

**REQUEST FOR APPLICATIONS FOR**

**Medical Assistance Transportation Program  
Services in Philadelphia County**

**ISSUING OFFICE**

**Commonwealth of Pennsylvania  
Department of Human Services  
Bureau of Procurement and Contract Management  
Room 832 Health and Welfare Building  
625 Forster Street  
Harrisburg, PA 17120**

**RFA NUMBER**

**06-24**

**DATE OF ISSUANCE**

**January 17, 2025**

**REQUEST FOR APPLICATIONS FOR**  
**Medical Assistance Transportation Program Administrator in Philadelphia County**

**TABLE OF CONTENTS**

<b>CALENDAR OF EVENTS</b>	<b>iv</b>
<b>Part I – GENERAL INFORMATION</b>	<b>1</b>
<b>Part II – CRITERIA FOR SELECTION</b>	<b>12</b>
<b>Part III – TECHNICAL SUBMITTAL</b>	<b>15</b>
<b>Part IV – COST SUBMITTAL</b>	<b>62</b>
<b>Part V – SMALL DIVERSE BUSINESS AND VETERAN BUSINESS ENTERPRISE PARTICIPATION SUBMITTAL</b>	<b>63</b>
<b>Part VI – CONTRACTOR PARTNERSHIP PROGRAM SUBMITTAL</b>	<b>66</b>

## **APPENDICES**

**APPENDIX A, APPLICATION COVER SHEET**

**APPENDIX B, COST SUBMITTAL WORKSHEET**

**APPENDIX C, IT TERMS AND CONDITIONS, DHS ADDENDUM AND AUDIT CLAUSE A/B, DHS BUSINESS ASSOCIATE ADDENDUM**

**APPENDIX D, SMALL DIVERSE BUSINESS PARTICIPATION PACKET**

**APPENDIX E, VETERAN BUSINESS ENTERPRISE PARTICIPATION PACKET**

**APPENDIX F, MODEL FORM OF SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE SUBCONTRACTOR AGREEMENT**

**APPENDIX G, TRADE SECRET CONFIDENTIAL PROPRIETARY INFORMATION NOTICE FORM**

**APPENDIX H, LOBBYING CERTIFICATION AND DISCLOSURE OF LOBBYING ACTIVITIES**

**APPENDIX I, FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT SUB-RECIPIENT DATA SHEET**

**APPENDIX J, WORKER PROTECTION AND INVESTMENT CERTIFICATION FORM**

**APPENDIX K, MATP PERFORMANCE MEASURES**

**APPENDIX L, MATP SUBCONTRACT REQUIREMENTS**

**APPENDIX M, MATP MONTHLY ENCOUNTER DATA FILE FORMAT**

**APPENDIX N, COVERED, NON-COVERED SERVICES**

**APPENDIX O, ELIGIBILITY VERIFICATION SYSTEM**

**APPENDIX P, MATP ELIGIBLE PROGRAM STATUS CODES AND CATEGORIES OF ASSISTANCE**

**APPENDIX Q, PENNSYLVANIA MATP DATA BOOK CALENDAR YEAR 2019-2022**

**APPENDIX R, DEFINITIONS**

**APPENDIX S, GLOSSARY**

**APPENDIX T, IRAN FREE PROCUREMENT CERTIFICATION FORM**

**APPENDIX U, CORPORATE REFERENCE QUESTIONNAIRE**

**APPENDIX V, KEY PERSONNEL REFERENCE QUESTIONNAIRE**

**APPENDIX W, MATP OPERATIONS MEMORANDUM**

## 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 <a href="mailto:RA-PWRFAQUESTIONS@PA.GOV">RA-PWRFAQUESTIONS@PA.GOV</a>	Potential Applicants	January 28, 2025 12:00:00 PM EST
Pre-Application Conference Webinar. Please register at:  <a href="https://events.gcc.teams.microsoft.com/event/8ec9aa69-82e1-4e3c-af24-ebb7261933ab@418e2841-0128-4dd5-9b6c-47fc5a9a1bde">https://events.gcc.teams.microsoft.com/event/8ec9aa69-82e1-4e3c-af24-ebb7261933ab@418e2841-0128-4dd5-9b6c-47fc5a9a1bde</a>  After registering, you will receive a confirmation email.	DHS/Potential Applicants	January 23, 2025 1:15 PM EST
Answers to Potential Applicant questions posted to the Department of General Services website at <a href="http://www.emarketplace.state.pa.us/Search.aspx">http://www.emarketplace.state.pa.us/Search.aspx</a> no later than this date.	DHS	February 11, 2025
Please monitor this website for all communications regarding this Request for Applications.	Potential Applicants	Ongoing
Application must be received by the Issuing Office at <a href="mailto:RA-PWRFAQUESTIONS@PA.GOV">RA-PWRFAQUESTIONS@PA.GOV</a> as provided in <b>Part I, Sections I-12 and I-13.A.</b>  Reference Forms must be received by the Issuing Office at <a href="mailto:RA-PWBPCMReferForms@pa.gov">RA-PWBPCMReferForms@pa.gov</a> as provided in <b>Part I, Sections I-12 and I-13.A and Part III, Section III-3.</b>	Applicants	March 4, 2025 12:00:00 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”) 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 (“MATP”) Services in Philadelphia County (“Project”) for the benefit of individuals eligible for Pennsylvania’s Medical Assistance (“MA”) Program**. 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 that Applicants must meet to be eligible for consideration; general evaluation criteria; and other requirements specific to this RFA.
- I-2. Issuing Office.** The Department’s Office of Administration, Bureau of Procurement and Contract Management (“Issuing Office”) has issued this RFA on behalf of the Commonwealth. The sole point of contact in the Commonwealth for this RFA shall be Nadine Chinapoo, [RA-PWRFAQUESTIONS@PA.GOV](mailto: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 a transportation broker that will be responsible for coordination of non-emergency medical transportation (“NEMT”) for eligible MA consumers in Philadelphia County. The selected Applicant will provide transportation through a structured and cost-effective approach by coordinating various transportation modes that meet the needs of MA consumers in Philadelphia County.

42 C.F.R. § 431.53 requires states to provide MA consumers with necessary emergency and NEMT to and from MA-enrolled providers. Pursuant to 42 C.F.R. § 440.170(a)(4), states are permitted to use a broker model to provide NEMT services. The Department provides NEMT services through its 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.

The majority of MA consumers in Pennsylvania and in Philadelphia County receive their physical and behavioral health services through the Department’s mandatory managed care program known as HealthChoices. MA Consumers not covered by HealthChoices are covered through the Department’s Fee for Service Program.

**I-4. Objectives.**

**A. General.**

The Department is seeking an Applicant to administer the MATP, the program through which NEMT is provided. The selected Applicant shall be responsible for programmatic and fiscally related services while ensuring the provision of NEMT to MA consumers in Philadelphia County, thus enabling them to access necessary medical services. Transportation modes may include but are not limited to taxicabs, vans, mini-buses, wheelchair vans, mileage reimbursement, paratransit, shared ride, fixed route, and transportation network companies.

**B. Specific.** The selected Applicant must provide adequate access to coordinated transportation services for MA consumers residing in Philadelphia County as well as streamlined processes for both consumers and subcontracted transportation providers. The selected Applicant must also:

1. Arrange the most appropriate and 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.
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 assist MA consumers requesting NEMT.
3. Perform gatekeeping and scheduling functions to provide for the appropriate use of transportation services.
4. Establish a sufficient network of transportation providers who have multiple modes of transportation options that meet 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. In conjunction with the Department, develop and maintain a complaint process that provides for the effective response to consumer issues regarding the delivery of transportation services.
7. In conjunction with the Department, develop policies and procedures to eliminate fraud and abuse.

**I-5. Type of Agreement.** The Department intends to award one grant agreement as the result of this RFA. If the Department enters into an agreement, it will be a grant agreement containing the IT Terms and Conditions as shown in **Appendix C** of this RFA. The Department, in its sole discretion, may undertake negotiations with Applicants whose applications, in the judgment of the Department, 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 Commonwealth and the Department are not liable for any costs an Applicant incurs in the preparation and submission of its application, in participating in the RFA process, or in anticipation of agreement award.

**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 adequate time for analysis before the Department provides an answer. 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 questions regarding this RFA, the Applicant must submit the questions by email (**with the subject line “RFA 06-24 Question”**) to the Issuing Officer named in **Part**

**I, Section I-2** of this RFA. If the Applicant has questions, they must be submitted as they arise via email but **no later than** the date stated in the Calendar of Events. The Applicant shall not attempt to contact the Issuing Officer by any other means.

When questions are submitted after the date specified in 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. If the Department decides to respond to a non-administrative question *after* the date for receipt of questions, DHS will provide the answer to all Applicants through an addendum.

All questions and responses will be posted on the Department of General Services (“DGS”) website and are considered as an addendum to, and part of, this RFA in accordance with RFA **Part I, Section I-10** of this RFA.

**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 eMarketplace 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. 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 issues as an addendum.

**I-11. Small Diverse Business (“SDB”) and Veteran Business Enterprise (“VBE”) Participation.** The DGS Bureau of Diversity, Inclusion and Small Business Opportunities (“BDISBO”) has developed a goal setting policy based upon recommendations from its 2018 Disparity Study. The goal setting policy requires BDISBO and agencies to identify contract-specific participation goals for SDBs (which include Minority Business Enterprises (“MBE”), Women Business Enterprises (“WBE”), LGBT Business Enterprises (“LGBTBE”), Disability-Owned Business Enterprises (“DOBE”), and Service-Disabled Veteran-Owned Small Business (“SDVBE”)) and VBEs (which include Veteran-Owned Small Businesses and Service-Disabled Veteran-Owned Small Businesses). Applicants must either agree to meet the participation goals in full or must request and obtain a full or partial Good Faith Efforts waiver from one or both of the participation goals. DHS will reject as unresponsive any application that fails to meet either participation goal or to establish its Good Faith Efforts to meet the participation goals in full or in part.

The established goals for this Project are set forth below:

**SDB Participation: 14%**

**VBE Participation: 3%**

Further information can be found in **Part V** of this RFA. For assistance in determining whether a firm meets these requirements, you may contact BDISBO at (717) 783-3119 or [RA-BDISBOVerification@pa.gov](mailto:RA-BDISBOVerification@pa.gov).

**I-12. Response Date.** To be considered for selection, Applicants must submit electronic copies of their applications to the Issuing Office and the Issuing Office must receive the applications **no later** than the date and time specified in the Calendar of Events. Applicants should allow sufficient time for electronic submission and receipt of their applications. Applicants must submit the electronic copies of applications to [RA-PWRFAQUESTIONS@PA.GOV](mailto:RA-PWRFAQUESTIONS@PA.GOV). The Department will **not** accept hard copy applications or applications via facsimile transmission. **The Department will reject late applications or portions of applications.** “Late” includes, but is not limited to, applications which are received within a minute or



less after the due date and time, as well as applications that are received several hours or days after the due date and time.

### **I-13. Application Requirements.**

- A. Application Submission:** To be considered, Applicants must submit a complete response to this RFA to the Issuing Office, using the format provided in **Part I, Section I-13.B**, providing **one copy of the Technical Submittal, one copy of the Cost Submittal, one copy of the Contractor Partnership Program (“CPP”) Submittal, one copy of the Small Diverse Business (“SDB”) Participation Submittal (which must include either the SDB Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both), and one copy of the Veteran Business Enterprise (“VBE”) Participation Submittal (which must include either the VBE Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both)** via email to [RA-PWRFAQUESTIONS@PA.GOV](mailto:RA-PWRFAQUESTIONS@PA.GOV). The subject line of the email must specify “RFA 06-24 Application”. Email attachments are limited to 10 MB, cumulatively, per email, and files may not be sent in any compressed format. Any part of the application or its attachments over that limit must be sent via separate emails, with each labeled “RFA 06-24 Application Part X of Y” (total number of emails). The Department will not accept encrypted email for the application submission. Contacts for the Corporate and Personnel Reference Forms must submit the completed forms as provided in **Part III, Section III-3.A and III-3.D** to [RA-PWBPCMReferForms@pa.gov](mailto:RA-PWBPCMReferForms@pa.gov).

The electronic response must be in Microsoft Office or Microsoft Office-compatible format to include Adobe Acrobat pdf files, except for **Appendix B, Cost Submittal**, which should be submitted as a Microsoft Excel Spreadsheet; any spreadsheets must be in Microsoft Excel. If an Applicant designates information as confidential or proprietary or trade secret protected in accordance with **Part I, Section I-19**, the Applicant must also include one redacted version of the Technical Submittal, also excluding financial capability information. **Applicants may not lock or protect any cells or tabs.** Applicants shall not distribute their applications 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. 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, the requirement will be met. For this RFA, the application must remain valid for 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 the ability to withdraw or modify it, except that the Applicant may withdraw its application by written notice and submitting it to [RA-PWRFAQUESTIONS@PA.GOV](mailto:RA-PWRFAQUESTIONS@PA.GOV) prior to the date and time specified in the Calendar of Events of when applications are due. An Applicant may modify its submitted application prior to the exact hour and date set for application receipt only by submitting a new application or modification that complies with the RFA requirements.

- B. Application Format:** Applicants should submit their applications in the format, including heading descriptions, outlined below. To be considered, the application should 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. All cost data relating to this application and all SDB and VBE cost data should be kept separate from and not included in the

Technical Submittal. Applicants should not reiterate technical information in the Cost Submittal. Each application shall consist of the following five separate submittals:

**1. Technical Submittal:**

- a.** Applicants should format their responses as outlined below and should consider the email attachment file size limitations included in **Section I-13.A** for file contents. **Do not include cost data in the Technical Submittal.** The Technical Submittal shall include the following sections:
  - i.** Table of Contents;
  - ii.** Statement of the Project;
  - iii.** Management Summary;
  - iv.** Qualifications;
  - v.** Training;
  - vi.** Financial Capability;
  - vii.** Work Plan;
  - viii.** Requirements;
  - ix.** Reports & Project Control;
  - x.** Performance Standards; and
  - xi.** Objections to IT Terms and Conditions.

The contacts for the Corporate and Key Personnel Reference Forms should submit the completed forms in accordance with **Part III, Sections III-3.A. and III-3.D.**

- b.** Complete, sign, and include **Appendix H, Lobbying Certification** and if applicable, the **Disclosure of Lobbying Activities**.
  - c.** Complete and include **Appendix I, Federal Funding Accountability and Transparency Act Sub-Recipient Data Sheet**.
  - d.** Complete and include **Appendix J, Worker Protection and Investment Certification Form**.
  - e.** Complete, sign and include **Appendix T, Iran Free Procurement Certification Form**.
- 2.** Cost Submittal, in response to **Part IV**;
- 3.** SDB Participation Submittal (which must include the SDB Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both), in response to **Part V**;
- 4.** VBE Participation Submittal (which must include the VBE Utilization Schedule, the Good Faith Efforts Documentation to Support Waiver Request, or both), in response to **Part V**; and
- 5.** CPP Submittal, in response to **Part VI**.
- 6.** Technical Submittals should adhere to the following format:
- a.** Pages should be 8.5 by 11 inches with right and left margins of one inch.
  - b.** Should use Arial or Times New Roman font with a type size of 12.

- c. Section headings, shown in this **Part I, Section I-13**, should be used.
- d. Include a page number and identification of the Applicant in the page footer of each page.
- e. Specifically reference materials provided in any appendix 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.

The Department may request additional information which, in the Department's opinion, is necessary to verify that 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-14. 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-15. 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-16. Discussions for Clarifications and Negotiations.** Applicants may be required to make an oral or written clarification of their applications, or both, to the Department to ensure thorough mutual understanding and Applicant responsiveness to the solicitation requirements. The Department will initiate requests for clarifications. Clarifications may occur at any stage of the evaluation and selection process prior to the award of an agreement.

The Department, in its sole discretion, may undertake negotiations with Applicants whose applications show them to be qualified, responsible, and capable of performing the Project. Negotiations may occur at any stage of the evaluation and selection process prior to the award of an agreement.

- I-17. Oral or Written Presentations.** Applicants may be required to make an oral, written, or virtual presentation of their applications to the Department to demonstrate an Applicant's capabilities and ability to provide the services required in the RFA. The Department will initiate requests for presentations; and for oral presentations, may include a request that key personnel be present. The oral presentation will be held in Harrisburg, Pennsylvania. Presentations may be requested at any stage of the evaluation and selection process prior to the award of the grant agreement.
- I-18. Prime Applicant Responsibilities.** The selected Applicant must perform services valued of at least 50% of the total agreement cost, excluding the direct cost of transportation services. Nevertheless, the Department will require the Applicant 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 for all agreement matters.

## I-19. Application Contents.

- A. Confidential Information. The Commonwealth does not require confidential proprietary information or trade secrets be included as part of Applicants' submissions. 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 in accordance with **Part I, Section I-13.A.**, 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 the property of the Commonwealth. 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 a grant, all applications 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 contains confidential proprietary information or trade secrets, the Applicant must provide a signed written statement to this effect 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 G** of the RFA for a **Trade Secret Confidential Proprietary Information Notice Form** that may be utilized as the signed written statement. If financial capability information is submitted in response to **Part III, Section III-5** such financial capability information is exempt from public records disclosure under 65 P.S. § 67.708(b)(26).

## I-20. 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 from the submitted and gathered financial and other information, do not possess the financial capability, experience, or qualifications to ensure 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.

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**, shall also be used to evaluate the BAFOs.
- D. Price reductions offered shall have no effect upon the Applicant's Technical Submittal.
- E. The Department, in its sole discretion, also may undertake negotiations with Applicants whose applications, in the judgement of DHS, show them to be qualified, responsible, and capable of performing the Project.

**I-21. 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-22. 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 shall 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 consultants or competing Applicant personnel may be disqualified.

**I-23. Department Participation.** The selected Applicant 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**. 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-24. Term of Agreement.** The term of the agreement will commence on the Effective Date and will end **three years** after the Effective Date. Subject to the performance of the Applicant and other considerations, the Department may extend the agreement on the same terms and conditions for up to one additional two-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 Applicant for any service or work performed or expenses incurred before the Effective Date.

**I-25. Applicant's Representations and Authorizations.** By submitting its application, each Applicant understands, represents, and acknowledges that:

- A. All Applicant's information and representations in the application are material and important, and the Department will rely upon its contents in awarding the agreement. The Commonwealth may treat any

misstatement, omission, or misrepresentation as fraudulent concealment of the true facts relating to the application, 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, 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 application higher than its application, or to submit any 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** 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.
- H.** The Applicant is not currently under suspension or debarment by the Commonwealth, and has not been precluded from participation in any federally funded health care program by 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 or the specifications for the services described in the application.
- J.** Each Applicant, by submitting its application, authorizes Commonwealth agencies to release to the Department 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, no legal and valid agreement exists, 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 that the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce.

**I-26. Notification of Selection.**

- A. **Negotiations.** The Department will notify all Applicants in writing of the Applicant selected for negotiations after the Department has determined, taking into consideration all evaluation factors, the application that is 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 the selected Applicant.

**I-27. Debriefing Conferences.** Upon notification of award as provided in **I-26.B**, Applicants whose applications were not selected may request the opportunity to be debriefed by emailing the Issuing Officer identified in **Section I-2**. The purpose of a debriefing is to assist the Applicant in understanding some of the strengths and weaknesses of certain aspects of its technical Submittal and will not compare the Applicant with other Applicants, other than the position of the Applicant's application in relation to all other Applicant applications. In its sole discretion, the Issuing Office may schedule a call to read the written debriefing script to the Applicant or e-mail the debriefing script to the Applicant. Any questions concerning the debriefing must be submitted, in writing, to the Issuing Officer no later than the date stated in the debriefing script. In its sole discretion, DHS may respond to some, all, or none of the Applicant's questions.

**I-28. 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 accepts full responsibility to ensure that no changes are made to the RFA. If a conflict arises 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-29. Information Technology Policies.** This RFA is subject to the Information Technology Policies ("ITPs") issued by the Office of Administration, Office for Information Technology and DHS Business and Technical Standards ("BTSs") 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 <https://www.dhs.pa.gov/providers/Providers/Pages/Business%20and%20Tech%20Standards/Business-and-Technology-Standards.aspx>.

All applications must be submitted on the basis that all ITPs and BTSs are applicable to this procurement. It is the responsibility of the Applicant to read and be familiar with the ITPs and BTSs. Notwithstanding the foregoing, if the Applicant believes that any ITP or BTS is not applicable to this procurement, it must list all such ITPs and BTS in its technical response, and explain why it believes the ITP or DHS BTS is not applicable. DHS may, in its sole discretion, accept or reject any request that an ITP or DHS BTS not be considered to be applicable to the procurement. The Applicant's failure to list an ITP or DHS BTS 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 BTS.

The selected Applicant shall comply with state and federal law and policies requiring electronic and information technology being accessible to individuals with disabilities, including Web Content

Accessibility Guidelines (“WCAG”) 2.0, and Commonwealth ITP ACC001-Information Technology Accessibility Policy.



## 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-12**);
  - B.** Be properly signed by the Applicant (see **Part I, Section I-13.A**);
  - C.** Contain an SDB Participation Submittal (SDB-2) (which must include the SDB Utilization Schedule (SDB-3), Good Faith Efforts Documentation to Support Waiver Request (SDB-4 and SDB-5), or both); **and** (a) agree to meet the SDB participation goal in full or (b) receive an approved waiver from any unmet portion of the SDB participation goal; and
  - D.** Contain an VBE Participation Submittal (VBE-2) (which must include the VBE Utilization Schedule (VBE-3), Good Faith Efforts Documentation to Support Waiver Request (VBE-4 and VBE-5), or both); **and** (a) agree to meet the VBE participation goal in full or (b) receive an approved waiver from any unmet portion of the VBE participation goal.
- II-2. Technical Nonconforming Applications.** The four Mandatory Responsiveness Requirements set forth in **Section II-1** 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 application.
- II-3. Evaluation.** The Department has selected a committee of qualified personnel to review and evaluate the Technical Submittals of the timely submitted applications that are eligible for selection. The Department will provide written notice of its selection for negotiations the responsible Applicant whose application is determined to be the most advantageous to the Commonwealth after taking into consideration all evaluation factors.
- The Commonwealth will not score the SDB and VBE Participation Submittals. Rather, Applicants must commit to meeting the SDB and VBE participation goals or make good faith efforts to meet the SDB and VBE participation goals as more fully explained in **Part V**. Although the SDB and VBE Participation Submittals will not be scored, the Department, in conjunction with the Department of General Services Bureau of Diversity, Inclusion and Small Business Opportunities ("BDISBO"), will evaluate the SDB Participation Submittal, the VBE Participation Submittal, and additional required documentation to determine whether they have been completed in accordance with **Part V** and in a manner that demonstrates the Applicant is responsive and responsible. If an Applicant fails to satisfy the SDB or VBE requirements described in **Part II, Section II-1**, the Department will reject the application.
- DHS will not review or score the CPP Submittal. Once an Applicant has been selected for negotiations, DHS will review the CPP Submittal of the selected Applicant and may request changes to the selected Applicant's CPP Submittal during grant agreement negotiations.
- 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 as **75%** of the total points. Evaluation will be based upon the following: **Soundness of Approach, Applicant Qualifications, Personnel Qualifications, and Understanding the Project.**

- **Soundness of Approach.** This includes, but is not limited to, the Applicant's technical approach for completion of all services by this RFA, if it is responsive to all requirements of the RFA and if it meets the Project's objectives.
- **Applicant Qualifications.** This includes, but is not limited to, 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. This also includes the Applicant's ability to undertake a Project of this size.
- **Personnel Qualifications.** This includes, but is not limited to, the competence and sufficiency of the personnel and staff who would be assigned to the Project by the Applicant.
- **Understanding the Project.** This includes the Applicant's understanding of Commonwealth's needs that generated the RFA, the objectives of the RFA, 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 formula located at:

[https://www.dgs.pa.gov/Materials-Services-Procurement/Procurement-Resources/Pages/RFP\\_SCORING\\_FORMULA.aspx](https://www.dgs.pa.gov/Materials-Services-Procurement/Procurement-Resources/Pages/RFP_SCORING_FORMULA.aspx)

**B. Cost:** The Department has established the weight for the Cost criterion for this RFA as **25%** 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 formula located at:

[https://www.dgs.pa.gov/Materials-Services-Procurement/Procurement-Resources/Pages/RFP\\_SCORING\\_FORMULA.aspx](https://www.dgs.pa.gov/Materials-Services-Procurement/Procurement-Resources/Pages/RFP_SCORING_FORMULA.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.

For an Applicant to be considered responsible for this RFA and eligible for selection for BAFO and selection for negotiations:

- A.** The total score for the Technical Submittal of the 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 for the good faith performance of the agreement. The Commonwealth will review the Applicant's previous three 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 herein may be considered by the Department, in its sole discretion, for BAFO or negotiation 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 an Applicant 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.** After any BAFO process is conducted, the Issuing Office will combine the evaluation committee's final technical scores and the final cost scores, in accordance with the relative weights assigned to these areas as set forth in this **Part II**.
- B.** The Issuing Office will rank responsible Applicants according to the total overall score assigned to each, in descending order.
- C.** Except as provided in **Section II-6.D.**, the Department must select for negotiations the Applicant with the highest overall score.
- D.** 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. Statement of the Project.** State in succinct terms your understanding of the Project and 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 grant.

#### ***Applicant Response***

**III-2. Management Summary.** Include a narrative description of the proposed effort and a list of the items to be delivered and services to be provided. The Applicant should condense and highlight the contents of the Technical Submittal in a manner that allows a broad understanding of the entire Technical Submittal.

#### ***Applicant Response***

**III-3. Qualifications.**

**A. Company Overview.** The Applicant should describe the corporate history and relevant experience of the Applicant. This section must detail information on the ownership of the company (names and percent 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 should provide a corporate organizational chart.

The Applicant should describe its corporate identity, legal status, and forms, including the name, address, telephone number, and email address for the legal entity that is submitting the application. In addition, the Applicant should provide the name of the principal officers, a description of its major services, and any specific licenses and accreditations held by the Applicant.

Applicants should provide similar organizational background information on any significant subcontractor for services. A "significant subcontractor" is defined as an organization undertaking more than 10% on the total cost basis of the work associated with this RFA, excluding the direct cost of transportation services.

If an Applicant is proposing to use the services or products of a subsidiary or affiliated firm, the Applicant should describe the business arrangement with that entity and the scope of the services 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 should provide the same information as listed above for the subcontractor. This information must be presented separately within this section, clearly identifying the subcontractor experience and name of the subcontractor.

Applicants should also describe the subcontractor's experience or similar experience in any of the following areas for which they would be responsible under this RFA:

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; and
9. Developing transportation networks.

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

- a. Name of customer;
- b. Type of contract;
- c. Contract description, including type of services provided;
- d. Total contract value;
- e. Contracting officer's name and telephone number;
- f. Role of subcontractors (if any); and
- g. Time period in which services were provided.

The Applicant must submit **Appendix U, Corporate Reference Form**, directly to the contacts listed. The contacts should complete the form and return it electronically to the Issuing Officer identified in **Part I, Section I-2** of this RFA. The contacts for the Corporate references should submit the completed forms, as attachments, to [RA-PWBPCMReferForms@pa.gov](mailto:RA-PWBPCMReferForms@pa.gov) by the due date and time specified in the Calendar of Events. The contacts should include "Corporate Reference Form for RFA 06-24" in the subject line of the email and the body should specify the name of the Applicant for whom the form is being submitted. Upon submission to the [RA-PWBPCMReferForms@pa.gov](mailto:RA-PWBPCMReferForms@pa.gov) account, contacts will receive an automated message stating that their email has been received. Applicants seeking confirmation that forms have been submitted should reach out to their contacts to request copies of those confirmation emails. Reference forms submitted after the due date and time will be rejected.

The Applicant should disclose any contract or agreement cancellations, or terminations within five 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. 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 to disclose after an agreement is awarded, the Department may terminate the agreement.

### ***Applicant Response***

**B. Prior Experience.** Applicants 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; and
9. Developing transportation networks.

Experience should be work done by individuals who will be assigned to this Project as well as that of your company. Studies or projects referred to should 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.

### ***Applicant Response***

**C. Personnel.** Include the number of executive and professional personnel, analysts, auditors, researchers, programmers, consultants, etc., 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 Regional Program Manager, Transportation Manager, Special Needs Coordinator, Operations Manager(s), and Customer Support Manager, include the employee’s name and, through a resume or similar document, the Project personnel’s education and experience in similar in size and scope projects. Indicate the responsibilities each individual will have in this Project and how long each has been with your company. For non-Key Personnel, include position descriptions and minimum qualifications.

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 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 for security validation or other purposes, 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 names and job 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.

Applicants should identify a minimum of three client references for each Key Personnel. 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 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 V, Personnel Reference Form**, directly to the contacts listed. The contacts should complete the reference form and return it electronically to the Issuing Officer identified in **Part I, Section I-2** of this RFA. The Key Personnel contact should submit the completed forms, as attachments to, [RA-PWBPCMReferForms@pa.gov](mailto:RA-PWBPCMReferForms@pa.gov) by the due date and time specified in the Calendar of Events. The Key Personnel contact should include "Key Personnel Reference Form for RFA 06-24" in the subject line of the email and the body should specify the name of the Applicant and the name of the Key Personnel for whom the form is being submitted. Upon submission to the



[RA-PWBPCMReferForms@pa.gov](mailto:RA-PWBPCMReferForms@pa.gov) account, contacts will receive an automated message stating that their email has been received. Applicants seeking confirmation that forms have been submitted should reach out to their contacts to request copies of those confirmation emails. Reference forms submitted after the due date and time will be rejected.

**Key Personnel Diversions or Replacement.** Once Key Personnel are approved by the Department, the 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 30 calendar 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 10 business days of receiving the diversion notice whether the proposed diversion is acceptable and if the replacement was approved.

"Divert" or "diversion" is defined as 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 the selected Applicant remove a person from this Project at any time. For vacancies other than those caused by diversions and unless otherwise approved by the Grant Administrator, the selected Applicant will have 10 business days to interim fill and 60 calendar days to permanently fill the vacancy with a person acceptable in terms of experience and skills, subject to the Department Grant Administrator's approval.

Include a plan for notifying the Department of any changes to key personnel.

### ***Applicant Response***

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

1. Name of subcontractor;
2. Address of subcontractor;
3. Primary contact name, email address and phone number;
4. Type of organization;
5. Date of formation;
6. Status of charter and corporate charter number;
7. Federal Employer Identification Number;
8. SAP/SRM Vendor Number;
9. Number of years worked with the subcontractor;
10. Number of employees by job category to work on this Project;
11. Description of services to be performed;
12. What percentage of time the staff will be dedicated to this Project;



13. Geographical location of staff; and
14. Resumes (if appropriate and available).

If applicable, the Applicant's subcontractor information should include the employees' names, education and experience in the services outlined in this RFA. Information provided should also include the responsibilities each individual will have in this Project and how long each has been with subcontractor's company. The Applicant should also provide a narrative description of any issues experienced with the subcontractor's delivery of services during the past calendar year (if an existing relationship exists with the subcontractor), and any challenges the Applicant has experienced with administering the subcontract (for example, subcontractor responsiveness to communications or complaints) and a description of how the Applicant has addressed these issues and challenges with its subcontractors.

#### ***Applicant Response***

- III-4. 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.

#### ***Applicant Response***

- III-5. 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. If your company is a publicly traded company, please provide a link to your financial records on your company website in lieu of providing hardcopies. The Commonwealth may request additional information it deems necessary to evaluate an Applicant's financial capability.

#### ***Applicant Response***

- III-6. Work Plan.** Describe in narrative form your technical plan for accomplishing the work with the Project tasks and the major milestones and deliverables provided below as a reference point. Indicate the number of person hours allocated to each task. Modifications of tasks are permitted; however, reasons for changes should be fully explained. 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 selected the chosen approach. The relationship between Key Personnel, identified by name and title, and the specifics tasks, assignments, and deliverables proposed to accomplish the scope of work should also be described.

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 Applicant should be including in the work plan its 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.

### ***Applicant Response***

#### **Tasks:**

**A. Readiness Review and Implementation Phase.** The Department will provide the selected Applicant up to six 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, the selected Applicant shall begin participation in Readiness Review. Through Readiness Review, the Department will document the status of the selected Applicant with respect to meeting the agreement requirements. The Department will not permit the 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 the selected Applicant's organizational policies and procedures to confirm they comply with applicable state and federal laws and regulations, and agreement requirements.
- c. The selected Applicant shall acquire sufficient knowledge of Pennsylvania's MATP to understand and carry out the agreement requirements in an effective and timely manner.
- d. The selected Applicant shall 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. The selected Applicant shall 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. The selected Applicant shall assume ownership and independently manage the operational business functions and timely delivery of services to MA consumers for its service region without disruption.
- g. The selected Applicant shall adhere to the Department's policies and processes for handling complaints from MA consumers, including issuance of written notices that afford MA consumers appeal rights when required.
- h. The selected Applicant shall 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 shall include the following elements:

- a. **Staffing.** The proposed schedule for recruitment and hiring of all proposed staff.
- 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 to operationalize a new center.
  - d. **Operational Responsibilities.** The plan and timeframes for the selected 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 and 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.** The selected Applicant shall 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 enrolled 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. All consumer notices and handbooks must be available electronically and in print, including in formats that serve consumers with Limited English Proficiency ("LEP") and with the need for auxiliary aids.
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, the selected Applicant shall provide progress assessments and status updates. The selected Applicant shall have regular status meetings with the Department's Readiness Review Team, which will be either face-to-face or virtual. The selected Applicant shall 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.** The selected Applicant shall have a system with security measures in place to prevent the unauthorized use of, or access to, data. The selected Applicant shall 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 the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191 ("HIPAA"), and requirements relating to safeguarding information relating to consumers of public assistance.
7. **Resolution of Information Technology ("IT") Problems.** The selected Applicant must have an

IT system that is operational and shall resolve system problems when they occur.

- 8. Implementation Results.** At the end of the implementation phase, the selected Applicant shall 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.

The Applicant should describe compliance with all phases of the readiness review process. The Applicant should also submit a detailed work plan that includes all elements of numbers 2-8 above.

#### ***Applicant Response***

- B. Inform and Educate MA Consumers.** The selected Applicant shall inform and educate MA consumers about the availability and services of MATP. The selected Applicant shall 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 selected Applicant’s website. The Applicant shall address in its material, 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.

#### ***Applicant Response***

- C. Consumer Handbook.** The selected Applicant shall mail and make available a Consumer Handbook to MA consumers requesting NEMT within five business days of the request for services. The handbook must contain, at a minimum:

1. A description of MATP 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.

#### ***Applicant Response***

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

1. **Consumer Materials.** The selected Applicant shall 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 grade reading level, use a font size no smaller than 12 points and include taglines as specified in **Section III-6.E**. The selected Applicant shall 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; 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 business days of a request.

For electronic services and information, the term "readily accessible" includes compliance with current accessibility standards in Section 504 of the Rehabilitation Act, 29 U.S.C. 794, and W3C's WCAG 2.0 and successor versions.

2. The selected Applicant shall produce sufficient materials to respond to all information requests for Philadelphia County. Some requests, such as those 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 shall develop and distribute additional mailings to announce special initiatives or policy or program changes. The selected Applicant shall develop such materials in the form and context approved and required by the Department. The selected Applicant shall provide mailings at least 30 business days in advance.
4. If the selected Applicant changes any policy, process, or procedure that materially affects how MATP users access transportation services with approval by the Department, the selected Applicant shall provide notice to the affected consumers at least 30 business days in advance of the effective date of the change.
5. The selected Applicant shall comply with all requirements of 42 C.F.R. §438.10 pertaining to written materials.

### ***Applicant Response***

**E. Limited English Proficiency ("LEP").** The selected Applicant shall comply with the language requirements of 42 C.F.R. §438.10(d). Upon request, the selected Applicant shall 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 Applicant shall 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 shall also post this information on its website.

2. The selected Applicant shall 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. The selected Applicant shall be responsible for determining the prevalent non-English alternative languages. Vital documents include, but are not limited to, informational brochures, appeal notices, and consumer handbooks. The selected Applicant shall 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 in providing meaningful access for individuals with LEP.

#### ***Applicant Response***

- F. Alternate Formats and Auxiliary Aids and Services Requirements.** Upon a consumer's request and at no cost to the consumer, the selected Applicant shall 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 electronic communication. The selected Applicant shall 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.

#### ***Applicant Response***

- G. Operate a Customer Service Center.** The selected Applicant shall establish and maintain a Customer Service Center for Philadelphia County in accordance with the following:

1. Establish and maintain a Customer Service Center physically located in Philadelphia County;
2. Provide a toll-free number for consumers to use;
3. Have sufficient staffing at the Customer Service Center, which may be supplemented through a complement of employees who work remotely, to meet the following functions:
  - a. Provide education and information to consumers, medical providers, and the general public on MATP services;
  - b. Communicate clearly and act in a responsible, courteous, and professional manner;
  - c. Verify consumer eligibility for MATP;
  - 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 sources;
  - 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. Indicate how many staff will work from the Customer Service Center and how many will work remotely. Provide information to demonstrate how the Applicant will ensure that data security and privacy requirements will be adhered to by Customer Service Center staff who work remotely.

4. Operate a Customer Service Center seven 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 Applicant 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 when transportation will be provided).

5. Provide electronic call answering methods for the toll-free phone line for messages during non-operational hours. The selected Applicant's staff shall return all after-hours calls the next business day. During non-operational hours, the selected Applicant shall provide electronic messages in prevalent non-English languages, as determined by the Applicant. The recording must first be in English and must provide general information about the MATP services and give the caller options to hear the message repeated in the prevalent languages.
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 in its plan for providing coverage when staff is temporarily unavailable such as for staff training, illness, or vacations. The Applicant should describe how it 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 shall analyze staffing needs, and modify required staffing, as needed. The selected Applicant shall 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. The selected Applicant's system must have the capability to record all incoming and outgoing calls. The staff, or an automated message, shall 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 180 calendar days from the date of the call. The selected Applicant shall archive all calls for seven years from the date of the call. The selected Applicant shall provide the Department with any recorded call within three 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 five percent;
  - b. Less than one percent for blocked call rate (busy signal);
  - c. 60 seconds or less for the average speed to answer a call; and
  - d. Two minutes or less for average hold time.
11. Track performance. 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.

### ***Applicant Response***

**H. Telecommunications Capabilities.** The selected Applicant shall establish and maintain sufficient telecommunications capabilities for its service region.

1. The 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;
  - e. An ACD system; and
  - f. Text Telephone Typewriter (“TTY”) and Pennsylvania Telecommunication Relay Service for communication with individuals who are deaf or hearing impaired.
2. The selected Applicant shall immediately report all interruptions in any telecommunication services to the Department.
3. The selected Applicant shall provide schematics of the systems that are being proposed.

Describe the Applicant’s ability to meet the requirements for telecommunication capabilities.

### ***Applicant Response***

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

At a minimum, the selected Applicant shall use 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:
  - a. MA identification number;
  - b. Name;
  - c. Address;
  - d. Primary and secondary phone numbers;
  - e. Special needs;
  - f. LEP/Primary Language;
  - g. Required mode;
  - h. Notes; and
  - i. For each trip:
    - i. Requester name (if different);
    - ii. Date/time of request;
    - iii. Date/time of medical appointment or non-medical transportation;
    - iv. Mode of transportation requested;
    - v. Mode of transportation authorized;
    - vi. Denial reason;
    - vii. Justification of mode authorized;
    - viii. Scheduled pick-up/drop-off times;
    - ix. Actual pick-up/drop-off times;
    - x. Escorts;
    - xi. Pick-up location;
    - xii. Drop-off location;
    - xiii. Subcontracted provider assigned;
    - xiv. Trip mileage;
    - xv. Miles traveled by MA consumer;
    - xvi. Destination: Medical provider’s name;
    - xvii. Destination: Medical provider’s address;
    - xviii. Consumer no-show; and
    - xix. Provider no-show.

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 Applicant shall review and respond to any Philadelphia MATP consumer applications received through the existing on-line PennDOT application, Find My Ride Apply, in a comparable timeframe to its responses for consumer applications received through other means. Find My Ride Apply is a web-based application and does not require any specific hardware or software to operate beyond the usage of a compatible web browser (Chrome, Edge, or Safari).

The selected Applicant shall utilize the Southeastern Pennsylvania Transit Authority (“SEPTA”) Key reloadable chip card service to manage services utilizing the mass transit, fixed route mode of transportation. Please describe the procedures the Applicant will implement to utilize the SEPTA Key program, including the following elements: registration of consumers for the program, distribution of cards, verification of trip eligibility for trips taken using cards, and reloading cards.

Please describe any additional consumer- or stakeholder-facing electronic, web or mobile applications that the selected Applicant will use. Please include the purpose of the application, the intended users of the application, and the process for educating users on the application and its functions.

The selected Applicant shall cooperate with DHS and partnering agencies on all initiatives to enhance the MATP.

### ***Applicant Response***

- J. Recruit and Maintain an Adequate Transportation Network.** The selected Applicant shall have a network of transportation providers with sufficient capacity to meet the NEMT needs of consumers in Philadelphia County. The selected Applicant shall 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, use of Transportation Network Companies (“TNCs”), and public transportation. The selected Applicant shall, at a minimum, provide access to transportation services comparable to transportation resources available to the general public. The selected Applicant shall provide for service delivery that meets the needs of consumers for routinely scheduled trips, standing orders, and urgent care trips. If the Applicant intends to subcontract with a TNC or paratransit provider, the Applicant shall provide the subcontract to the Department for approval prior to implementation.

The selected Applicant shall 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.

### ***Applicant Response***

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

federal requirements and regulations.

Describe the Applicant's approach to establishing a network and providing paratransit services.

### ***Applicant Response***

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

- 1. Motor Carrier Authority.** The selected Applicant shall require that all motor carriers subject to regulation by the Pennsylvania Public Utility Commission maintain a valid authority to operate at all times during which the motor carrier is included in the Applicant's Transportation Network.
- 2. Driver Clearances.** The selected Applicant shall require that all drivers, except those employed by a public transit agency, have valid driver licenses and clearances listed in III-6, L. 1. a. prior to providing services to MA consumers. This requirement applies to drivers employed by TNCs. The 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. The selected Applicant must make this policy available to consumers and the Department upon request.
  - a.** The selected Applicant shall require that all drivers, including volunteers, have the following clearances:
    - i.** Pennsylvania Child Abuse History Clearance;
    - ii.** Pennsylvania State Police Criminal Record Check; and
    - iii.** 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 at:

<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:

[www.dhs.pa.gov/KeepKidsSafe/Clearances/Pages/Criminal-Background-Check.aspx](http://www.dhs.pa.gov/KeepKidsSafe/Clearances/Pages/Criminal-Background-Check.aspx) and [www.dhs.pa.gov/KeepKidsSafe/Clearances/Pages/FBI-Fingerprinting.aspx](http://www.dhs.pa.gov/KeepKidsSafe/Clearances/Pages/FBI-Fingerprinting.aspx).

- b.** The selected Applicant shall require that all providers and individual drivers, including volunteers, meet the following requirements as mandated by the Center for Medicaid and CHIP Services, and detailed further in MATP Operations Memorandum, General Operations, MCOPS Memo # 2021-001, attached as **Appendix W**.
  - i.** Each provider and individual driver is not excluded from participation in any federal health care program (as defined in section 1128B(f) of the Social Security Act, 42 U.S.C. §1320a-7b(f)) and is not listed on the exclusion list of the Inspector General of the Department of Health and Human Services;
  - ii.** Each such individual driver has a valid driver's license;
  - iii.** Each such provider has in place a process to address any violation of a state drug law; and

- iv. Each such provider has in place a process to disclose to the state Medicaid program the driving history, including any traffic violations, of each such individual driver employed by such provider.

Describe how the Applicant will meet the requirements for clearances and related required policies.

3. **Vehicle Standards.** The selected Applicant shall 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 shall immediately remove from service any vehicle found to be noncompliant with Pennsylvania Department of Transportation vehicle licensing requirements, safety standards, ADA regulations, insurance requirements, or RFA requirements. For each vehicle that does not have a video camera, the Applicant shall ensure that there is one installed, except for vehicles operated by TNCs. The selected applicant shall be responsible for obtaining and documenting consent by consumers to be video recorded in compliance with applicable Pennsylvania law. For any consumer who does not consent to such recording, the Applicant shall arrange for alternative transportation or ensure that the consumer is not recorded.

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

4. **Semi-Annual Vehicle Inspections.** The selected Applicant shall develop and implement a semi-annual inspection process to verify that all vehicles meet the requirements of Section 2 above, 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 Applicant shall 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 shall conduct and complete an initial inspection of all transportation provider vehicles. The selected Applicant shall complete subsequent inspections no later than six months after the most recent inspection. The selected Applicant shall maintain and submit records of all inspections upon Department request.
5. The selected Applicant shall develop and implement an emergency safety inspection protocol for reports or complaints of problems involving subcontractor vehicles or services.
6. **Training.** As part of its credentialing program, the selected Applicant shall train all drivers prior to their participation. In addition to the driver standards set forth in this RFA, the selected Applicant shall establish and implement its own driver training standards to provide effective service delivery by qualified personnel. Training standards will apply to drivers and attendants and include specialized training on understanding and interacting with consumers in the mental health/substance use populations. The selected Applicant shall also have training standards relating to individuals with life sustaining health care needs and those with limited English proficiency.

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.

- 7. Monitoring.** The selected Applicant shall develop and implement a subcontractor monitoring plan, which must be submitted to the Department for approval. The selected Applicant shall submit the results of subcontractor monitoring according to its plan, including any findings of non-compliance and remedial action taken, to the Department on a quarterly basis. The selected Applicant shall monitor its 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, motor carrier authority requirements, vehicle requirements, complaint resolution and the delivery of courteous, safe, timely, and efficient transportation services. At a minimum, the selected Applicant shall 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. Completion of driver logs and inspection of manifests, vehicle inspections, insurance coverage, maintenance, etc.;
- h. Monitoring of on-time performance;
- i. Monitoring or GPS or tablet-based systems to track routes, timeliness, vehicle speed, and stop-over times during loading and unloading of passengers; and
- j. Monitoring of on-board video tape during operations.

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

- 8. Subcontractor Agreements.** The selected Applicant shall 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 shall 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. Procedures to respond to and report instances of consumer and transportation provider no-shows;
- e. Driver, equipment, and vehicle requirements and service standards necessary to carry out the range of services covered;
- f. Procedures to monitor the transportation provider and how non-compliance will be addressed, including Applicant and Department access to all records including video tapes upon demand;
- g. Effective date and duration, termination, and renewal options;
- h. Any damages that may be assessed against providers;

- i. Reporting and driver log requirements for the transportation providers, including accident reports and data;
- j. Financial terms of the agreement including billing schedules and terms of payment;
- k. Provider complaint procedures;
- l. Agreement by the transportation provider to be bound by the State and Federal terms and conditions; and
- m. Training Requirements.

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

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

9. **Timely Payment.** The selected Applicant's payments to transportation providers shall be sufficient to support efficiency, economy, and quality of care, to enlist enough providers and to provide consumer access to covered transportation services.

The selected Applicant shall 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 shall 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.

### ***Applicant Response***

- M. **Authorize Transportation Service.** The selected Applicant's Customer Service Center will receive and process all consumer requests for transportation services. The selected Applicant shall provide transportation services to eligible consumers who are permanent or temporary residents of Pennsylvania. In authorizing services, the selected Applicant shall:

1. **Verify Eligibility.** At the time of each trip, the selected Applicant shall verify that a consumer is MA eligible. The selected Applicant shall 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 Applicant shall provide courtesy rides to consumers for whichever occurs first, a period of 30 days or until the signed application is received.

The selected Applicant shall use the EVS to verify MA eligibility. After verifying the consumer's MA eligibility, the selected Applicant shall also verify that the consumer's MA Category and Program Status Codes are valid for MATP services using **Appendix P, MATP Eligible Program Status Codes and Categories of Assistance**. Please describe the Applicant's approach to verifying eligibility.

- 2. Determine Need.** The selected Applicant shall 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** for a list of services covered under MATP. In addition, the selected Applicant shall 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 shall not provide requested trips where the distance from point of origin to destination is less than one-quarter mile. The selected Applicant shall determine exceptions based on safety issues and the mental and physical capacity of the eligible consumer.

The selected Applicant shall 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 or if the consumer's transportation needs are outside of the scope of MATP services and the consumer requires further assistance, the selected Applicant shall direct the consumer to the appropriate transportation resource including referral to alternative funding sources (CAO or Managed Care Organization ("MCO"), for example). The selected Applicant must know appropriate local transportation or community resources to which to refer the consumer. The selected Applicant shall follow the Department's policies and procedures when referring a consumer to another transportation resource for services outside the scope of MATP. 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 shall 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 shall 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. Please describe the Applicant's approach to performing periodic reevaluations of modes when it is indicated that the disability is temporary or for a certain length of time.

### ***Applicant Response***

- N. Authorize and Schedule Transportation.** The selected Applicant shall 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 based on the consumer's mental and physical capability to use various modes of available transportation.

The selected Applicant shall schedule and provide authorized transportation services to consumers from two calendar days to fourteen 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 shall 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 Applicant shall arrange urgent care trips upon receiving valid requests for urgent care transport within three 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 shall 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 Applicant can accept a provider’s verbal authorization.

Describe the Applicant’s approach to authorizing and scheduling transportation based on the above standards.

#### ***Applicant Response***

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

Describe the Applicant’s understanding of what are covered and non-covered services.

#### ***Applicant Response***

- P. Coverage Area.** At the request of the consumer or person acting on behalf of the consumer, the selected Applicant shall provide transportation to or from a stated point of origin to an MA-enrolled provider who provides MA-compensable and MATP-eligible services. These providers 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 services covered by MA services.

Describe the Applicant’s approach to providing transportation according to the standards of **Appendix N**.

#### ***Applicant Response***

- Q. Modes of Transportation.** At a minimum, the selected Applicant shall provide the following modes of transportation:

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

The selected Applicant shall 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. The selected Applicant shall also have a process to verify that the trip taken was to an MA-enrolled provider as well as MATP-eligible and MA-compensable service. The consumers must have written verification (e.g., a signature) that the medical service was provided and was MA-compensable.

The selected Applicant is prohibited from paying more for public transportation than the rate charged to the general public. In addition, the selected Applicant shall 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 an MA-enrolled provider to obtain an MA-covered service.

Describe how the Applicant shall 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 trips.

2. **Mileage Reimbursement.** The selected Applicant shall reimburse consumers who have access to a private vehicle that is either their own or another individual's, but cannot meet the cost of fuel, parking, and tolls. The selected Applicant shall reimburse at the rate determined by the Department. Prior to reimbursing a consumer, the selected Applicant shall obtain written verification that the trip was for an MA-covered service to or from an MA-enrolled provider as well as the actual mileage for the trip.

Once available, the selected Applicant shall process all mileage reimbursement requests through DHS' online MATP mileage reimbursement management system. The selected Applicant may elect to build an interface between the mileage reimbursement system and its own systems for this purpose, but the Commonwealth will not separately reimburse the applicant for any costs it incurs in building said interface. The mileage reimbursement management system is currently expected to become available sometime in late 2025 or early 2026.

Describe how the Applicant will provide mileage reimbursement, including the process and requirements for consumers, including its verification process and requirements.

3. **Volunteer Transportation.** The selected Applicant 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. The selected Applicant 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 shall 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 shall require that all volunteers and vehicles

used to provide volunteer transportation be properly licensed and insured. The selected Applicant shall require volunteer transportation drivers:

- a. Be at least 21 years of age and have a valid driver's license, a driving record without any points (as defined in 75 Pa.C.S. § 1535), 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 shall provide paratransit services to and from a medical appointment 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, TNCs, and 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 or destinations. Paratransit also includes multi-modal. The selected Applicant shall validate that the trip is to a medical service that is provided by an MA-enrolled provider and is MA-compensable and MATP-eligible.

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 shall refer all consumers who request exceptional transportation to their local CAO using the Department's referral process. 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. Describe the Applicant's proposed referral process for exceptional transportation.
6. **Non-Emergency Medically Necessary Ambulance Transportation.** The selected Applicant shall 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 using the Department's referral process.

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

The Applicant should address the need for a referral program.

Describe how the Applicant intends to utilize the minimum mandatory modes of transportation.

### ***Applicant Response***

**R. Pick-up and Drop-off Standards.** The selected Applicant shall transport MA consumers to and from medical appointments in a timely manner and provide transportation services that comply with the following service delivery standards. The selected Applicant shall include the following standards in all transportation service agreements.

- 1. Curb-to-Curb Service.** For standard paratransit services, the selected Applicant shall provide curb-to-curb services. The selected Applicant shall provide curb-to-curb service for MA consumers who need minimal 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 a residence or building.
- 2. Paratransit Pick up Rule.** The selected Applicant shall pick up consumers within a window beginning 15 minutes before and extending to 15 minutes after the scheduled pick-up time. This creates a 30-minute pick-up window. The selected Applicant shall make consumers aware that they are to be ready and waiting at least 15 minutes before the scheduled pick-up time. Vehicles that arrive before the 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 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 30-minute window are on time.
- 3. Paratransit One-Hour Rule.** The selected Applicant shall not drop off consumers at a medical provider's office more than one hour prior to the scheduled medical appointment time. The selected Applicant shall not pick up consumers more than one hour after a medical visit has concluded. The selected Applicant should make every effort to minimize these wait times for consumers receiving life-sustaining treatment such as renal dialysis or chemotherapy.
- 4. Trip Length Standards.** During multi-load situations, the selected Applicant and its subcontracted transportation provider(s) shall limit a consumer's time in a vehicle to no more than 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 Applicant, for the purposes of data reporting and invoicing, shall only report a completed trip as follows:
  - a.** a one-way trip from the consumer's home or other designated location to the destination of the covered medical service;
  - b.** a one-way trip from the covered medical service location to the consumer's home or other designated location; and
  - c.** a one-way trip from one covered medical service to another covered medical 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 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 appointment. Additionally, if the transportation provider does not arrive within 30 minutes of the scheduled pick-up time, the trip is considered incomplete. Trips where a transportation provider arrives 30-44 minutes after the scheduled pick-up time are considered "late," while trips where a transportation provider arrives 45 minutes or more after the scheduled pick-up time are considered "exceptionally late."

Describe the process and methods the Applicant will use to track, report, and mitigate incomplete trips, including late and exceptionally late trips.

- 6. Verification of Trips.** The selected Applicant shall have a process to verify a consumer's attendance at medical appointments for each mode of transportation. The selected Applicant shall 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 Applicant shall perform and document a post trip verification review of trips and verify "routine trips" are for medical services. The selected Applicant shall obtain written consent from the consumer to obtain any required information from the consumer's medical providers for verification purposes using the Department's required consent form.

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

- 7. Door-to-Door Service.** The selected Applicant shall provide door-to-door service when appropriate for the consumer's physical or mental capabilities. The selected Applicant shall provide door-to-door service to consumers who need assistance to move safely between the door of the vehicle and the door of the consumer's pick-up point or destination. The driver will exit the vehicle and assist the consumer from the door of the pick-up point (e.g., residence), escort the consumer to the door of the vehicle and assist the consumer with 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 or building.

The selected Applicant shall request a certification from the medical provider to assess and determine if a consumer is eligible for door-to-door service. The certification must document that the consumer has a physical, sensory, developmental, or cognitive disability that requires door-to-door assistance for the safe transport of the consumer.

The selected Applicant shall communicate the availability of door-to-door service to all consumers at the time the consumer registers for or requests a service and any time a consumer requests a change to paratransit service. The selected Applicant shall determine whether door-to-door or curb-to-curb service is required at the time a consumer schedules a trip.

The Applicant should describe how it will meet the requirements of door-to-door service.

Describe how the Applicant will meet each of the pick-up and drop-off standards.

***Applicant Response***

- S. Escorts and Attendant Services.** The selected Applicant shall allow an escort, without charge to the consumer or escort, to accompany a consumer on a trip if a consumer cannot travel independently for reasons such as age, disability, or language barriers. Examples of an escort include, but are not limited to, a parent, guardian, or any person, including a child who is capable of appropriately assisting the consumer. The Department shall not pay the selected Applicant separately for an escort's trip.

When the selected Applicant is transporting a group of children, the selected Applicant shall 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 shall 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.

***Applicant Response***

- T. Special Needs Coordination and Outreach.** The selected Applicant shall work closely with the consumer, 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 shall have a special needs coordinator or coordinators who coordinate(s) 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 special needs coordinators within its organizational structure to deal with issues relating to MA consumers with special needs.

***Applicant Response***

- U. Consumer No-Shows.** The selected Applicant shall develop procedures on managing trips scheduled by consumers that are not taken and not canceled by consumers within required timeframes ("no-shows"). The selected Applicant shall not deny future trips due to consumer no-shows.

Describe the processes the Applicant will use to minimize consumers no-shows.

***Applicant Response***

- V. Satisfaction Surveys.** The selected Applicant shall use an independent research organization to conduct consumer satisfaction surveys every quarter. The selected Applicant shall 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.

#### ***Applicant Response***

- W. Adverse Conditions Plan.** The selected Applicant shall have a written plan that describes how the selected Applicant will provide transportation for MA consumers who need dialysis and other life sustaining 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.

#### ***Applicant Response***

- X. MATP Advisory Committee.** The selected Applicant shall establish and maintain an MATP Advisory Committee for Philadelphia County 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 and role for the Advisory Committee, including the committee's role in implementation and readiness review activities.

#### ***Applicant Response***

- Y. Complaint Process.** The selected Applicant will receive and shall respond timely 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. The selected Applicant shall develop and maintain a complaint process approved by the Department. The complaint process shall include at a minimum, the standards developed by the Department.

The selected Applicant shall keep copies of all complaints, responses, and corrective action plans and make them available to Department staff upon request. The selected Applicant shall 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. Describe how the Applicant will analyze complaints and use information to improve its practices.

## ***Applicant Response***

- Z. Appeals and Fair Hearings for MA Consumers.** The selected Applicant shall comply with the appeals and fair hearing requirements of 55 Pa. Code Chapter 275 and 55 Pa. Code §2070.42. The selected Applicant shall issue written 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; approves the requested service(s), but for a lesser amount, scope, or duration than requested; disapproves the requested service(s), but approves provision of an alternative service(s); or reduces, suspends, or terminates a previously authorized service. The selected Applicant shall use the Department's approved Written Notice of Service Action and Right to Appeal Form for notifications of adverse determination to consumers.

The selected Applicant shall 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;
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; or
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 shall assist the consumer in reducing the appeal to writing and must obtain the consumer's signature. Within three business days of the oral appeal, the selected Applicant shall 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 shall retain a copy of the appeal.

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

If the matter is resolved or settled any time prior to a fair hearing, the selected Applicant shall document the resolution. The selected Applicant shall 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 shall appear at the hearing.

The selected Applicant is 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. 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 shall confirm with the CAO that the consumer is not MA-eligible before denying the request. The consumer may not appeal a denial because of ineligibility for MA.

The Applicant should discuss how it will meet the requirements for the appeals process.

### ***Applicant Response***

- AA. Training.** The selected Applicant shall 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 staff, drivers, attendants, and that of subcontractors, particularly customer service staff, that interface with consumers.

### ***Applicant Response***

- BB. Fraud and Abuse.** The selected Applicant shall 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 shall:

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 provider 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 State 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 approve 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 that 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.

Describe the Applicant's approach to detection and prevention of fraud and abuse.

### ***Applicant Response***

**CC. Continuous Quality Improvement.** The selected Applicant shall 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, as well as 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 Applicant shall 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.

### ***Applicant Response***

**DD. Performance Monitoring.** The selected Applicant shall 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 Applicant and its subcontractors shall 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 Applicant and its subcontractors shall 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 seven 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 shall assist the Department in its validation of trip data by making available trip records as requested. In addition, the selected Applicant shall 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 contacts the Applicant regarding the delivery of transportation services.

Describe how the Applicant will support and collaborate with the Department with respect to monitoring performance.

### ***Applicant Response***

**EE. Turnover.** Turnover is defined as those activities that the selected Applicant shall 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, the selected Applicant shall work cooperatively with any successor and the Department.

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

- a.** Provide a Turnover Plan six months prior to the end of the agreement term or within 30 calendar days after notification of termination.
- b.** Implement the approved Turnover Plan three 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 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. A 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.
3. Turnover Receivables. Turnover receivables will include instructions on total transportation processes and all finished and unfinished documents, data, software, studies, reports, or other materials prepared under the agreement that the selected Applicant shall turnover to the Department. Receivables will be packaged and will be labeled by content and divided into history that includes materials more than six 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:
- a. Communication/Outreach; and
  - b. Administration:
    - i. Files of inquiries, complaints, and resolutions;
    - ii. List of all Applicant's subcontractors and transportation providers utilized in the program by name, address, telephone number, and description how utilized;
    - iii. All stored literature including background information; and
    - iv. Copies of completed financial audits.
4. Turnover Results Reports. Following turnover of service delivery, the 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.
5. The selected Applicant must maintain operations, services, and systems until responsibilities are transferred to the Department or a successor. The selected Applicant will be responsible for all costs relating to the transfer of materials and responsibilities.

Describe how the Applicant will comply with each of the Turnover responsibilities.

### ***Applicant Response***

#### **III-7. Requirements.**

- A. Adherence to Department Policies and Guidance.** The selected Applicant shall comply with all applicable Department policy and guidance that exists at the time a grant is issued as a result of this RFA. The Department routinely issues guidance for grantees through a document called the Standards and Guidelines, as well as through Operations Memoranda. During the term of any resulting grant, the selected Applicant shall comply with all new policies and guidance issued through the Standards and Guidelines or Operations Memoranda upon receipt of the policies and guidance from the Department.

Describe the Applicant's process for monitoring the issuance of new policies and guidance and for implementing such policies and guidance.

### ***Applicant Response***

- B. Disaster Recovery.** The selected Applicant shall develop and document a Disaster Recovery ("DR") plan for electronic records and files maintained by the selected Applicant. The selected Applicant shall utilize reasonable data backup and DR procedures to prevent loss of information and an interruption in the use of its proposed systems.

The selected Applicant shall:

1. 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.
2. Provide detailed information regarding its backup and DR systems, architecture/frameworks, capabilities, governance, and procedures.
3. Describe how its backup and DR plans enable the continuation of critical business processes for the protection and security of the data.
4. Provide an annual update of the data backup and DR plan and the DR plan testing process and testing frequency.

Describe the Applicant's disaster planning process.

### ***Applicant Response***

**C. Emergency Preparedness.**

To support continuity of operations during an emergency, including a pandemic, the Commonwealth needs a strategy for maintaining operations for an extended period of time. One part of this strategy is to ensure that essential agreements that provide critical business services to the Commonwealth have planned for such an emergency and put contingencies in place to provide needed goods and services.

1. Describe how you anticipate such a crisis will impact your operations.
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 business functions and key employees 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.

- ii. How employees in your organization will carry out the essential functions if measures prevent from coming to the primary workplace.
- d. How your organization will communicate with staff 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.

Describe the Applicant's understanding of and approach to emergency preparedness.

### ***Applicant Response***

**D. Bolstering Service Delivery through a Digital Experience Strategy.** The Commonwealth of Pennsylvania ("Commonwealth") is committed to improving digital interactions with Pennsylvanians, individuals, and entities that conduct business with or on behalf of the Commonwealth, (each a "Business Partner").

Executive Order 2023-08 - *Bolstering Service Delivery Through a Digital Experience Strategy* calls for the enablement of an online service delivery system that would provide a universal entry way to all Commonwealth programs, services, and resources organized by users' needs and life experiences rather than agency program areas.

More information about the Executive Order is available at the following location: [Executive Order 2023-08 – Bolstering Service Delivery through a Digital Experience Strategy.](#)

Applicants shall acknowledge and conform to the following six design principles and requirements when proposing solutions within applications and/or during product demonstrations in response to Commonwealth procurement solicitations. The selected Applicant shall align its performance and deliverables with these principles and requirements under any agreement that may be awarded from the procurement solicitation.

#### **Design Principles and Requirements.**

1. Delivering a consistent and friendly user experience across all Commonwealth agencies informed by human-centered design principles and user research.

A consistent and friendly user experience will enable Pennsylvanians, individuals, and Business Partners to locate services and conduct business with the Commonwealth, even if they do not know which agency to contact. Pennsylvanians, individuals, and Business Partners will continue to be able to navigate directly to services on agency websites, if they wish.

PA.GOV is the Commonwealth's single state government destination. By using PA.GOV, Pennsylvanians, individuals and Business Partners will know that they are utilizing official services from the Commonwealth.

The selected Applicant must use the PA.GOV domain for proposed websites and digital services. Refer to the Commonwealth Information Technology Policy (“ITP”) ITP-NET005 *Commonwealth External and Internal Domain Name Services (“DNS”)*. Applicants shall acknowledge its understanding of and compliance with this requirement in its application.

Each Applicant’s application must include a description of how the Applicant plans to integrate a consistent and friendly user experience, starting with [PA.GOV](#). The selected Applicant shall be able to receive and validate the credentials of a Pennsylvanian, individual or Business Partner that were previously authenticated from an active session.

The Applicant’s solution must integrate with existing PA.GOV and be able to receive and validate credentials among Commonwealth websites, applications, and digital services to allow seamless navigation to and from PA.GOV.

Keystone Login is the Commonwealth’s single login solution. Keystone Login provides a consistent and secure approach to account administration by offering Pennsylvanians, individuals, and in the future, Business Partners, a single online point of access to services offered by multiple Commonwealth agencies or other Business Partners. It is critical that by using Keystone Login any Pennsylvanian or Business Partner can work with any Commonwealth agency or other Business Partner through the Commonwealth’s public facing applications using a single login credential.

The consistent and modern authentication standards available through Keystone Login will increase convenience for Pennsylvanians and Business Partners by simplifying account management and eliminating the need to remember multiple usernames and passwords, while also strengthening the Commonwealth’s security posture. In addition, Keystone Login provides the capability for a Pennsylvanian or a Business Partner to create a single profile managed by Keystone Login.

The selected Applicant shall register with and utilize Keystone Login.

Applications that utilize Keystone Login can leverage authentication methods through one of the following: (1) via a series of Application Programming Interfaces (“APIs”), (2) as a redirect to the Keystone Login Portal, or (3) a hybrid of both approaches.

A detailed Developer Integration Guide will be provided to the selected Applicant; however, to assist Applicants in preparing their applications, a summary version of the Developer Integration Guide and Keystone Login Branding Guidelines are available at the following location: <http://keystonelogindevelopers.pa.gov>.

The summary version of the Developer Integration Guide and Keystone Login Branding Guidelines should be reviewed by the Applicants prior to responding to this solicitation to ensure the Applicants understand the mandatory APIs and services that shall be made available to Pennsylvanians and Business Partners.

The Applicants shall include in their applications an acknowledgement that they will utilize Keystone Login for Pennsylvanians. If the Applicant requires any additional information to verify the identification of Pennsylvanians through the authentication process provided by Keystone

Login, the Applicant must identify the additional required information the Applicant needs in its application.

Additionally, the Applicant must commit to utilizing Keystone Login for Business Partners when required by the Commonwealth. The timeframe for implementation of Keystone Login to Business Partners will be mutually agreed upon by the selected Applicant and the Commonwealth and will be documented through the change order process of the agreement.

2. Incorporating user feedback continuously into digital applications to ensure users' expectations and needs are better met.

Applicants must develop user-focused requirements that tie back to all personas that will be leveraging the solutions being suggested.

Applicants must include within their applications a reporting strategy and specific mechanisms for how the solution would measure its success in meeting the needs of users (e.g., reducing time to complete for end-users by XX%).

When designing any digital interface, a plan for user research and iterative prototype development must be included within their applications. The Applicant must plan for written sign-off on a finalized prototype prior to beginning any development work, and such must be acknowledged within their applications.

Developed prototypes must be informed not only by design best-practices, but also the feasibility of the back-end technical integrations that would be required to enable the front-end experience, so user feedback is informed by realistic examples. Applicants must outline in their applications the design best practices and technical integrations that would enable the front-end experience.

All existing user research completed by the Commonwealth related to this procurement will be provided, if available and permissible by law. If the Applicant does not have the ability to provide user research or prototype development, it must explicitly be called out in their application so that the Commonwealth can anticipate resources that will be required outside of the scope of the awarded agreement.

3. Sharing and integration of data across agencies to glean users' insights and measure experience, including satisfaction and trust across Commonwealth services.

The universal entry way outlined within the Executive Order will establish capabilities to connect Residents to existing systems of records using a consent-based approach that will enable Residents to view and update their data across agencies and program areas in a seamless fashion using a common technology identity.

An enterprise data management program strategy was established that focuses on democratization of data, efficiency of data transactions, and increasing data quality, availability, integrity, and security measures. The strategy also combines functional and cultural changes to the data habits and literacy of people, establishes standardized data processes, and deploys technologies to ensure optimal practices and business processes are used to collect, create, maintain, and/or disseminate data.

To accomplish the strategy, the Commonwealth is standardizing and deploying the following technology solutions in support of a centralized enterprise data hub.

- Core Resident and Business Profiles (“Golden Records”)
- Universal Identifiers and ID Linkage
- Master Data Management
- Enterprise Messaging and Queuing Services
- Data API / Data Integration Services
- Enterprise Data Catalog

The Applicant shall provide within their applications a detailed overview of data available from the proposed solution, along with data format and all methods in which the data can be accessed by Commonwealth solutions and reporting tools (e.g., Enterprise Data Catalog, Power BI).

The Applicant shall also include in the application how the proposed solution can contribute to the centralized enterprise data hub. This information must include field-level data (e.g., profile/demographics/preferences of users) and outcomes data from the proposed solution (e.g., user logins, user journey history, completed applications).

The data is owned by the Commonwealth and cannot be used by the awarded Applicant without written consent of the Commonwealth.

4. Consolidate or eliminate outdated technologies and systems that are costly or challenging to maintain, insecure, or no longer impactful with the goal of minimizing or preventing the Commonwealth from incurring technical debt.

Applicants must acknowledge within their applications if the proposed solution has a roadmap that showcases a progression plan for sustaining, enhancing, and maturing the proposed solution into the future. Applicants must include the roadmap within their applications, if available.

Applicants must explain within their applications how solution enhancements and/or version releases are handled, and at what cyclical intervals.

Applicants must acknowledge within their applications the timeframe (e.g. years, months) the proposed solution has been implemented for other clients or if new and/or emerging technology(ies) is being proposed.

5. Designing digital services that incorporate best practices regarding data exchange, data privacy, security, records management, language translation, and accessibility associated with Commonwealth data, devices, and materials to provide comprehensive protections and manage risk.

Applicants shall acknowledge within their applications compliance with the Commonwealth’s electronic information privacy standards. Refer to the ITP-PRV001 – Commonwealth of Pennsylvania Electronic Information Privacy.

Applicants shall acknowledge within their applications compliance with the Commonwealth’s websites, applications, and digital content and services design standards. Refer to ITP-SFT002 – *Commonwealth of PA Design Standards*, and ITP-SFT009 – *Application Development*.



Title VI of the Federal Civil Rights Act of 1964 provides that “no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Title VI applies to all state agencies that receive Federal financial assistance.”<sup>1</sup>

Applicants shall demonstrate how they will support the Commonwealth in making vital digital information available to people with limited English proficiency with accurate digital language translation in frequently encountered languages.

Applicants must acknowledge within their applications and, if requested by the Commonwealth, demonstrate during product demonstration sessions, solution and deliverable compliance with relevant federal, and state laws, regulations, and rules including, but not limited to, the following.

- Title III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability;
- Section 508 Amendment to the Rehabilitation Act of 1973, which requires all Federal agencies' electronic and information technology to be accessible to those with disabilities; and
- Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability for entities receiving federal funds.

In addition, Applicants must acknowledge within their applications and product demonstration sessions compliance with the revised Section 508 Standards and the current version of the Web Content Accessibility Guidelines (“WCAG”), which are industry standards. The selected Applicant must provide as a deliverable of the awarded agreement quarterly reports that demonstrate compliance with WCAG. Refer to ITP-ACC001 – *Information Technology Digital Accessibility Policy* for additional information.

6. Follow Commonwealth data source standards to facilitate better connections and access of user data.

The purpose of the citizen and business data models are to standardize and promote common glossary definitions for the data elements and their associated attributes. A common understanding of data entities and elements across the enterprise is an essential first step in developing integrated processes and moving away from ‘silo’ systems, solutions, applications, and digital services.

Applicants must acknowledge within their applications and, if requested by the Commonwealth, demonstrate during product demonstration sessions compliance with ITP-INF003 – *Data Modeling Standards* as well as ITP-INF003’s associated supporting documents.

Applicants must provide within their applications the availability of APIs to add, update, and/or exchange resident, business, and solution/system/application data in real-time with centralized data hubs managed by the Commonwealth.

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<sup>1</sup> 42 U.S.C. § 2000d (1964), “Title VI” includes this statute and its regulations.

### ***Applicant Response***

**E. Non-Commonwealth Hosting.** The Commonwealth defines Non-Commonwealth Hosting as any service that is hosted by or within a Service Organizations or its subcontractor(s) (Subservice Organization(s)) managed infrastructure regardless of deployment model (public, private, or hybrid) or such type as, but not limited to, software-as-a-service for web-based proposals, infrastructure-as-a-service for Internet-based access to storage and computing power, and platform-as-a-service that gives developers the tools to build and host web applications. Solutions deployed through traditional hosting methods and without the use of NIST Cloud capabilities (i.e., rapid elasticity, resource pooling, measured service, broad network access, and on demand self-service) are also included. Please refer to [Glossary \(pa.gov\)](#) for more specifics.

1. The Offeror shall meet all hosting requirements outlined in **Exhibit B, Requirements for Non-Commonwealth Hosted Application Services** of the **IT Contract Terms and Conditions (Appendix C)**.
  - a. As described in **Exhibit B, Requirements for Non-Commonwealth Hosted Application Services, Section B.2**, the Offeror shall provide applicable SOC I and SOC II reports upon contract execution and annually thereafter.
2. The proposed solution shall undergo an IT Vendor Risk Assessment review. In support of the review, the Offeror must submit the following documents and information related to the proposed solution:
  - a. SOC2 Type II, ISO 27001 certification, SIG and/or other relevant security documentation;
  - b. Information Security Policy;
  - c. PenTest Summary Results; and
  - d. Any other relevant information pertaining to the Offeror's Security & Compliance programs.

### ***Applicant Response***

**F. 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, 31 U.S.C. § 1352, 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 H**, and if applicable, complete the **Disclosure of Lobbying Activities Form**, also attached as **Appendix H**.

Describe the Applicant's understanding of lobbying activities and provide the appropriate certification and disclosure forms.

### ***Applicant Response***

**G. Worker Protection and Investment.** Pursuant to Executive Order 2021-06, *Worker Protection and Investment* (October 21, 2021), the Commonwealth is responsible for ensuring that every Pennsylvania worker has a safe and healthy work environment and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance

with all applicable Pennsylvania state labor and workforce safety laws. Such certification shall be made through the Worker Protection and Investment Certification Form (BOP-2201) and submitted with the bid, proposal or quote. This form is attached as **Appendix J**.

### **Applicant Response**

**H. Regulatory Compliance.** The selected Applicant 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. The selected Applicant will investigate the impact of the change on its requirements and price. If DHS and the selected Applicant 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 change, 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 **IT Terms and Conditions (Appendix C)**. 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 Per Member Per Month rate during the affected period. These temporary fees will be negotiated and will be incorporated into the Grant pursuant to the **IT Terms and Conditions (Appendix C)**.

Describe the Applicant's understanding of relevant regulatory requirements and its approach to confirming compliance therewith.

### **Applicant Response**

- I. Referral and Conflict-Free Requirements.** The selected Applicant is subject to the requirements related to prohibitions on referrals and conflicts of interest as described at 42 C.F.R. §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, the 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 Applicant 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 Applicant 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:
      - i. 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.
      - ii. 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.
      - iii. 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.
      - iv. 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:
        - (a) 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;
        - (b) 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
        - (c) 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-7, Section G.

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 Applicant 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 Applicant's plan, both for its feasibility and sufficiency, in meeting the conflict-free requirements.

Describe the Applicant's approach to providing conflict-free services.

### ***Applicant Response***

- J. Confidentiality Requirements.** The selected Applicant 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 as defined by HIPAA, Pub. L. 104-191, and privacy regulations in 45 C.F.R. Parts 160 and 164 Subparts A and E. The selected Applicant will comply with the Business Associate Addendum contained in **Appendix C** of this RFA. In accordance with federal and state law, the selected Applicant 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 Applicant is 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. The 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.

Describe the Applicant's understanding of what types of information are protected, and the processes for safeguarding confidential information.

### ***Applicant Response***

**III-8. Reports and Project Control.** The selected Applicant shall 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 shall 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.

Describe the Applicant's ability to provide required reports.

### ***Applicant Response***

**B. Ad Hoc Reports.** The Department may require the selected Applicant 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 shall submit these reports to DHS, upon request.

Describe the Applicant's ability to provide required reports.

### ***Applicant Response***

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

#### **1. Monthly Trip Summary Reports.**

**Due Date** – The selected Applicant shall upload trip-level data files to the Department at a minimum of 45 calendar days and a maximum of 60 calendar days from the end of the month of the date of the trip. For example, a selected Applicant must report a trip given on July 1 during the period of September 15-30; this trip is not to be submitted in an August upload period or it will be rejected.

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

When a trip-level data file is submitted between the first day of the month and the 14th day of the month, the file will sit until 5:00 pm on the 15th day of the month.

At a minimum, the selected Applicant shall include in the monthly trip summary report:

- a.** Number of requested trips, approved and denied, by mode;
- b.** Number of completed trips by mode and medical reason;

- c. Number of transportation provider no-shows;
- d. Number of consumer no-shows;
- e. Number of urgent trips;
- f. Number of on time trips and late trips;
- g. Number of cancelled trips; and
- h. Number of unduplicated consumers and number and mode of trips taken.

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

- a. Total number of incoming calls;
- b. Number of answered calls;
- c. Average speed of answer;
- d. Blocked call rate;
- e. Call abandonment rate;
- f. Percentage of calls answered in under two minutes;
- g. Average talk time;
- h. Number of calls placed on hold and length of time on hold;
- i. Number of abandoned calls and length of time until call is abandoned;
- j. Number of outbound calls; and
- k. Number of available operators by time.

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

**3. Monthly Complaint and Appeal Summary.** The selected Applicant shall submit a summary of complaints received by type, including disposition and a summary of appeals filed and the resolution, by the 15<sup>th</sup> of the month for the prior month.

**4. Monthly Incident Report.** The selected Applicant shall report significant incidents to the Department by the 15<sup>th</sup> of the month for the prior month.

- a. Significant incidents include:
  - i. Assaults (either on a MA consumer or staff member);
  - ii. Threats of assault or injury;
  - iii. Injury to a MA consumer or staff member;
  - iv. Accidents while MA consumers are in transit that may require medical attention;
  - v. Involvement of law enforcement officials;
  - vi. Allegations of abuse; and
  - vii. Medical attention being needed while during transportation.
- b. At a minimum, the Incident Report must include the following:
  - i. Name(s) of the involved person(s);
  - ii. Address;
  - iii. Date/time of incident;
  - iv. Location;
  - v. Identify if illness or injury was involved;
  - vi. Description of the incident (nature of the incident, witnesses, and narrative of what occurred);
  - vii. Final disposition (how the incident was handled and any next steps or outcomes);

- viii. Name of person submitting the report;
  - ix. Date of report; and
  - x. Date forwarded to the Department.
5. **Monthly Trip Encounter Data Report.** The selected Applicant shall record and submit to the Department, monthly trip encounter data. The selected Applicant shall submit encounter data for consumers eligible for transportation services on the date of service and shall not submit duplicate records. The selected Applicant shall maintain appropriate systems and mechanisms to obtain necessary data from its subcontractors and providers to comply with this reporting requirement. See **Appendix M, MATP Monthly Encounter Data File Format.**
- a. **Data Format.** The selected Applicant shall submit monthly trip encounter data to the Department according to the specifications in **Appendix M.** The selected Applicant shall provide the following information:
    - i. County code;
    - ii. Date of trip;
    - iii. Consumer’s Medical Assistance identification number;
    - iv. Mode of transportation;
    - v. Whether trip was completed; and
    - vi. Whether an escort was needed.
  - b. **Timing of Encounter Data Submittal.** The selected Applicant shall submit all encounter data records to the Department within 45 calendar days following the month in which services occurred as follows:
    - i. Trip records are acceptable when they pass all Department edits.
    - ii. 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.
    - iii. Corrections and resubmissions must pass all edits to be accepted by the Department.
6. **Specific Financial Reporting Requirement.** The selected Applicant shall submit monthly financial reports and financial statements in an electronic format approved by the Department. These reports must be received no later than 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 shall provide supporting documentation related to the information included in these reports.

Describe the Applicant’s ability to provide required reports.

### ***Applicant Response***

#### **D. Other Reports.**

- 1. **Quarterly Consumer Satisfaction Reports.** The selected Applicant shall provide a summary of the results of the Customer Satisfaction Surveys as outlined in Part III, Section III-6.V. by the 15th of the month following each calendar quarter.
- 2. **Annual Financial Audit Report.** The selected Applicant shall 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 Applicant shall submit a certified Annual Financial Audit Report at a period specified by the Department.

Describe the Applicant's ability to provide required reports.

### ***Applicant Response***

**III-9. Key Performance Standards.** The Commonwealth has developed a set of minimum Key Performance Standards as defined in **Appendix K**, which the selected Applicant must meet, or exceed. The first three months are a transition period, and the Department will not impose damages based on a failure to meet performance standards. Where an assessment is defined as an "up to" amount, the dollar value will be set at the discretion of the Department.

The selected Applicant's performance will be reviewed and assessed as outlined in **Appendix K**. The Department's Grant Administrator will give written notice of each failure to meet a performance standard to the selected Applicant. The Department may impose financial assessments for a selected Applicant's failure to meet the performance standards. 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 standards and their associated damages.

- A. For any deficiency, including ones relating to the performance metrics, a selected Applicant shall prepare and submit a corrective action plan for any observation or finding contained in a notice of deficiency. The selected Applicant shall submit the corrective action plan to the Department within 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 implement corrective action;
  - 6. Signature of the selected Applicant's Program Manager or a senior executive.
- C. The selected Applicant shall 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.

Describe how the Applicant will meet and exceed the performance standards established in **Appendix K**. Describe the Applicant's understanding of the corrective action plan process.

### ***Applicant Response***

**III-10. Objections and Additions to IT Terms and Conditions.** Each Applicant shall identify which, if any, of the terms and conditions (contained in **Appendix C, IT Terms and Conditions**) it would like to negotiate and what additional terms and conditions the Applicant would like to add to the IT terms and conditions. Applicants may not submit, and DHS will not entertain, objections to the Business Associate Addendum or Audit Clause, as these documents are non-negotiable.

The Applicant's failure to make a submission under this paragraph will result in its waiving its right to do so later. The Issuing Office 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 Issuing Office may, in its sole discretion, accept or reject any requested changes to the IT 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 for **Appendix C** of this RFA. All terms and conditions must appear in one integrated agreement. The Issuing Office will not accept references to the Applicant's, or any other, online guides or online terms and conditions contained in any application. If, after selection of an Applicant for Grant Agreement negotiations, the Issuing Office and the selected Applicant are unable to reach agreement on the terms and conditions, the Issuing Office may declare an impasse and proceed to negotiations with the next highest-scoring Applicant.

Regardless of any objections set out in its application, the Applicant **must** submit its application, including their cost proposal, on the basis of the terms and conditions set out in **Appendix C, IT Terms and Conditions**, of this RFA. The Department will reject any application that is conditioned on the negotiation of the terms and conditions set out in **Appendix C or to other provisions of the RFA as specifically identified above**. Such rejection may occur at any time, up until award of a Grant Agreement.

Identify any of the Applicant's objections or requested additions to the standard IT terms and conditions.

### ***Applicant Response***

## **PART IV**

### **COST SUBMITTAL**

**IV-1. Cost Submittal.** The information requested in this **Part IV** shall constitute the Cost Submittal. The Cost Submittal shall be submitted as a separate attachment, and shall not be submitted as part of the Technical Submittal. The total proposed cost should be broken down into the components set forth in **Appendix B – Cost Submittal Worksheet**. The percentage of commitment to SDBs and VBEs 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** 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.

**The Department will reimburse the selected Applicant for work satisfactorily performed after execution of a written agreement and the Effective Date of the grant agreement, in accordance with agreement requirements.**

## PART V

### SMALL DIVERSE BUSINESS AND VETERAN BUSINESS ENTERPRISE PARTICIPATION INFORMATION

- V-1. SDB and VBE Participation Goals.** The Issuing Office and BDISBO have set the SDB Participation Goal and a VBE Participation Goal for this RFA, which are listed in **Part I, Section I-11** of this RFA. The SDB and VBE Participation Goals were calculated based upon the market availability of SDBs and VBEs for work scopes identified for this solicitation.

Applicants now must agree to meet the SDB and VBE Participation Goals in full or demonstrate they have made Good Faith Efforts to meet the Goals and obtain an approved waiver or their application will be disqualified from further consideration.

- V-2. SDB Participation Packet, Appendix D.** Applicants should submit the SDB Participation Packet and associated required documentation in accordance with the Instructions for Completing SDB Participation Submittal and SDB Utilization Schedule and with the submission requirements of **Part 1, Section I-13.A**.

- V-3. VBE Participation Packet, Appendix E.** Applicants should submit the VBE Participation Packet and associated required documentation in accordance with the Instructions for Completing VBE Participation Submittal and VBE Utilization Schedule and with the submission requirements of **Part 1, Section I-13.A**.

**NOTE: Equal employment opportunity and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices do not constitute proof of SDB or VBE Status or entitle an Applicant to receive credit towards the SDB or VBE participation goals.**

- V-4. Contract Requirements—SDB and VBE Participation.**

- A. SDB and VBE Participation Documents.** All documents completed and submitted by the selected Applicant in connection with its SDB Participation Submittal (including the SDB Participation Submittal, SDB Utilization Schedule, and any Good Faith Efforts Documentation to Support Waiver Request of SDB Participation Goal) and its VBE Participation Submittal (including the VBE Participation Submittal, VBE Utilization Schedule, and any Good Faith Efforts Documentation to Support Waiver Request of VBE Participation Goal) shall be incorporated into the Agreement by reference.
- B. Required contract terms.** All agreements containing SDB and VBE participation must contain the following provisions to be maintained through the initial term and any subsequent options or renewals:
1. Each SDB participation commitment and each VBE participation commitment which was credited and the total percentage of the SDB participation commitments and VBE participation commitments made at the time of application submittal or agreement negotiations, as applicable, become contractual obligations of the selected Applicant upon execution of its Agreement with the Commonwealth.
  2. For purposes of monitoring compliance with the selected Applicant's SDB and VBE participation commitments, the Agreement cost is the total amount paid to the selected Applicant throughout the initial Agreement term and any extensions.

3. The selected Applicant cannot alter its overall SDB or VBE commitments or commitments made to individual SDB or VBE subcontractors without written approval from the Department and BDISBO.
4. Both the overall percentage of SDB and VBE commitments, and individual SDB and VBE commitments must be maintained if the Agreement is assigned to another prime.

C. Subcontract requirements.

1. The selected Applicant and each SDB listed on the SDB Utilization Schedule and VBE listed on the VBE Utilization Schedule must enter into a final, definitive subcontract signed by the selected Applicant and the SDB or VBE within 30 calendar days of the final execution date of the Commonwealth agreement. A Model Form of Small Diverse Business/Veteran Business Enterprise Subcontractor Agreement which may be used to satisfy this requirement – is available as **Appendix F**.
2. In addition to any requirements in the selected Applicant's contract documents, the subcontract must contain:
  - a. The specific work, supplies or services the SDB or VBE will perform; location for work performed; how the work, supplies or services relate to the contract; and the specific timeframe during the initial term and any extensions, when the work, supplies or services will be provided or performed;
  - b. The fixed percentage commitment and/or associated estimated dollar value that each SDB or VBE will receive based on the final negotiated cost for the initial term of the Agreement and any extensions of the Agreement;
  - c. Payment terms requiring payment to the SDB or VBE for work satisfactorily completed within 14 calendar days of the selected Applicant's receipt of payment from the Commonwealth for such work. Subcontractors are encouraged to utilize electronic payment methods;
  - d. Commercially reasonable terms for the applicable business or 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 or VBE relative to the nature and level of the SDB's or VBE's participation in the Agreement; and
  - e. The requirement that the SDB or VBE submit utilization reports to BDISBO.
3. If a subcontract is required by the solicitation document and the subcontract terms omit any of the information required in subparagraph 2 but that information is otherwise reflected within the selected Applicant's SDB Participation Submittal, VBE Participation Submittal, or associated documents (SDB Utilization Schedule, VBE Utilization Schedule, and Letters of Commitment), the information listed in the SDB Participation Submittal, VBE Participation Submittal, or associated documents is incorporated into the subcontract. To the extent that any subcontract terms conflict with the requirements of subparagraph (2) or information contained within the selected Applicant's SDB Participation Submittal or VBE Participation Submittal and associated documents, the order of precedence is as follows: 1) the requirements of subparagraph 2, 2) the selected Applicant's SDB Participation Submittal, VBE Participation Submittal and associated documents; and 3) the terms of the subcontract.

4. If the selected Applicant and a SDB listed on the SDB Utilization Schedule or VBE listed on the VBE Utilization Schedule cannot agree upon a definitive subcontract within 30 calendar days of the final execution date of the Commonwealth Agreement, the selected Applicant must provide written notification to the Department and BDISBO.
5. The selected Applicant must provide a copy of any required subcontract with an SDB or VBE to BDISBO or the Department within ten business days of receiving such a request.

**D. Utilization Reports.**

1. The selected Applicant must submit a Monthly Utilization Report to BDISBO and the DHS Grant Administrator in the format required by BDISBO and within ten business days of the end of each month of the Agreement term and any subsequent extensions. In the Monthly Utilization Report, the selected Applicant must list payments made to each SDB or VBE subcontractor and any unpaid invoices over 30 calendar days old received from an SDB or VBE subcontractor, and the reason payment has not been made. This information will be used to track and confirm the actual dollar amount paid to SDB or VBE subcontractors and will serve as a record of fulfillment of the contractual commitment(s). If there was no activity, the selected Applicant must complete the form by stating "No activity." A late fee of \$100.00 per day may be assessed against the selected Applicant if the Utilization Report is not submitted in accordance with the schedule above.
2. The selected Applicant must include in its subcontracts with its SDB and VBE subcontractors a requirement that the SDB and VBE subcontractors submit to BDISBO, within the time frame set forth within the solicitation document, a report identifying the prime contract, and listing:
  - a. Payments received from the selected Applicant within the time frame covered by the report; and
  - b. Invoices for which the subcontractor has not been paid.

**E. Noncompliance with SDB or VBE commitments.**

1. Upon BDISBO notifying the Department that a selected Applicant did not comply with the SDB commitments or VBE commitments, the Department will notify the selected Applicant in writing of BDISBO's findings and will specify the corrective actions to be taken. The selected Applicant must initiate the corrective actions within ten business days and complete them within the time specified by DHS.
2. If DHS determines that material noncompliance with SDB or VBE provisions exists and that the selected Applicant refuses or fails to take the corrective action required by DHS, DHS, in consultation with BDISBO, may impose any and all remedies available under the Agreement as it deems appropriate. Such remedies include, but are not limited to, withholding of payments; termination of the agreement along with consequential damages; revocation of the selected Applicant's SDB, and/or VBE status; a determination that the selected Applicant's SDB or VBE participation submittal be deemed non-responsible in future procurements; and/or any actions under the Commonwealth's Contractor Responsibility Program, up to and including suspension or debarment from future contracting opportunities with the Commonwealth.

## PART VI

### CONTRACTOR PARTNERSHIP PROGRAM

**VI-1. General Information – Contractor Partnership Program (“CPP”).** The CPP was created by the Department to address workforce needs by connecting beneficiaries of Temporary Assistance for Needy Families (“TANF”) to jobs while simultaneously helping to fill the hiring needs of employers. The program is a collaborative effort between DHS and its contractors and grantees to lift families out of poverty.

CPP requires entities who are awarded a contract or agreement with DHS to establish a hiring target that supports TANF beneficiaries in obtaining employment with the contractor, grantee, or their subcontractors for jobs within their organizations. The Department encourages selected Applicants to consider TANF beneficiaries not only for employment opportunities that will be created through the award of an Agreement but also for general employment opportunities within the organization. DHS staff will work cooperatively with selected Applicants to assist in meeting their hiring targets by assisting with the identification of qualified job applicants through the Department’s employment and training programs and providing technical assistance as needed. Participating Applicants may also be eligible to receive hiring incentives, such as the Work Opportunity Tax Credit.

Through CPP, DHS expects not only to increase the employment rate for individuals receiving TANF cash assistance, but to continue to contribute to the economic growth of the Commonwealth.

For more information about the Contractor Partnership Program, please contact: [RA-BETPCPP@pa.gov](mailto:RA-BETPCPP@pa.gov) or 1-866-840-7214.

**VI-2. Participation Requirements.** Entities who are awarded a contract or agreement valued at a minimum of \$5 million through a competitive procurement process are automatically included in CPP. To receive credit towards meeting the CPP requirements and maintain good standing, these entities must hire or make good faith efforts to hire individuals currently receiving TANF cash assistance. This includes but is not limited to individuals receiving TANF who are currently participating in Department employment and training programs as well as TANF beneficiaries outside of these programs.

The Department’s vision for CPP is that selected Applicants are able to obtain employment for TANF beneficiaries in a number equal to 10% of the average of the annual number of a selected Applicant’s new hires in Pennsylvania over each of the prior three years.

**VI-3. RFA Requirements.** Applicants must provide a written narrative that addresses the following and must include the information in the CPP Submittal of their application:

- A. Applicant’s name, telephone number and mailing address;
- B. Type of business entity (i.e. not-for-profit, government entity, public corporation, university);
- C. Address of the company’s headquarters; if located in Pennsylvania, include county;
- D. The name, title, phone number, mailing address, and email of the Applicant’s point of contact for the CPP;
- E. Address of all satellite offices located in Pennsylvania, including the county;
- F. A list of the subcontractors’ names, address, and phone number; if located in Pennsylvania, include the county;
- G. Type of services being provided under the Agreement;

- H. Type of services provided by Applicant;
- I. Based on the calculation below, the anticipated number of positions that will be established as the hiring target;

*For each of the prior three years, provide the number of new hires at your organization's Pennsylvania offices. The hiring targets will be 10% of the average of the annual number of new hires in Pennsylvania over each of the last three years. Hiring targets can be discussed with the Office of Income Maintenance CPP staff to determine if a waiver or reduction of this requirement is warranted.*

- J. Type of positions anticipated to be available during Agreement term;
- K. A Description of the strategies that will be used to identify and recruit TANF individuals;
- L. A description of the methods that will be used to retain the individuals once they are employed, including opportunities for professional development;
- M. Identification of the staff and processes that will be used to meet the CPP requirement, including the reporting requirements; and
- N. A brief explanation of any additional efforts that will be made to meet and maintain TANF hiring commitments.

The Department will not evaluate the CPP Submittal. After an Applicant is selected for negotiations, the Department's Office of Income Maintenance Bureau of Employment Programs will review the CPP Submittal and may request changes or clarifications during negotiations. All information submitted is subject to approval by DHS.

**VI-4. Agreement Requirements.** The approved hiring target will become a performance target, included as part of the Agreement. Hiring targets will apply to the full term of the Agreement, including any extensions. After an Agreement has become effective, selected Applicants must establish a login for the DHS data tracking system, the Commonwealth Workforce Development System ("CWDS"), create a business folder, and complete and submit all required forms to the CPP staff. The selected Applicant must complete the Quarterly Employment Report on a quarterly basis to document the number of TANF beneficiaries hired for that quarter. OIM will monitor the submission of the Quarterly Employment Report in CWDS and will share the information with the Program Office responsible for the agreement.

Quarters	Begin Date	End Date	Reports Due*
1 – First	July 1	September 30	October 15
2 – Second	October 1	December 31	January 15
3 – Third	January 1	March 31	April 15
4 – Fourth	April 1	June 30	July 15

*\*If the 15<sup>th</sup> falls on a weekend or state holiday, the report is due the next business day.*

The selected Applicant, regardless of the Effective Date of the Agreement must complete the Quarterly Employment Report based on the schedule above. If an Agreement begins in the middle of a quarter, the information reported will be based on activity that occurred from the Effective Date through the end of the quarter. If no activity occurred, an entry reporting zero hires must still be submitted via CWDS.

In addition, selected Applicants must report information documenting the use and outcomes of their hiring strategies and demonstrating their good faith efforts to hire TANF beneficiaries on a quarterly basis. The Department will work with the selected Applicants to develop a form and submission requirements for this reporting.



#### Verification Process

Data entered in CWDS will be cross referenced with the Client Information System (“CIS”) to confirm TANF eligibility; CIS will automatically credit the selected Applicant whenever a TANF hire is submitted. The CPP staff and the Project Manager will work together to ensure that selected Applicants are meeting their hiring goals.