and train a Special Needs Coordinator(s) within its organizational structure to deal with issues relating to MA Consumers with special needs.

U. Consumer No-Shows. The selected Applicants shall develop procedures on managing trips scheduled by consumers that are not taken and not canceled by consumers within required timeframes. The selected Applicants may not deny future trips due to consumer no-shows. Describe the processes the Applicant will use to minimize consumers' no-shows.

V. Satisfaction Surveys. Each selected Applicant will use an independent research organization to conduct Consumer satisfaction surveys every quarter. The selected Applicant must receive Department approval prior to survey use.

The survey must measure at a minimum the following:

1. Satisfaction with Customer Service;
2. Satisfaction with Transportation Timeliness;
3. Satisfaction with Driver Safety and Service; and
4. Satisfaction with Vehicle Cleanliness and Maintenance.

Describe the Applicant's strategy to conduct MA Consumer Satisfaction surveys. If possible, indicate the organization that will be utilized. Propose specific details about how many consumers will be a part of each survey as well as how the independent survey will capture information about their satisfaction with the program. Describe any feedback process to MA Consumers and how the Applicant will utilize the results of the surveys.

W. Adverse Conditions Plan. The selected Applicants must have a written plan by county that describes how the selected Applicant will provide transportation for MA Consumers who need dialysis and other critical medical care during adverse conditions, such as weather or significant disruptions in transit services (i.e., transit strikes). Describe how the Applicant will provide these services.

X. MATP Advisory Committee. Each selected Applicant will establish and maintain an MATP Advisory Committee for its service region that includes consumers, advocates, health and transportation providers, and other stakeholders to advise on policy and operational issues. The Advisory Committee must be active during the program implementation period prior to the operational start date.

Include a description of a role for the advisory committee, including the committee's role in implementation and readiness review activities.

Y. Complaint Process. The selected Applicants must receive and respond to all complaints regarding the delivery of transportation services. A complaint is any issue of dissatisfaction brought to the attention of the selected Applicant by a consumer, guardian, advocate or agency for the purpose of assistance or resolution. A complaint does not include a decision by the Department regarding coverage or medical need of a service. The selected Applicants must develop and maintain a complaint process approved by the Department. The complaint process must include at a minimum the

following:

1. Documentation of the complaint in writing;
2. First level review of the circumstances surrounding the complaint by someone other than those involved in the action that is the subject of the complaint;
3. Timeframe by which a response will be received and the nature of that response;
4. Identification of a second level reviewer or reviewers; and
5. Timeframe by which a written response will be received.

If the complainant is dissatisfied after at least two levels of review, the selected Applicant must forward the complaint to the Department. The selected Applicant must keep copies of all complaints, responses and corrective action plans and make them available to Department staff upon request. The selected Applicant must submit monthly reports to the Department to report the aggregate numbers of complaints received by type and disposition.

Describe the Applicant's complaint resolution and tracking processes. The Applicant must include how the Applicant will receive, resolve, and track and report on complaints. Describe how the Applicant will analyze complaints and use information to improve its practices.

- Z. Appeals and fair hearings for MA Consumers.** The selected Applicant must comply with the appeals and fair hearing requirements of 55 Pa. Code Chapter 275 and 55 Pa. Code §2070.42. The selected Applicants must issue notification to consumers at the time the selected Applicant makes an adverse determination in response to a request for approval of services that: disapproves the request completely; or approves the requested service(s), but for a lesser amount, scope or duration than requested; or disapproves the requested service(s), but approves provision of an alternative service(s); or reduces, suspends or terminates a previously authorized service. Each selected Applicant must submit for the Department approval written Adverse Determination Notice Form. Once approved, the selected Applicant must use that as the standard for notifications of adverse determination to consumers.

The selected Applicant must include on the Written Notice Form a clear statement of its decision, the reasons for the action being taken as well as a citation to the authority for the decision and information concerning appeal rights. Situations that require a written Notice Form of an adverse determination include when a selected Applicant denies a service request for the following reasons:

1. A transportation request is for transportation to a medical service, but not an MA covered service including waiver services or locations specified in waiver plan of care.
2. A transportation request is to a non-enrolled MA provider;
3. The consumer has not provided the requested documentation for purposes

- of obtaining mileage reimbursement;
- 4. The selected Applicant is unable for any reason to provide the service; and
- 5. A consumer asserts that the mode assigned is not appropriate for his or her needs or has requested a transportation mode that has not been approved.

Consumers have the right to challenge any adverse determination and may formally appeal the action identified in the Written Notice Form in writing or orally. If orally, the selected Applicant must assist the consumer in reducing the appeal to writing and must obtain the consumer's signature. Within three (3) business days of the oral appeal, the selected Applicant must forward a copy of the written appeal, regardless of whether a signature has been obtained, to the Department's Bureau of Hearings and Appeals. The selected Applicant must retain a copy of the appeal.

The selected Applicant must specify the effective date of the action in the Notice. If the consumer appeals a reduction or termination of services when a consumer is currently receiving services, and the appeal is postmarked within ten (10) calendar days of the date of notice, the selected Applicant must continue providing services pending appeal.

If the matter is resolved or settled any time prior to a fair hearing, the selected Applicant must document the resolution reached. The selected Applicant must retain and make available to the Department all copies of all appeals and their resolution. If the appeal results in a fair hearing conducted by the Department's Bureau of Hearings and Appeals, the selected Applicant must appear at the hearing.

The selected Applicants are not required to issue a Written Notice Form if the denial is because an individual is not eligible for MA or the consumer requests a trip to a non-medical service, unless the non-medical transportation is for an eligible NFCE consumer receiving waiver services. When EVS indicates that a consumer is not eligible for MA and a consumer maintains that he or she is MA eligible, the selected Applicant must confirm with the CAO that the consumer is not MA eligible before denying the request. The consumer may not appeal a denial because he or she is ineligible for MA.

AA. Training. Each selected Applicant must establish and implement Driver, Attendant, and Customer Service Training standards and processes subject to advance review and approval of the Department. Describe the Applicant's approach to training its own staff, drivers, attendants, and that of subcontractors, particularly customer service staff that interface with consumers.

BB. Fraud and Abuse. The selected Applicants must establish and maintain written policies and procedure for the detection and prevention of fraud and abuse that may be committed by the selected Applicant's employees, its subcontractors, transportation service providers or consumers. The selected Applicant must:

1. Have written compliance policies designed to educate employees and agents

about false claims, false statements and whistleblower protections under applicable federal and state fraud laws.

2. Have a process to verify that transportation carrier claims for reimbursement match verification of authorized trips.
3. Cooperate fully with oversight agencies responsible for fraud and abuse detection and prosecution activities, such as the Department's Bureau of Program Integrity, the Governor's Office of the Budget, the Pennsylvania Office of Inspector General, the Centers for Medicare and Medicaid Services, the federal Office of Inspector General, and the United States Justice Department. The Department will review, and approval all internal enforcement policies and procedures adopted by the selected Applicant.
4. Refer information of suspected or confirmed fraud or abuse to relevant oversight agencies. DHS will issue standardized referral processes so that information can be expedited for appropriate disposition.
5. Require a written provision in all subcontracts and provider agreements that the subcontractor or provider recognizes that payments made are derived from federal and state funds.
6. Require all subcontracts or provider agreements for services rendered to MA consumers contain a provision that the subcontractor or provider may be held civilly or criminally liable for misrepresentations or fraud or abuse in connection with services provided.
7. Notify all subcontractors and providers of the prohibition and sanction for the submission of false claims and statements.
8. Not employ or include in its transportation network, any individual or entity that has been excluded from participation in a federally funded health care program by the Commonwealth, the federal government or another state. Federal health care programs include Medicare, Medicaid, and all other plans and programs that provide health benefits funded directly or indirectly by the United States. A searchable database of persons excluded from participation can be found at <https://exclusions.oig.hhs.gov/>
9. Not use Department funds to pay for transportation services that are otherwise available without charge to both MA and non-MA consumers.

Additionally, the Department may impose sanctions in cases of suspected fraud or abuse by a selected Applicant, including its corporate officers and employees or its subcontractors, for violations of one or more requirements of this RFA and resulting agreement, or the requirements of state or federal laws and regulations.

CC. Continuous Quality Improvement. Each selected Applicant must develop and maintain an ongoing quality assurance plan to support the provision of high-quality transportation services to consumers. At a minimum, the quality assurance plan must include the following elements:

1. Key indicators of quality related to scheduling and delivery of transportation services;
2. A description of how the selected Applicant will monitor these key indicators;
3. A description of how the selected Applicant will develop, implement, and evaluate corrective actions or modifications to overall operations as necessary to address quality concerns;
4. A description of how the selected Applicant will monitor the quality of the transportation providers; and
5. A description of the staffing resources responsible for the quality assurance plan and quality assurance activities; and samples of all reports related to quality assurance and performance monitoring, along with descriptions of their use and who is responsible for reviewing them.

The selected Applicants must submit this quality assurance plan to the Department for review and approval.

Describe the process and methods the Applicant will use to provide continuous quality improvement based on feedback from consumers, analysis of trip data and costs, monitoring of staff and subcontracts and the actions taken based on identified trends.

DD. Performance Monitoring. The selected Applicants must cooperate with the Department's monitoring of its performance. The Department may conduct a review of the Applicant's records or an onsite review at any time to ensure compliance with grant agreement requirements.

The selected Applicants must and must require its subcontractors to make all records and documents related to services available for inspection, audit and review by the Department, other state or federal agencies or their representatives. The selected Applicants must and must require their subcontractors to allow state and federal agencies or their designees to inspect the premises, physical facilities and equipment where work is being conducted. The right to audit exists for a period of ten (10) years from the expiration or termination of the agreement.

The Department shall monitor the Applicant's performance by telephone contact, record reviews, satisfaction surveys and other means. The Department may audit the Applicant's records to validate service delivery reports and other information.

The Department and state and federal agencies or their representatives may validate trip data submitted by the selected Applicant. The selected Applicant will assist the Department in its validation of trip data by making available trip records as requested. In addition, the selected Applicant will validate files sent to it when requested.

Department staff or its representatives may review reports of complaints from consumers, providers, or any individual or group who contact the Applicant regarding the delivery of transportation services.

EE. Turnover. Turnover is defined as those activities that the selected Applicant must perform at the end of the grant agreement or notification of termination, to transition service delivery to a successor or to Commonwealth resources. During the turnover period, each selected Applicant will work cooperatively with any successor and the Department.

1. Turnover Requirements. The selected Applicant must plan and manage the turnover in an orderly fashion, so no disruption of services to consumers occurs. The selected Applicant must:

- a.** Provide a Turnover Plan six (6) months prior to the end of the agreement term or within thirty (30) calendar days after notification of termination.
- b.** Implement the approved Turnover Plan three (3) months prior to the end of the term or the date specified by the Department after notification of termination.
- c.** Maintain service delivery staffing levels during the turnover period.
- d.** Not restrict or prevent the selected Applicant's staff from accepting employment or positions with the Department or with any successor. The Department will work with the selected Applicant on the timing of any transition of its staff.
- e.** Provide to the Department or any successor, within fifteen (15) business days of the request, all documentation and records required by the Department.
- f.** Respond in a reasonable time to all Department requests regarding turnover information.
- g.** Work closely with the Department so that turnover of responsibilities and the necessary knowledge transfer are completed by the end of the term.
- h.** Execute the approved Turnover Plan in cooperation with the successor's Implementation Plan, if any.

2. Turnover Plan. The turnover plan must include, at a minimum:

- a.** A description of staffing resources including skill sets and experience required to support a successful turnover. Identify a manager to manage and coordinate all turnover activities outlined in the Turnover Plan.
- b.** A turnover organizational chart.
- c.** An outline of key points and considerations, turnover success criteria, and

the major tasks and subtasks the selected Applicant believes are pertinent for a successful turnover with minimal impact to services.

- d. A plan and implementation schedule for sharing and transitioning responsibilities and operational support information to the Department or a successor.
 - e. An explanation of how the selected Applicant will manage the turnover plan, accurately assess progress, and mitigate variances.
 - f. Description of how the selected Applicant will transfer all relevant data, materials, documentation, or other pertinent information to the Department or its designee.
 - g. Provide for the transfer of correspondence, documentation of outstanding issues, and other service delivery support documentation.
 - h. Provide for the transfer of the Toll-Free Telephone Number.
 - i. Turnover Receivables. Turnover receivables will include instructions on total transportation processes, all finished and unfinished documents, data, software, studies, reports, or other materials prepared under the agreement that the selected Applicant must turnover to the Department. Receivables will be packaged and will be labeled by content and divided into history that includes materials more than six (6) months old or less, and work in process. Receivables will be sent to the Department or a designated third party as specified by the Department in writing after the turnover period begins. The turnover receivables include:
 - i. Communication/Outreach.
 - ii. Administration.
 - Files of inquiries, complaints and resolutions.
 - List of all Applicants, subcontractors and transportation providers utilized in the program by name, address, telephone number, and description how utilized.
 - All stored literature including background information.
 - Copies of completed financial audits.
3. Turnover Results Reports. Following turnover of service delivery, each selected Applicant must provide the Department with a Turnover Results Report documenting the completion and outcomes of each step of the Turnover Plan previously approved by the Department. Turnover will not be considered complete and final payment will not be made until the Turnover Results Report is received and approved by the Department.
 4. The selected Applicants must maintain operations, services and systems until responsibilities are transferred to the Department or a successor. The selected Applicants will be responsible for all costs relating to the transfer of materials and responsibilities.

III-9. Reports and Project Control. The selected Applicants must establish and maintain a process to report Pennsylvania-specific operational, financial and systematic reports on

such items as, trips, unduplicated riders, call statistics, demographics, and trends over time. The reporting system must be flexible enough to allow for ad hoc reporting and trends over time. Provide sample reports or report templates the Applicant recommends.

The selected Applicant must comply with state and federal reporting requirements set forth in this section and in the RFA.

A. Status Reports. Upon request by the Department, the selected Applicant must submit a periodic progress report covering activities, problems, and recommendations. This report should be keyed to the work plan the selected Applicant developed in its application, as amended or approved by the Department.

B. Ad Hoc Reports. The Department may require selected Applicants to submit reports on a more frequent basis to address or clarify any standards not met or to provide information for any unforeseen obstacles. The selected Applicant must submit these reports to DHS, upon request.

C. Monthly Reports. The selected Applicant must submit the following reports, electronically, on a monthly basis.

1. Monthly Trip Summary Reports. Due Date – Selected Applicants must upload trip-level data files to the Department at a minimum of forty-five (45) calendar days and a maximum of sixty calendar days (60) from end of the month of the date of the trip. For example, a selected Applicant must report a trip given on July 1, 2019 during the period September 15-30, 2019; this trip is not to be submitted in an August 2019 data upload period or it will be rejected.

Trip-level data files only may be uploaded to the Department from the 15th through the end of the month.

When a trip-level data file is submitted between on the first day of the month to the 14th day of the month, the file will not be transferred and will sit until 5:00pm on the 15th day of the month.

At a minimum, the selected Applicants will include in the monthly trip summary report:

- Number of requested trips, approved and denied, by mode;
- Number of completed trips by mode and medical or non-medical reason;
- Number of transportation provider no-shows;
- Number of consumer no-shows;
- Number of urgent trips;
- Number of on time trips and late trips;
- Number of cancelled trips; and
- Number of unduplicated consumers and number and mode of trips taken.

2. Monthly Customer Service Center Report. The selected Applicant must utilize an ACD and call reporting system that records and aggregates, at a minimum, the following information:

- Total number of incoming calls
- Number of answered calls
- Average speed of answer
- Blocked call rate
- Call abandonment rate
- Percentage of calls answered in under two minutes
- Average talk time
- Number of calls placed on hold and length of time on hold
- Number of abandoned calls and length of time until call is abandoned
- Number of outbound calls
- Number of available operators by time

This information is to be provided to the Department on a monthly basis, by the 15th of the month for the prior month.

3. Monthly Complaint and Appeal Summary. The selected Applicants must submit a summary of complaints received by type, including disposition and a summary of appeals filed and the resolution by the 15th of the month for the prior month.

4. Monthly Incident Report. The selected Applicant must report significant incidents to the Department by the 15th of the month for the prior month. Significant incidents include:

- Assaults (either on a MA consumer or staff member);
- Threats of assault or injury;
- Injury to a MA consumer or staff member;
- Accidents while MA consumers are in transit that may require medical attention;
- Involvement of law enforcement officials;
- Allegations of abuse; and
- Medical attention being needed while en-route.

At a minimum, the Incident Report must include the following:

- a. Name(s) of the involved person(s);
- b. Address;
- c. Date/time of incident;
- d. Location;
- e. Identify if illness or injury was involved;
- f. Description of the incident (nature of the incident, witnesses, and narrative of what occurred);

- g. Final disposition (how the incident was handled and any next steps or outcomes);
- h. Name of person submitting the report;
- i. Date of report; and
- j. Date forwarded to the Department.

5. Monthly Trip Encounter Data Report. The selected Applicants must record and submit to the Department Monthly Trip Encounter Data. The selected Applicants must submit encounter data for consumers eligible for transportation services on the date of service and shall not submit duplicate records. The selected Applicants must maintain appropriate systems and mechanics to obtain necessary data from its subcontractors and providers to comply with this reporting requirement. See **Appendix M MATP Monthly Encounter File Format**

a. Data Format. The selected Applicants must submit monthly Trip Encounter Data to the Department according the specifications in **Appendix M**. The selected Applicant will provide the following information:

- County Code;
- Date of Trip;
- Consumer’s Medical Assistance Identification Number;
- Mode of transportation;
- Whether trip was completed;
- Whether an escort was needed; and
- Whether the trip was for medical or non-medical transportation.

b. Timing of Encounter Data Submittal – The selected Applicants must submit all encounter data records to the Department within forty-five (45) calendar days following the month in which services occurred as follows:

- Trip records are acceptable when they pass all Department edits.
- Trip records that do not pass Department edits will be returned for correction. The corrected record must be resubmitted as a “new” trip record if appropriate and within 45 days following the month in which services occurred.
- Corrections and resubmissions must pass all edits to be accepted by the Department.

6. Specific Financial Reporting Requirement. The selected Applicants must submit monthly financial reports and financial statements in an electronic format approved by the Department. These reports must be received no later than thirty (30) calendar days after the end of the month. Monthly financial statements must include a Balance Sheet, a Statement of Income and Expenses and a Cash Flow Statement. Upon request, the selected Applicant will provide supporting documentation related to the information included in these reports.

D. Other Reports.

- 1. Quarterly Consumer Satisfaction Reports.** The selected Applicants must provide a summary of the results of the Customer Satisfaction Surveys as outlined in Part III, Section III-8. V. by the 15th of the month following each calendar quarter.
- 2. Annual Financial Audit Report.** The selected Applicants must submit a certified Annual Financial Audit Report specific to the MATP at a period specified by the Department. The report must be conducted in accordance with generally accepted accounting standards. The selected Applicants must submit a certified Annual Financial Audit Report at a period specified by the Department.

III-10. Performance Standards. The Commonwealth has developed a set of minimum Performance Measures as defined in **Appendix K** which the selected Applicant must meet, or exceed in order to be in good standing. The Department may, at its discretion, assess liquidated damages indicated in **Appendix K**. The first three (3) months of operations are a transition period and, therefore, the performance measures will be waived. Where an assessment is defined as an “up to” amount, the dollar value will be set at the discretion of the Department. Each selected Applicant’s performance will be reviewed and assessed on a monthly basis. The Department’s Grant Administrator will give written notice of each failure to meet a performance standard to the selected Applicant. If the Department does not assess liquidated damages in a particular instance, the Department is not precluded from pursuing other or future assessments relating to those performance metrics and their associated damages.

- A.** For any deficiency, including ones relating to the performance metrics, a selected Applicant must prepare and submit a corrective action plan for any observation or finding contained in a notice of deficiency. The selected Applicant must submit the corrective action plan to the Department within ten (10) business days of notification of the deficiency or such longer time as may be agreed to by the Department.
- B.** The corrective action plan must include, but is not limited to:
 - 1.** Brief description of the findings;
 - 2.** Specific steps the selected Applicant will take to correct the situation or reasons why it believes corrective action is not necessary;
 - 3.** Name(s) and title(s) of responsible staff person(s);
 - 4.** Timetable for performance of the corrective action steps;
 - 5.** Monitoring that will be performed to ensure that corrective action steps were implemented;
 - 6.** Signature of the selected Applicant’s Contract Administrator or a senior executive.

- C. The selected Applicant must implement the corrective action plan within the timeframe agreed to by the parties for that particular corrective action plan. Failure to implement a corrective action plan, in the manner agreed to, may result in further action by the Department, including, but not limited to, a finding of default.
- D. In the event the Department determines a deficiency to be a serious non-compliance with the selected Applicant's obligations under the agreement, the Department may find the selected Applicant in default.

III-11. Objections and Additions to Standard Grant Terms and Conditions. The Applicant will identify which, if any, of the terms and conditions contained in the **Appendix S** it would like to negotiate and what additional terms and conditions the Applicant would like to add to the standard grant terms and conditions. The Applicant's failure to make a submission under this paragraph will result in its waiving its right to do so later, but the Department may consider late objections and requests for additions if to do so, in the Department's sole discretion, would be in the best interest of the Commonwealth. The Department may, in its sole discretion, accept or reject any requested changes to the standard grant terms and conditions. The Applicant shall not request changes to the other provisions of the RFA, nor shall the Applicant request to completely substitute its own terms and conditions. All terms and conditions must appear in one integrated agreement. The Department will not accept references to the Applicant's, or any other, online guides or online terms and conditions contained in any application.

Regardless of any objections set out in its application, the Applicant must submit its application, including the cost Application, on the basis of the terms and conditions set out in the **Standard Grant Terms and Conditions located in Appendix S** of this RFA. The Department will reject any application that is conditioned on the negotiation of the terms and conditions set out in **the Standard Grant Terms and Conditions located in Appendix S of the RFA as specifically identified above.**

PART IV
COST SUBMITTAL

Cost Submittal. The information requested in this **Part IV** shall constitute the Cost Submittal. The Cost Submittal shall be placed in a separate sealed envelope within the sealed application, separated from the Technical Submittal. The total proposed cost should be broken down into the components set forth in **Appendix F – Cost Submittal Worksheet**. The percentage of commitment to SDBs and SBs should not be stated in the Cost Submittal. Applicants should **not** include any assumptions in their cost submittals. If the Applicant includes assumptions in its cost submittal, the Department may reject the application. Applicants should direct in writing to the Issuing Officer pursuant to **Part I, Section I-9** of this RFA any questions about whether a cost or other component is included or applies. All Applicants will then have the benefit of the Department’s written answer so that all applications are submitted on the same basis.

For the purpose of submitting a cost Submittal for MATP services, the Department has provided projections of trips, users, and MA Consumers. The Cost Submittal should include all costs necessary to commence and operate transportation services within the scope of this RFA, within the region being applied for, startup costs, ongoing operating costs, outreach and survey costs, and ongoing administrative costs.

Appendix F, Cost Submittal Worksheet, contains a spreadsheet that requires Applicants to provide multiple price points for units of service. From these price points, the Department will project an annual program cost for each of the first three (3) years of the agreement and the two-year option period; these figures are calculated values captured in yellow shaded boxes on the spreadsheet.

See **Appendix Q Pennsylvania MATP Data Book Calendar Year 2013-2017** for historical information concerning MATP. Please note that the historical and projected MA population figures exclude nursing home residents. The Department has removed these consumers from the capitated MA population universe because their nursing facility will cover the consumers NEMT needs. If the Department identifies an additional subset of the MA population as ineligible for MATP, the Department will remove them from the MA eligible population, which is the basis for the capitated payment.

Each Applicant’s cost submittal will be evaluated based on the proposed Per Member Per Month (“PMPM”) capitated rates.

Payment Methods

Capitation Payments – NEMT

Using the Grant Agreement NEMT Per Member Per Month (“PMPM”) rate, the Commonwealth will determine a PMPM capitation payment for consumers that are MA eligible on the first day of the service month. The Commonwealth will generate a monthly PMPM capitation payment on behalf of each enrolled MA consumer within the defined service region. The Commonwealth will make this NEMT capitation payment during the month following the service month. The Commonwealth will make payment for a consumer regardless of whether the consumer utilizes services for the service month, and the selected Applicants must provide transportation services through the last day of that service month.

Partial Month Capitation Payments – NEMT

Using the Grant Agreement NEMT PMPM rate, the Commonwealth will determine a partial PMPM capitation payment for consumers that become eligible for MA after the first day of the service month. The Commonwealth will determine the partial PMPM capitation payment based on the Grant Agreement NEMT PMPM rate divided by the days in that service month (28, 29, 30 or 31). This partial PMPM rate will then be applied to each day of service within the service month beginning with the initial date of the MA consumer’s eligibility and continuing through the last day of that service month for each MA consumer within the service region who became eligible for MA after the first day of the service month. The Commonwealth will make this partial PMPM capitation payment during the month following the service month. The Commonwealth will make payment for a consumer regardless of whether the consumer utilizes services for the service month, and the selected Applicants must provide transportation services through the last day of that service month.

Capitation Payments – Non- Medical Transportation

Using the Grant Agreement PMPM for non-medical transportation services, the Commonwealth will generate a monthly PMPM capitation payment on behalf of each eligible MA consumer covered by an approved MA waiver and having transportation in their Individual Service Plan (“ISP”) within the defined service region. The Commonwealth will make this non-medical transportation capitation payment during the month following the service month. For consumers eligible for MA on the first day of each service month that have transportation included in their ISP on the first day of the service month, the Commonwealth will make payment regardless of whether the consumer continues to include transportation in his or her ISP through the last day of the service month, and the selected Applicants must provide non-medical transportation services through the last day of that month.

Partial Month Capitation Payments

For MA consumers covered by an approved MA waiver that become eligible for non-medical transportation services during the service month and add transportation to their ISP after the first day of the service month, the Commonwealth will determine a partial PMPM capitation payment based on the Grant Agreement PMPM rate for non-medical transportation services divided by the days in that service month (28, 29, 30 or 31). The partial rate will be applied to each day of service within the service month beginning with the date the consumer added transportation service to their ISP and continuing through the last day of that service month.

Senior Shared Ride Program Co-Payments

Excluding MA consumers aged 65 and older having eligibility in City of Philadelphia, the Department will reimburse selected Applicants for co-payments as a pass-through payment for services provided under the PennDOT's Senior Shared Ride Program ("SSRP") when those services are provided to dually eligible for MA and SSRP MA consumers aged 65 and older when receiving eligible transportation services within the scope of this RFA (MATP services or non-medical transportation to waiver participants). Dually eligible for MA and SSRP consumers for the PennDOT's SSRP are identified using their date of birth, to include individuals 65 years or older, on the date of service.

These co-payments will consist of three (3) components. First, the Department will include the cost of the SSRP fare in excess of the maximum Pennsylvania Lottery reimbursement rate, currently \$42.50. Secondly, the Department will reimburse the consumer's required 15% share of the SSRP. Finally, the Department will pay the General Public Fare for escorts riding with the dually eligible for MA and SSRP MA consumers on the SSRP.

For MA eligible consumers residing in the City of Philadelphia, the Department will not make a separate payment relating to the SSRP. The selected Applicant must provide services as part of the capitated service delivery system for both NEMT and non-medical transportation.

The selected Applicants must invoice the SSRP pass-through payments on a separate *invoice in a format agreed-upon by the Commonwealth* no later than the 15th of the month following the service month. The invoice must include only amounts due under the Grant Agreement for SSRP. The invoice must also include the number of trips for which a co-payment has been made, the county of the service and SSRP zone.

The Department will reimburse the selected Applicants for work satisfactorily performed after execution of a written agreement and the start of the grant agreement, in accordance with agreement requirements, and only after the Department has issued a notice to proceed.

PART V

SMALL DIVERSE BUSINESS AND SMALL BUSINESS PARTICIPATION SUBMITTAL

V-1. Small Diverse Business and Small Business General Information. The Department encourages participation by SDBs and SBs as prime contractors and encourages all prime contractors to make significant commitments to use SDBs and SBs as subcontractors and suppliers.

A SB must meet each of the following requirements:

- The business must be a for-profit, United States business;
- The business must be independently owned;
- The business may not be dominant in its field of operation;
- The business may not employ more than one hundred (100) full-time or full-time equivalent employees;
- The business, by type, may not exceed the following three (3)-year average gross sales:
 - Procurement Goods and Services: twenty million dollars (\$20 million)
 - Construction: twenty million dollars (\$20 million)
 - Building Design Services: seven million dollars (\$7 million)
 - Information Technology Goods and Services: twenty-five million dollars (\$25 million)

For credit in the RFA scoring process, a SB must complete the DGS/BDISBO self-certification process. Additional information on this process can be found at:

<http://www.dgs.pa.gov/Businesses/Small%20Business%20Contracting%20Program/Pages/default.aspx>.

A SDB is a DGS-verified minority-owned small business, woman-owned small business, veteran-owned small business, service-disabled veteran-owned small business, LGBT-owned small business, Disability-owned small business, or other small businesses as approved by DGS, that is owned and controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages.

For credit in the RFA scoring process, a SDB must complete the DGS verification process. Additional information on this process can be found at:

<http://www.dgs.pa.gov/Businesses/Small%20Diverse%20Business%20Program/Pages/default.aspx>.

An Applicant that qualifies as a SDB or a SB and submits an application as a prime contractor is not prohibited from being included as a subcontractor in separate applications submitted by other Applicants.

A SDB or SB may be included as a subcontractor with as many prime contractors as it chooses in separate applications.

DGS's directory of self-certified SBs and DGS/BDISBO-verified SDBs can be accessed from:

<http://www.dgs.internet.state.pa.us/suppliersearch>

Questions regarding the Small Diverse Business and Small Business Programs, including questions about the self-certification and verification processes can be directed to:

Department of General Services
Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)
Room 601, North Office Building
Harrisburg, PA 17125
Phone: (717) 783-3119
Fax: (717) 787-7052
Email: RA-BDISBOVerification@pa.gov
Website: www.dgs.pa.gov

V-2. Small Diverse Business and Small Business (“SDB/SB”) Participation Submittal.

All Applicants are required to submit **two (2)** copies of the SDB/SB Participation Submittal Form and related Letter(s) of Intent **Appendix G** to this RFA **as described in Part I, Section I-12**. To receive points for SDB or SB participation commitments, the SDB or SB must be listed in the Department's directory of self-certified SBs and DGS/BDISBO-verified SDBs as of the Application due date and time. BDISBO reserves the right to adjust overall SDB or SB commitments to correctly align with the SDB or SB status of a prime contractor or subcontractor as of the solicitation due date and time, and also to reflect the correct sum of individual subcontracting commitments listed within the Letters of Intent.

- A.** Applicants must indicate their status as a SDB and as a SB through selection of the appropriate checkboxes.
- B.** Applicants must include a numerical percentage which represents the total percentage of the total cost in the Cost Submittal that the Applicant commits to paying to SDBs and SBs as subcontractors.
- C.** Applicants must include a listing of and required information for each of the SDBs and/or SBs with whom they will subcontract to achieve the participation percentages outlined on the SDB/SB Participation Submittal.
- D.** Applicants must include a **Letter of Intent (Appendix G)** of this RFA) signed by both the Applicant and the SDB or SB for each of the SDBs and SBs identified in the SDB/SB Participation Submittal Form. At minimum, the Letter of Intent must include all of the following:
 - 1.** The fixed numerical percentage commitment and associated estimated dollar value of the commitment made to the SDB or SB;

2. A description of the services or supplies the SDB or SB will provide;
 3. The timeframe during the initial agreement term and any extensions, options and renewals when the SDB or SB will perform or provide the services and/or supplies;
 4. The name and telephone number of the Applicant's point of contact for SDB and SB participation;
 5. The name, address, and telephone number of the primary contact person for the SDB or SB.
- E. Each SDB and SB commitment which is credited by BDISBO, along with the overall percentage of SDB and SB commitments, will become obligations of the selected Applicant.

NOTE: Applicants will not receive credit for any commitments for which information as above is not included in the SDB/SB Participation Submittal. Applicants will not receive credit for stating that after the agreement is awarded they will find a SDB or SB.

NOTE: Equal employment opportunity and agreement compliance statements referring to company equal employment opportunity policies or past agreement compliance practices do not constitute proof of SDB and/or SB status or entitle an Applicant to receive credit for SDB or SB participation.

V-3. Grant Agreement Requirements—Small Diverse Business and Small Business Participation. All grant agreements containing SDB and SB Participation must contain the following provisions to be maintained through the initial agreement term and any subsequent options or renewals:

- A. Each SDB and SB commitment which was credited by BDISBO and the total percentage of such SDB and SB commitments made at the time of application submittal, BAFO or negotiations, as applicable, become obligations of the selected Applicant upon execution of its grant agreement by the Commonwealth.
- B. All SDB and SB subcontractors credited by BDISBO must perform at least fifty percent (50%) of the work subcontracted to them.
- C. The individual percentage commitments made to SDBs and SBs cannot be altered without written approval from BDISBO.
- D. SDB and SB commitments must be maintained in the event the agreement is assigned to another prime contractor.
- E. The selected Applicant and each SDB and SB for which a commitment was credited by BDISBO must submit a final, definitive subcontract agreement signed by the selected Applicant and the SDB and/or SB to BDISBO within thirty (30) business days of the final execution date of the Commonwealth Grant Agreement. A **Model**

Subcontract Agreement (Appendix H) which may be used to satisfy this requirement is available at **Appendix H** of this RFA.

The subcontract must contain:

1. The specific work, supplies or services the SDB and/or SB Business will perform; location for work performed; how the work, supplies or services relate to the project; and the specific timeframe during the initial term and any extensions, options and renewals of the prime agreement when the work, supplies or services will be provided or performed.
 2. The fixed percentage commitment and associated estimated dollar value that each SDB and/or SB will receive based on the final negotiated cost for the initial term of the prime agreement.
 3. Payment terms indicating that the SDB and/or SB will be paid for work satisfactorily completed within fourteen (14) business days of the selected Applicant's receipt of payment from the Commonwealth for such work.
 4. Commercially reasonable terms for the applicable business/industry that are no less favorable than the terms of the selected Applicant's agreement with the Commonwealth and that do not place disproportionate risk on the SDB' and/or SB' relative to the nature and level of the SDB' and/or SB' participation in the project.
- F.** If the selected Applicant and a SDB or SB credited by BDISBO cannot agree upon a definitive subcontract within thirty (30) business days of the final execution date of the Commonwealth Grant Agreement, the selected Applicant must notify BDISBO.
- G.** The Selected Applicant shall complete the Prime Contractor's Quarterly Utilization Report and submit it to the contracting officer of the Issuing Office and BDISBO within ten (10) business days at the end of each quarter of the grant agreement term and any subsequent options or renewals. This information will be used to track and confirm the actual dollar amount paid to SDB and SB subcontractors and suppliers and will serve as a record of fulfillment of the contractual commitment. If there was no activity during the quarter, the form must be completed by stating "No activity in this quarter." A late fee of one hundred dollars (\$100.00) per business day may be assessed against the Selected Applicant if the Prime Contractor's Quarterly Utilization Report is not submitted in accordance with the schedule above.
- H.** The Selected Applicant shall notify the Contracting Officer of the Issuing Office and BDISBO when circumstances arise that may negatively impact the selected Applicant's ability to comply with SDB and/or SB commitments and to provide a corrective action plan. Disputes will be decided by the Issuing Office and DGS.
- I.** If the Selected Applicant fails to satisfy its SDB and/or SB commitment(s), it may be subject to a range of sanctions BDISBO deems appropriate. Such sanctions include, but are not limited to, one or more of the following: a determination that the selected Applicant is not responsible under the Contractor Responsibility Program;

withholding of payments; suspension or termination of the agreement together with consequential damages; revocation of the selected Applicant's SDB status and/or SB status; and/or suspension or debarment from future contracting opportunities with the Commonwealth.