

STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

REQUEST FOR PROPOSALS (RFP)

RFP NO. 15-1400

for

All Payer Health Care Claims Database (APCD)
Lead Organization and Data Vendor Services

PROPOSAL DUE DATE: December 21, 2015 *no later than* 3:30 p.m. Pacific Time, Olympia, Washington, USA.

E-mailed bids will NOT be accepted. Faxed bids will NOT be accepted.

ESTIMATED TIME PERIOD FOR CONTRACT: The initial period of performance will be three (3) years commencing on the latest signature date of the parties. The Office of Financial Management reserves the right, at its sole discretion, to extend the contract for additional two-year periods as set forth in the contract document.

AVAILABILITY OF RFP DOCUMENTS - WASHINGTON ELECTRONIC BUSINESS SOLUTION (WEBS):

Bidders are solely responsible for accessing the RFP documents via WEBS or at OFM's website (http://ofm.wa.gov/contracts_procurements/default.asp). Failure to obtain these documents via WEBS or the OFM website may result in a Bidder having incomplete, inaccurate or otherwise inadequate information for bidding.

The document(s) will be available in standard Microsoft Office and Adobe Acrobat formats. Bidders are solely responsible for:

- Downloading this solicitation consisting of the RFP, Appendices, and any related incorporated documents provided by the RFP Coordinator.
- Downloading all Addenda, if any, to this RFP to ensure receipt of all updates and revisions.

WEBS notification via automated email of Addenda to the RFP will only be provided to those Bidders who have registered with WEBS and **have downloaded the RFP from WEBS**. Bidders must check their email spam filters to ensure receipt of WEBS email notifications are not being blocked.

BIDDER ELIGIBILITY: This procurement is open to those bidders who satisfy the minimum qualifications stated herein.

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1. INTRODUCTION

1.1. PURPOSE, BACKGROUND, SCOPE AND VISION

1.1.1. PURPOSE

The State of Washington, by and through the Office of Financial Management (OFM), is soliciting Proposals from Bidders to procure the services of a Lead Organization and Data Vendor to establish the state of Washington's All Payer Health Care Claims Database (WA-APCD).

1.1.2. BACKGROUND

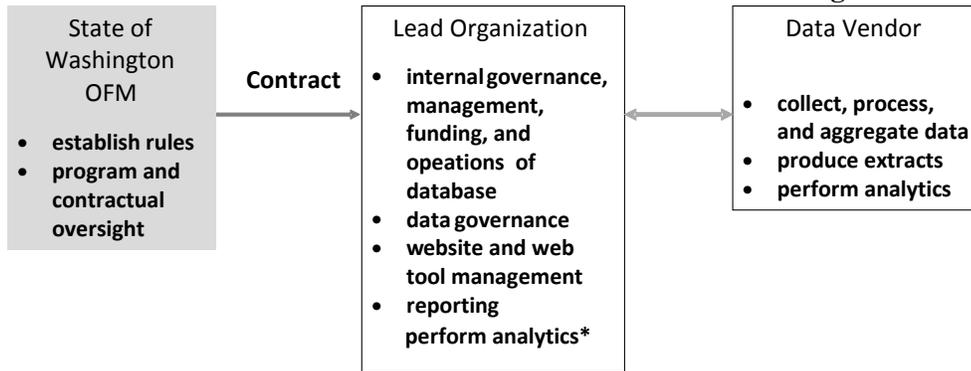
OFM is implementing Washington's Chapter 43.371 RCW (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5084-S.SL.pdf>). Section 2 of this law directs OFM to establish a statewide all payer health care claims database (WA-APCD) to support transparent public reporting of health care information. Under this law, the database must improve transparency to:

- 1.1.2.1. Assist patients, providers, and hospitals to make informed choices about care
- 1.1.2.2. Enable providers, hospitals, and communities to improve by benchmarking their performance against that of others by focusing on best practices
- 1.1.2.3. Enable purchasers to identify value, build expectations into their purchasing strategy, and reward improvements over time
- 1.1.2.4. Promote competition based on quality and cost

The database must systematically collect all medical and pharmacy claims from private and public payers, with data from all settings of care, which will permit the systematic analysis of health care delivery. Data suppliers include Public (state and federally purchased), Private and Voluntary (self-insured).

The law requires OFM to use a competitive procurement process to select a Lead Organization to coordinate and manage the WA-APCD. OFM intends to enter into a contract with a Lead Organization through this procurement to provide all of the required services for the WA-APCD. Further, the law requires the Lead Organization to enter into a contract with a Data Vendor to perform data collection, processing, aggregation, extracts, and analytics (see Chart #1: WA-APCD Envisioned Roles and Contracting below.) OFM expects that the Bidder is the Lead Organization who will operate as a Prime Contractor with the Data Vendor as the Subcontractor.

Chart #1: WA-APCD Envisioned Roles and Contracting



As required by law, claims data and information from the WA-APCD will be made available to various data requestors which may include, but are not limited to, businesses, health care providers, health care payers, community organizations, individuals, government organizations and researchers. Direct access to the claims data and the WA-APCD system itself will be limited to the Data Vendor. Release of data will be through a data request process determined and facilitated by the Lead Organization in conjunction with advisory committees, as required by law, and in the requisite agreements. (See Appendix C, *Data Access Under Chapter 43.371 RCW* for OFM’s current understanding as to whom is authorized to obtain data.)

*Access to the WA-APCD system itself is limited to the Data Vendor. In the event the Lead Organization would like to obtain data for analytical analysis or to develop data products on its own behalf as a private entity or on behalf of another third party, it will also be required to follow the data request process.

1.1.3. SCOPE of RFP

The scope of this RFP entails:

1. Implementing the WA-APCD and data collection and delivery procedures
2. Establishing the administrative processes around the system
3. Collecting, securing, staging, cleansing, de-identifying, and storing historical health care claims data from the mandated and voluntary suppliers
4. Providing ongoing operations, support and maintenance of the WA-APCD, including production of data sets, reports or other data products through the data request process
5. Reporting on the Washington State Common Measure Set for Health Care Quality and Cost
(http://www.hca.wa.gov/hw/Documents/pmcc_final_core_measure_set_approved_121714.pdf)

OFM received two grants from the U.S. Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Consumer Information and Insurance Oversight (which will be referred to as CMS in this document). Implementation of the WA-APCD as well as additional specific grant deliverables, are funded under these Health Insurance Rate Review Cycle III and Cycle IV grants. These specific deliverables include:

- WA-APCD website and web tool
- Medicare Qualified Entity application
- Branding and Marketing
- Education and Outreach
- Health care fee schedule, Data Sets and Data Products

1.2 OFM OVERSIGHT ROLE

OFM is an Executive Branch, cabinet level agency that provides vital information, fiscal services and policy support to the Governor, Legislature and state agencies. These organizations rely upon OFM provided information and services to, in turn, serve the people of Washington State.

OFM's Forecasting and Research Division (Division) conducts analyses, research and reporting on a variety of issues related to the state budget, public policy and demographics. One of the Division's primary areas of expertise is the management of state enterprise data systems and data sets. Information about the Division can be found at: www.ofm.wa.gov/forecasting.

The Division's Health Care Research Center (<http://www.ofm.wa.gov/healthcare/default.asp>) conducts analyses of the health care system including workforce, utilization and coverage to inform health policy development. OFM, through its Health Care Research Center, is tasked with the establishment and oversight of the WA-APCD through a competitively awarded contract with a Lead Organization.

OFM desires a collaborative working relationship with frequent communication with the Lead Organization and involvement in key strategic decisions.

1.3 PROJECT OVERSIGHT

The WA-APCD Project is a level two information technology project and has very high visibility amongst public stakeholders, the Legislature, and the Governor's office. The project will be monitored by the Assistant Director of the Forecasting and Research Division as the project sponsor, by the Office of the Chief Information Officer (OCIO) and by a Quality Assurance vendor, who will be contracted by OFM.

1.4 FUNDING

Federally-Funded Project Information:

- 100% of the total cost of this project (encompassing SOWs #1, #2 and #3) is financed with federal money. (SOW #4 for ongoing operations and maintenance has \$0 federal money.)
- OFM received \$3,350,000 in federal funds for the project.
- 0% (\$0) of the total cost of the project is financed by nongovernmental sources.

1.4.1 Statements of Work #1, #2 and #3

Total funding for the work described in this RFP for Statements of Work #1, #2 and #3, is set forth in Section 3.4, *Cost Proposal*.

Initial funding comes from the CMS Rate Review Cycle III and Cycle IV grants and will cover SOW #1 and #2. The state, Lead Organization and any subcontractors to the Lead Organization performing this work are bound by the requirements of these grants when using this funding. For more information, see the following appendices to this RFP:

- Appendix D: The Health Insurance Rate Review Grant Program Cycle III FOA.pdf
- Appendix E: The Health Insurance Rate Review Grant Program Cycle III Terms and Conditions.pdf
- Appendix F: The Health Insurance Rate Review Grant Program Cycle IV FOA.pdf
- Appendix G: The Health Insurance Rate Review Grant Program Cycle IV Terms and Conditions.pdf

Funding for reporting on the Washington State Common Measure Set for Health Care Quality and Cost (SOW #3) will come from a CMS grant to the Washington State Health Care Authority (HCA) via an interagency agreement to OFM.

1.4.2. Statement of Work #4 is intended to be self-funded by the Lead Organization.

Ongoing Sustainability for the WA-APCD (SOW #4) is the responsibility of the Lead Organization. The Lead Organization may charge fees for data products for its sustainability. Fees charged for all data products to fulfill user requests shall be determined by the Lead Organization with the approval of the OFM in rule, as per the law. The Lead Organization will be required to maintain a Sustainability Plan for the WA-APCD.

1.4.3 Additional Funding

Any contract awarded as a result of this procurement is contingent upon the availability of funding. In the event additional funding becomes available, any contract awarded may be renegotiated to provide for additional services within the scope of this RFP and the resultant contract.

1.5 CONTRACT (M)

The OFM Director, or designee, is the only government official who may legally commit OFM to the expenditure of funds for a contract resulting from this RFP. No costs chargeable to the proposed contract may be incurred or encumbered before receipt of a fully executed contract approved by OFM Director.

OFM intends to award one prime contract to a Lead Organization that is a non-profit organization or academic institution. The Lead Organization will enter into a subcontract with a Data Vendor.

The Lead Organization and Data Vendor together are expected to provide the services described in this RFP as needed to support the WA-APCD grant deliverables. All services to be performed under the Contract will be documented therein or in a specific Statement of Work (SOW).

The initial term of the Contract will commence upon the Effective Date for a period of three (3) years. Amendments extending the period of performance, if any, shall be at the sole discretion of OFM. OFM reserves the right at its sole discretion, to extend the contract in one year increments for so long as it is in the best interest of the state of Washington and the contractor is meeting performance expectations.

A Contract has been included as Appendix B. To be responsive, Bidders must indicate a willingness to enter into a Contract substantially the same as the Contract in Appendix B, by signing the *Certifications and Assurances* located in Appendix A. Under no circumstances is a Bidder to submit their own standard contract terms and conditions as a response to this solicitation.

The foregoing should not be interpreted to prohibit either party from proposing additional or alternate contract terms and conditions. When it is in the best interest of the State, OFM reserves the option, but cannot be compelled, to negotiate contract terms or conditions that may be problematic for the Bidder.

Bidder must review and identify, using track changes in the draft contract attached hereto, the specific language in Appendix B that Bidder finds problematic, state the issue, and propose the language or contract modification Bidder is requesting. All of Bidder's exceptions to the contract

terms and conditions in Appendix B must be submitted within the Response, attached to Appendix A, *Certification and Assurances*. OFM expects the final Contract signed by the Apparently Successful Bidder (ASB) to be substantially the same as the contract located in Appendix B.

Any specific areas of dispute with the attached terms and conditions must be identified in the Response and may, at the sole discretion of OFM, be grounds for disqualification from further consideration in the award of a Contract.

The ASB will be expected to execute the final Contract within five (5) Business Days of receipt of the final Contract. If the selected Bidder fails to sign the Contract within the allotted five (5) day time frame, OFM may elect to cancel the award, and award the Contract to the next ranked Bidder, or cancel or reissue this solicitation with no further obligation to the ASB. Bidder's submission of a Response to this solicitation constitutes acceptance of these contract requirements.

1.6 CURRENT OR FORMER STATE EMPLOYEES

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Proposers should familiarize themselves with these requirements prior to submitting a proposal that includes current or former state employees.

1.7 DEFINITIONS

Definitions for the purposes of this RFP shall have the meaning set forth below. When no definition is listed below or if a definition listed below or elsewhere herein is determined to be in conflict, definitions found in Washington Chapter 43.371 RCW related to the WA-APCD shall prevail.

Acceptance - A formal written notice from OFM to Contractor establishing the successful fulfillment of any required activity, standard of quality met of any goods or services delivered.

Agency – The Office of Financial Management is the agency of the state of Washington that is issuing this RFP.

All Payer Health Care Claims Database (APCD) - The database established under Chapter 43.371 RCW.

Apparent Successful Bidder – The entity selected to perform the services that are the subject of this RFP, subject to completion of contract negotiations and execution of a written contract.

Bidder – Individual or company interested in the RFP and that may or does submit a proposal in order to attain a contract with the Agency.

Claims Data – means the data required by RCW 43.371.030 (<http://apps.leg.wa.gov/Rcw/default.aspx?cite=43.371.030>) to be submitted to the database, including billed, allowed and paid amounts, and such additional information as defined by the Agency director in rule.

Contractor – Individual or company whose proposal has been accepted by the Agency and is awarded a fully executed, written contract.

Data Vendor – means an entity contracted with the Lead Organization to perform data collection, processing, aggregation, extracts, analytics and reporting related to the WA-APCD as defined in RCW.

Key Personnel - Staff proposed by Bidder in response to this RFP whose knowledge, skills, and

abilities in performance of the resultant contract are material to the success of the Services.

Lead Organization – means the organization selected by OFM as directed under RCW 43.371.020 (<http://apps.leg.wa.gov/Rcw/default.aspx?cite=43.371.020>) to be the Prime Contractor as a result of this RFP.

OFM – The Washington State Office of Financial Management

Prime Contractor – means the Lead Organization.

Products – Shall mean the deliverables outlined in the statement(s) of work under the resultant Contract, whether tangible or intangible in nature. It shall also include, but is not limited to, Work Product as defined in the draft contract and to analyses offered for sale by the Lead Organization from time to time in its efforts to be self-sustaining.

Proposal – All material prepared and assembled by a Bidder, and which the Bidder submits in response to this RFP.

RCW - Revised Code of Washington. (All references to RCW chapters or sections shall include any successor, amended, or replacement statute.)

RFP - Request for Proposals; i.e., this document.

RFP Coordinator - The sole point of contact and designated resource for potential Bidders and other interested parties within OFM regarding this RFP.

Services - Shall mean professional or technical expertise proposed by the Bidder to accomplish the objectives of the project or specific tasks or duties required to accomplish the work described in this RFP and proposed by the Bidder.

State – means the State of Washington, acting by and through the Office of Financial Management, a cabinet level agency of Washington State government authorized to conduct this procurement and execute the resultant contract.

Statement of Work - A statement of the work or services which the Contractor is to perform under any contract awarded, and which is generally in the form of an exhibit attached to the contract.

Subcontractor - means one not in the employment of Bidder, who is performing all or part of the Services under the resulting Contract under a separate contract with Bidder. The term “Subcontractor” means Subcontractor(s) of any tier.

Sustainability -Ability to maintain or support all administrative and technical aspects of the WA-APCD over the long term.

WAC – The Washington Administrative Code. All references to WAC chapters or sections shall include any successor, amended, or replacement regulation.)

WA-APCD – means Washington’s All Payer Health Care Claims Database.

WEBS – Washington’s Electronic Business Solution. The central notification system for procurement of goods and services subject to chapter 39.26 RCW. All Bidders are encouraged to register with WEBS at <http://www.ga.wa.gov/Webs/>.

1.8 ADA

The state complies with the Americans with Disabilities Act (ADA). Bidders may contact the RFP Coordinator to receive this Request for Proposals in Braille or on tape.

2. ADMINISTRATIVE REQUIREMENTS

2.1 RFP COORDINATOR (M)

The RFP Coordinator is the sole point of contact for this procurement. All communication regarding the subject of this RFP upon its release shall be with the RFP Coordinator, as follows:

Name	Bonnie Lindstrom, RFP Coordinator
E-Mail Address	Bonnie.lindstrom@ofm.wa.gov
Mailing Address	PO Box 43113, Olympia, WA 98504-3113
Physical Address for Delivery	302 Sid Snyder Ave. S.W., Third Floor, Olympia, WA 98504
Phone Number	360/902.0568

Any other communication will be considered unofficial and non-binding on the Agency. Bidders are to rely only on written statements issued by the RFP Coordinator. Communication directed to parties other than the RFP Coordinator may result in disqualification of the Bidder.

2.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

OFM Issues Request for Proposals	October 29, 2015
Bidder may submit written questions until 3:30 pm local time, Olympia, WA	November 6, 2015
Appendix B, Contract, will be posted by RFP amendment	On or about November 3, 2015
Bidder pre-proposal conference (Optional attendance) Note: As a convenience to Bidders, OFM will endeavor to provide written answers to questions submitted prior to this preproposal conference.	November 12, 2015
OFM will Issue written responses to questions	November 16, 2015
Optional Letter of Intent Due	November 30, 2015
Last day for Complaints – 3:30 pm local time Olympia, WA	November 30, 2015
Proposals DUE by 3:30 p.m. local time, Olympia, WA	December 21, 2015
OFM evaluation of Proposals	January 5, 2016 – January 7, 2016
Oral Evaluation and Reference Checks (at the option of OFM)	January 21, 2016
OFM notifies Apparently Successful Bidder and begins contract negotiations	January 27, 2016
OFM notifies unsuccessful Bidders	January 27, 2016
Unsuccessful Bidders may request Debriefing until 3:30 local time, Olympia, WA	February 1, 2016
OFM holds debriefing conferences, if requested	February 3, 2016

OFM reserves the right to revise the above schedule.
Any such revision will be in writing with notification through WEBS. OFM will not be obligated to give such notification in any other manner.

2.3 BIDDER QUESTIONS AND ANSWERS

Bidders may e-mail or mail written questions to the RFP Coordinator. Questions will be accepted until the date set forth in the Procurement Schedule. Early submission of questions is encouraged. Questions and answers will be posted by addenda/amendment on WEBS and at ofm.wa.gov. Bidders may only rely on written statements issued by the RFP Coordinator. Any oral communications are unofficial and are not binding on OFM.

2.4 SUBMISSION OF PROPOSALS (M)

2.4.1 Proposal Copies. Bidders are required to submit six (6) copies of their Proposals. One copy must be marked “*Original*” and *each* of the others marked “*Copy*” The Original must have original signatures and the copies can have photocopied signatures. All copies must be identical in content to the “Original” as the evaluators will only be evaluating the copies. The Bidder must identify on the “Original” and each copy the RFP #15-1400 and title, *All Payer Health Care Claims Database Lead Organization and Data Vendor Services*. In addition, one “soft” copy of the proposal, either a CD or thumb-drive, must be included with the “Original” copy.

2.4.2 Delivery of Proposal. The proposal, whether mailed or hand-delivered, must be addressed to the RFP Coordinator and arrive on the date and at the location set forth in Section 2.1 *Procurement Coordinator* of this RFP, no later than **3:30 pm**, local time – Olympia, WA. The envelope/box should be clearly marked to the attention of the RFP Coordinator.

Bidders mailing Proposals should allow normal mail delivery time to ensure timely receipt of their Proposals by the RFP Coordinator. Bidders assume the risk for the method of delivery chosen. OFM assumes no responsibility for delays caused by any delivery services. Proposals may not be transmitted using facsimile transmission.

Late Proposals will not be evaluated and will be automatically disqualified from further consideration. All Proposals and any accompanying documentation become the property of OFM and will not be returned.

“Zipped” attachment files are NOT accepted by OFM email security, and are NOT acceptable formats for Bidder’s Proposal documents.

2.4.3 Requirements Response. Each of the RFP requirements are numbered and/or titled. Each requirement has a designation indicating how the Proposal will be evaluated. The designations below are used throughout the RFP. The Bidder is expected to respond as indicated for each requirement.

“**Mandatory**” or “**(M)**” shall mean the Bidder must comply with the requirement and the Proposal will be evaluated on a pass or fail basis. For Mandatory requirements **(M)**, the Proposal must always indicate explicitly whether or not the Bidder or its proposed Subcontractor meets the requirement and provide all information requested. A statement, “(Bidder Name) has read, understands, and fully complies with this requirement” is acceptable, along with any additional information requested.

“Mandatory Scored” or “(MS)” shall mean the Bidder must comply with the requirement and the Bidder’s response to the Requirement will also be scored. For Mandatory Scored (MS) items, the Proposal must always indicate explicitly whether or not the Bidder, its Subcontractor or its proposed solution meets the requirement, **and** describe how the requirement will be satisfied.

“Bonus Points” or “(BP)” shall mean the requirement is important, but not mandatory, and the Proposal will be scored. For Bonus Point (BP) items, the Proposal must always indicate explicitly whether or not the Bidder, the Subcontractor or the proposed solution meets the requirement, **and** as instructed, describe how the requirement will be satisfied.

Except as otherwise instructed in this RFP, Responses must be prepared on standard 8.5 x 11-inch loose-leaf paper and placed in three-ring binders with tabs separating major sections of the Response. Pages must be numbered consecutively within each section of the Response showing Response section number and page number.

Figures and tables must be numbered and referenced in the text of the Response by that number. Foldouts containing charts, spreadsheets, and oversize exhibits are permissible.

The Response, as well as any reference materials presented by Bidder, must be written in English and Bidder must provide all rates in United States dollars.

2.5 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE (M)

Proposals submitted in response to this competitive procurement shall become the property of OFM. All Proposals received shall remain confidential until the Apparently Successful Bidder is announced thereafter, the Proposals shall be deemed public records as defined in Chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the Proposal that the Bidder desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of your document must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Bidder is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words “Proprietary Information” printed on the lower right hand corner of the page. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Bidder has marked as "Proprietary Information" OFM will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, OFM will release the requested information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, OFM shall maintain the confidentiality of the Bidder's information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee shall be charged for inspection of contract files, but twenty-four (24) hours’ notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

2.6 REVISIONS TO THE RFP

OFM reserves the right to change this RFP at any time. OFM may correct errors in the procurement document identified by OFM or a Bidder. Any changes or corrections will be by one or more written addenda attached to or incorporated in and made a part of this procurement document. All changes must be authorized and issued in writing by the RFP Coordinator. In the event that it is necessary to revise or correct any portion of the RFP, an addendum will be posted on WEBS.

If there is any conflict between addenda, or between an addendum and the RFP, whichever document was issued last in time shall be controlling.

OFM also reserves the right to cancel or reissue the RFP in whole or in part, prior to the execution of a contract.

2.7 DIVERSITY PARTICIPATION-SMALL BUSINESS AND VETERAN-OWNED BUSINESS PARTICIPATION GOALS

In accordance with the intent of Chapter 39.26.005 RCW, the State encourages purchases of goods and services from State small businesses. State "small business", "minibusiness", and "microbusiness" is defined in RCW Chapter 39.26.010 (21), (18), and (17) respectively.

In accordance with Chapter 43.60A.200 RCW, the State encourages participation in all of its contracts from firms certified by the Washington State Department of Veterans' Affairs (DVA). For information on these certified firms, Bidders may contact DVA at <http://www.dva.wa.gov/BusinessRegistry/>.

While participation in these programs is encouraged, no minimum level of participation will be required as a condition for receiving an award and Proposals will not be rejected or considered non-responsive on that basis.

In some cases, a Small Business as described above may also be certified by the Office of Minority and Women's Business Enterprises (OMWBE) in accordance with Chapter 39.19 RCW. For this RFP, the state of Washington encourages participation by these firms. For information about these certified firms, Bidders may contact OMWBE at: <http://www.omwbe.wa.gov/>.

Bidders must identify in Appendix A, Certifications and Assurances, if they, or any subcontractors, meet the definitions and/or are certified as described above.

2.8 PROPOSAL ACCEPTANCE PERIOD (M)

All Proposals, including pricing, must be fixed and held open for a minimum of 120 days from the date of receipt of the Bidder's Proposal. OFM reserves the right to work with the Bidder to extend such minimum 120 day period, as desired by OFM.

2.9 RESPONSIVENESS

All Proposals will be reviewed by the RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP. The Bidder is hereby specifically notified that failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

OFM also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

2.10 ACCURACY OF PROPOSAL

Any submission, response, or information provided by Bidder in or related to its Proposal to OFM pursuant to this RFP must be true, accurate, and correct. By providing any such submission, response, or information to OFM, Bidder is certifying that each such submission, response, or information is true, correct, and accurate, and that Bidder has not omitted any material facts that would make the submission incomplete or misleading.

2.11 ERRORS IN PROPOSAL

Bidder is liable for all errors or omissions contained in their Proposals. Bidder will not be allowed to alter Proposal documents after the deadline for Proposal submission. OFM is not liable for any errors in Proposals. OFM reserves the right to contact Bidder for clarification of Proposal contents.

In those cases where it is unclear to what extent a requirement or price has been addressed, the evaluation team(s) may, at their discretion and acting through the RFP Coordinator, contact a Bidder to clarify specific points in the submitted Proposal.

2.12 MOST FAVORABLE TERMS

Bidder should submit Proposals based on the most favorable terms that the Bidder can propose, as OFM reserves the right to accept Bidder's proposal in its entirety without further negotiations. However, OFM reserves the right to negotiate with one or more of the top scoring Bidders contract terms and conditions and the pricing proposed in Bidder's proposal. OFM may request a Best and Final Offer of terms and conditions and pricing from one or more of the top scoring Bidders before announcing the Apparent Successful Contractor.

OFM reserves the right, at any phase of the procurement, to contact a Bidder for clarification of its proposal, and any such clarification by Bidder must be submitted in writing and, once submitted, will become part of Bidder's Proposal.

2.13 COSTS TO PREPARE PROPOSAL

OFM will not be liable for any costs incurred by the Bidder in preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related to responding to this RFP.

2.14 NO OBLIGATION TO CONTRACT/BUY

OFM reserves the right to refrain from Contracting with any and all Bidders. Neither the release of this procurement document nor the execution of a resulting Contract obligates OFM to make any purchases.

2.15 REJECTION OF PROPOSALS

OFM reserves the right at its sole discretion to reject any and all Proposals received without penalty and not issue a contract as a result of this RFP.

2.16 ELECTRONIC PAYMENT

The State requires the utilization of electronic payment in its transactions. The successful Bidder will be required to register in the Statewide Vendor Payment system which is found at:

<http://des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx>

Such registration must be completed prior to submitting a request for payment under a Contract resulting from this RFP. No payment shall be made until the registration is completed.

2.17 NON-ENDORSEMENT AND PUBLICITY

In selecting a Bidder to supply products and/or services to the State, the State is neither endorsing Bidder's Products, nor suggesting that they are the best or only solution to the State's needs. By submitting a Proposal, Bidder agrees to make no reference to OFM or the state of Washington in any literature, promotional material, brochures, sales presentation or the like, regardless of method of distribution, without the prior review and express written consent of OFM.

2.18 WITHDRAWAL OF PROPOSAL

Bidders may withdraw a Proposal that has been submitted at any time up to the Proposal due date and time, identified in Section 2.2, *Estimated Schedule of Procurement Activities*. To accomplish Proposal withdrawal, a written request signed by an authorized representative of Bidder must be submitted to the RFP Coordinator. After withdrawing a previously submitted Proposal, Bidder may submit another Proposal at any time up to the Proposal submission deadline.

2.19 NEGOTIATION PROCESS AND PROCEDURES

OFM will require the Contractor to enter into a contract encompassing a number of contractual commitments that may not typically be found in Bidder form contracts. The approach OFM has taken toward contracting is designed to determine with which Bidder OFM is most likely to reach acceptable contract terms. Accordingly, OFM may negotiate with one or more Bidders as part of the final contract negotiation process.

2.20 INCORPORATION OF DOCUMENTS INTO CONTRACT

Bidders cannot treat the Proposal as a "marketing" document, as it will become part of the contractual commitment of the Bidder. Bidder's subject matter experts, technical staff, and others, as appropriate, should be involved to ensure that all responses in the Bidder's Proposal are accurate. Any disclaimer or other language contained in a Proposal that differs from these requirements will be disregarded by OFM and may, if rejected by Bidder, result in the disqualification of Bidder.

2.21 INSURANCE (M)

The successful Contractor shall furnish the OFM copies of certificates of all required insurance within fifteen (15) calendar days of the Contract's effective date. Failure to provide evidence of coverage may, at OFM's sole option result in the Contract's termination.

The Contractor shall, at its own expense, obtain and keep insurance coverage that shall be maintained in full force and effect during the term of the contract.

Liability Insurance

Commercial General Liability Insurance (CGL): Contractor shall maintain Commercial General Liability insurance and, if necessary, commercial umbrella insurance, with a limit of not less than \$2,000,000 per each occurrence. If CGL insurance contains aggregate limits, the General Aggregate limit shall be at least twice the "each occurrence" limit. CGL insurance shall have products-completed operations aggregate limit of at least two times the "each occurrence" limit. All insurance shall cover liability assumed under an insured contract (including the tort liability of another assumed in a business contract), and contain separation of insured's (cross liability) condition. Insurance shall be provided to include business interruption coverage, \$1,000,000 individual/\$2,000,000 aggregate.

Professional Liability Insurance: Contractor shall maintain Professional Liability insurance with minimum limits no less than \$1,000,000 per incident, loss, or person, as applicable including coverage for errors and omissions caused by Contractor's negligence in the performance of its duties under this agreement. If defense costs are paid within the limit of liability, Contractor shall maintain limits of \$2,000,000 per incident, loss, or person, as applicable. If the policy contains a general aggregate or policy limit, it shall be at least two times the incident, loss or person limit.

Cyber Liability Insurance:

Vendor shall have and maintain insurance limits in the minimum amount of \$1,000,000 per claim and \$2,000,000 annual aggregate to be maintained for the duration of the agreement and three years following its termination to respond to privacy and network security liability claims arising for any reason.

Computer Crime and Fraud Insurance: Contractor shall maintain Computer Crime and Fraud coverage with a limit of not less than \$1,000,000.

Business Auto Policy: As applicable, the Contractor shall maintain business auto liability and, if necessary, commercial umbrella liability insurance with a limit not less than \$1,000,000 per accident. Such insurance shall cover liability arising out of "Any Auto".

Additionally, the Contractor is responsible for ensuring that any Subcontractors provide adequate insurance coverage for the activities arising out of subcontracts.

Employers Liability ("Stop Gap") Insurance

In addition, the Contractor shall buy employers liability insurance, naming the State as an additional insured, and, if necessary, commercial umbrella liability insurance with limits not less than \$1,000,000 per each accident for bodily injury by accident or \$1,000,000 per each employee for bodily injury by disease.

Additional Provisions

Above insurance policy shall include the following provisions:

- **Additional Insured.** The state of Washington, Office of Financial Management, its elected and appointed officials, agents and employees shall be named as an additional insured on all general liability, excess, umbrella and property insurance policies. All insurance provided in compliance with the contract shall be primary as to any other insurance or self-insurance programs afforded to or maintained by the State.
- **Cancellation.** State of Washington, Office of Financial Management, shall be provided written notice before cancellation or non-renewal of any insurance referred to therein, in accord with the following specifications. *Insurers subject to Chapter 48.18 RCW (Admitted and Regulation by the Insurance Commissioner):* The insurer shall give the State 45-days advance notice of cancellation or non-renewal. If cancellation is due to non-payment of premium, the State shall be given 10-days advance notice of cancellation.
- *Insurers subject to Chapter 48.15 RCW (Surplus lines):* The State shall be given twenty (20) days advance notice of cancellation. If cancellation is due to non-payment of premium, the State shall be given ten (10) days advance notice of cancellation.
- **Identification.** Policy must reference the State's contract number and the OFM name.
- **Insurance Carrier Rating.** All insurance and bonds should be issued by companies admitted to do business within the state of Washington and have a rating of A-, Class VII or better in the most recently published edition of Best's Reports. Any exception shall be reviewed and approved by the Risk Manager for the state of Washington, before the contract is accepted or work may begin. If an insurer is not admitted, all insurance policies and procedures for issuing the insurance policies must comply with Chapter 48.15 RCW and 284-15 WAC.
- **Excess Coverage.** By requiring insurance herein, the State does not represent that coverage and limits will be adequate to protect Contractor and such coverage and limits shall not limit

Contractor's liability under the indemnities and reimbursements granted to the State in this contract.

Workers' Compensation Coverage

The successful Lead Organization and Data Vendor will at all times comply with all applicable workers' compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent applicable. The State will not be held responsible in any way for claims filed by the Lead Organization, the Data Vendor or their employees for services performed under the terms of the contract resulting from this RFP.

2.22 COMPLAINTS

This procedure is available to potential Bidders who are contemplating submitting a Proposal in response to this RFP. Only complaints concerning the following subjects will be considered:

1. A claim that the solicitation unnecessarily restricts competition;
2. A claim the solicitation evaluation or scoring process is unfair or flawed, or
3. A claim the solicitation requirements are inadequate or insufficient to prepare a response.

Bidders submitting complaints about this procurement must follow the procedures described below. Complaints that do not follow these procedures will not be considered. If a Bidder submits a complaint against this solicitation, the Agency response will be considered the final disposition and the complaint cannot be raised again during the protest period.

All complaints must be in writing and signed by the complaining party or an authorized agent. The complaint must be sent to the RFP Coordinator, or designee, at least 5 business days before the Proposal due date and must clearly articulate the basis for the complaint. The Bidder submitting the complaint must also include a proposed remedy.

Upon receipt of a complaint, a complaint review will be held by OFM. The OFM RFP coordinator will respond to complaints in writing and the OFM director will be notified of all complaints and provided a copy of OFM's response. A copy of the response to the complaint, including any changes to the solicitation, will also be posted to WEBS.

The complaint process does not include an appeal process.

3. PROPOSAL CONTENTS

Instructions to Bidders for Response Form and Format

Proposals must be written in English and submitted on eight and one-half by eleven inch (8 ½” x 11”) paper **with tabs separating the major sections** of the proposal. The four (4) major sections of the proposal are to be submitted in the order noted below:

1. Administrative Requirements including the Letter of Submittal, and signed Certifications and Assurances (Appendix A to this RFP)
2. Management Proposal
3. Technical Proposal
4. Cost Proposal

Proposals must provide information in the same order as presented in this document with the same headings. This will not only be helpful to the evaluators of the proposal, but should assist the Bidder in preparing a thorough response.

Numbering of Responses: Number each response so that it corresponds to the requirement number set forth in this RFP. The response must begin with a restatement of the requirement followed by the Bidder’s response to the question. A reference to another section will not suffice, each answer must stand alone.

Attachments: Attachments must be labeled and tabbed and the requirement number to which it corresponds must be clearly indicated.

Content of Response. Bidders should provide only the information requested. Additional information or documents submitted as part of the bidder’s response, but which are not responsive to the question, are not required to be considered. Evaluators may award a lower score for a response if additional information or material provided by the bidder is not responsive to the question.

Points Awarded for Responses: The number in parentheses after each question or requirements represents the maximum number of points that may be awarded for the Bidder’s response to that requirement.

3.1 BIDDER REQUIREMENTS

3.1.1 MANDATORY MINIMUM QUALIFICATIONS (M)

Bidders must demonstrate in their letter of submittal that they meet the following minimum qualifications:

- 3.1.1.1 The Lead Organization must be a non-profit or an academic institution.
- 3.1.1.2 Bidder must submit proof of organizational status as one of the above structures.
- 3.1.1.3 The Data Vendor must possess at least three (3) years of experience in implementing successful data systems similar in size and scope (such as data warehouse, Data Extract Transfer and Loads, data and systems security).
- 3.1.1.4 Bidder must attest to the number of years’ experience and describe its experience.
- 3.1.1.5 The Bidder’s cost proposal must be within the budgeted amount set forth in the Cost Proposal Section of this RFP.

Any Bidder deemed by OFM, in its sole judgement, to not meet all of these minimum requirements shall be considered non-responsive and their proposal will not be further evaluated.

3.1.2 LETTER OF SUBMITTAL (M)

Bidders must include a signed Letter of Submittal on Bidder's official business letterhead as the first page. Signing the Letter of Submittal indicates that the Bidder accepts the terms and conditions of the RFP and shall contain the following information:

- 3.1.2.1 Name, address, principal place of business, telephone number, and fax number/e-mail address of legal entity or individual with whom contract would be written.
- 3.1.2.2 The name of the contact person for this RFP.
- 3.1.2.3 Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.)
- 3.1.2.4 Name, Board Title, Employer Name and Employment Title of all Board Members, if applicable.
- 3.1.2.5 Legal status of the Bidder (non-profit or academic institution.) and the year the entity was organized to do business as the entity now substantially exists.
- 3.1.2.6 The Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue. If the Bidder does not have a UBI number, the Bidder must state that it will become licensed in Washington within thirty (30) calendar days of being selected as the Apparently Successful Bidder.
- 3.1.2.7 Location of the facilities from which the Lead Organization and Data Vendor would operate.
- 3.1.2.8 Acknowledgement that the WA-APCD data must remain at all times within the continental United States.
- 3.1.2.9 Identify any state employees or former state employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the Bidder's organization. If following a review of this information, it is determined by the OFM that a conflict of interest exists that cannot be legally resolved the Bidder may be disqualified from further consideration for the award of a contract.
- 3.1.2.10 A list of all RFP addenda downloaded by the Bidder from WEBS and listed in order by addenda number and date. If there are no RFP addenda, the Bidder must include a statement to that effect.
- 3.1.2.11 A statement substantiating that the person who signs the letter is authorized to contractually bind the Bidder's organization
- 3.1.2.12 Identification of the page numbers on the Bidder's Proposal that are marked "Proprietary Information".
- 3.1.2.13 If the Bidder or any subcontractor contracted with the state of Washington during the past 24 months, indicate the name of the agency, the contract number and project description and/or other information available to identify the contract.
- 3.1.2.14 If the Bidder's staff or subcontractor's staff was an employee of the state of Washington during the past 24 months, or is currently a Washington State employee, identify the individual by name, the agency previously or currently employed by, job title or position held and separation date.
- 3.1.2.15 If the Bidder has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as: notice to stop performance due to the Bidder's non-performance or poor performance and, the issue of performance was either (a) not litigated due to inaction on the part of the Bidder or (b) litigated and such litigation determined that the Bidder was in default.

- 3.1.2.16 Submit full details of the terms for default including the other party's name, address, and phone number. Present the Bidder's position on the matter. The OFM will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience. If no such termination for default has been experienced by the Bidder in the past five years, so indicate.
- 3.1.2.17 Agree to submit a Conflict of Interest policy and process within 30 days of signing the Contract.
- 3.1.2.18 Submit a statement confirming that the Lead Organization and its subcontractors under this procurement will register in the Federal System for Award Management database within 30 days of signing a contract.
- 3.1.2.19 Submit a statement that confirms the Data Vendor has at a minimum three (3) years of experience implementing successful data systems

3.1.3 BIDDER CERTIFICATION AND ASSURANCES FORM (M)

Bidders must submit a completed Bidder Certification and Assurances Form, Appendix A of this RFP. Bidder must sign and include this form with its Letter of Submittal along with any attachments that are necessary.

3.1.4 OMWBE CERTIFICATION

If Bidder or proposed Subcontractor is certified by the state of Washington as a minority-owned firm and/or women-owned firm, include proof of certification issued by the Washington State Office of Minority and Womens Business Enterprises (OMWBE).

3.2 MANAGEMENT PROPOSAL

General Requirements for Management Proposal: In this section of the proposal, the Bidder is to discuss

- The experience related to this work of the Lead Organization
- The experience related to this work of the Data Vendor organization
- References for key staff of the Lead Organization
- References for key staff of the Data Vendor organization
- The proposed organizational and management structure of the WA-APCD
- The Bidder's Long Term Vision for sustainability of the WA-APCD

3.2.1 BIDDER INFORMATION (M)

3.2.1.2 Provide the following information for the proposed Lead Organization:

- 3.2.1.2.1 Organization Name
- 3.2.1.2.2 Description of the organization, its mission and goals
- 3.2.1.2.3 Entity Formation
- 3.2.1.2.4 Brief description of accomplishments of the organization relevant to this work
- 3.2.1.2.5 Identify the leadership staff of the Lead Organization by name and title

3.2.1.3 Provide the following information for the proposed Data Vendor and any other proposed subcontractors.

- 3.2.1.3.1 Organization Name
- 3.2.1.3.2 Description of the subcontractor organization, its mission and goals
- 3.2.1.3.3 Entity Formation
- 3.2.1.3.4 Brief description of accomplishments of the Data Vendor relevant to this work
- 3.2.1.3.5 Identify the leadership staff of the subcontractor organization by name and title

3.2.2 SUBCONTRACTOR INFORMATION (M)

OFM acknowledges that the Bidder, as the Lead Organization, will use a Subcontractor to act as the Data Vendor in order to accomplish the requirements and deliverables under the resultant contract. Bidder accepts full responsibility for successful performance of the entire scope of work requested in this RFP and will indemnify the State of Washington for the acts and omissions of its subcontractors. The Lead Organization shall ensure, through its contract with the Subcontractor, that all relevant terms and conditions are flowed down and included in such subcontract. Further, prior to finalization of any such subcontract between the Lead Organization and the Data Vendor, OFM reserves the right to review the contract to ensure that subcontracted tasks and responsibilities are appropriately aligned. In addition to the Data Vendor, any and all Subcontractors working under the resultant contract with the Lead Organization must be approved by OFM in writing prior to starting work.

3.2.3 REFERENCE SECTION (MS)

Bidder must complete the Bidder References form in Appendix I, Bidder References Form for both the Lead Organization and the Data Vendor as part of their response. The Bidder must provide three (3) references for each organization.

By submitting a proposal in response to this RFP, the Bidder and team members grant permission to OFM to contact these references and others, who from OFM's perspective, may have pertinent information. OFM may or may not, at OFM's discretion, contact references.

The OFM reserves the right to contact Bidder's references, by telephone or other means, and evaluate the Bidder based on these references. The OFM considers references to be very important. It is the Bidder's responsibility to ensure that references are aware that contact may be made by the OFM during the evaluation period and that at least one of the contacts at each reference will be available during that time period set forth in Section 2, *Estimated Schedule of Procurement Activities*.

The OFM will make a reasonable effort to call Bidder references, in random order, on the dates set forth in Section 2, *Estimated Schedule of Procurement Activities* until three references have been contacted, the list of references submitted by the Bidder are exhausted or the time for contacting these references has expired.

3.2.4 ORGANIZATIONAL, MANAGEMENT STRUCTURE AND KEY RESOURCES FOR WA-APCD (M)

- 3.2.4.1 Provide an organization chart that clearly depicts the proposed organization and internal reporting structure of the proposed management structure for the WA-APCD. The structure must take into account the requirements as listed below. Provide names and titles for those people currently identified to fill these roles.
- 3.2.4.2 The Lead Organization governance structure for this database must include representation of the third-party administrator of the Uniform Medical Plan.
- 3.2.4.3 A payer, health maintenance organization, or third-party administrator must be a data supplier to the WA-APCD to be represented on the Lead Organization governance structure.
- 3.2.4.4 Describe the governance structure of the Lead Organization and the Data Vendor. Include the relationship to the bidder's governance structure, to OFM and to the required Advisory Committees. Identify the person who will be responsible for working with OFM.
- 3.2.4.5 Provide a description of the roles and responsibilities for each leadership and management position and each functional area of the proposed Lead Organization and Data Vendor.
- 3.2.4.6 How do the organization and governance structure and their roles and responsibilities support the day-to-day operations of the WA-APCD and the Sustainability Plan described below?
- 3.2.4.7 How will the bidder organizations' governance structures relate to the WA-APCD governance?
- 3.2.4.8 Payments for work under the resultant contract are contingent upon compliance with federal grant requirements. These requirements are found in the Section titled *Grant Funding Requirements* of the draft Contract attached hereto as Appendix B. Conflict of Interest Requirements specifies the minimum requirements related to conflict of interest. The Apparently Successful Bidder will be required to provide a copy of its bylaws, conflict of interest policy and any other pertinent documentation that would show compliance with the requirements within 30 days of signing the resultant contract. Bidder must indicate in its response that it understands and will comply with this requirement.

3.2.4.9 Describe how the Bidder envisions working with OFM at both a strategic and tactical level to ensure the success of the WA-APCD.

3.2.4.10 Identify key resources for the WA-APCD. Bidder must provide resumes for each key resource for both the Lead Organization and the Data Vendor.

3.2.5 BIDDER EXPERIENCE (MS/BP)

For the proposed organizations please respond to the items in this section clearly indicating whether the proposed Lead Organization and/or the Data Vendor possess the experience in each response.

3.2.5.1 Leadership, Governance and Management Experience

Limit Response to this Subsection to no more than three (3) pages.

For each area, describe the relevant experience of BOTH the Lead Organization and the Data Vendor.

3.2.5.1.1 (MS) Describe the Bidder's knowledge of the Washington state health care environment and policies.

3.2.5.1.2 (MS) Describe the Bidder's experience in engaging claims and data suppliers.

3.2.5.1.3 (BP) Describe the Bidder's experience in convening and effectively engaging stakeholders to develop reports (*BONUS POINTS*)

3.2.5.2 Technical Experience

Limit Response to this Subsection to no more than three (3) pages.

For each area, describe the relevant experience of BOTH the Lead Organization and the Data Vendor.

3.2.5.2.1 (MS) Describe the Bidder's experience in linking data to create longitudinal records.

3.2.5.2.2 (MS) Describe the Bidder's experience in performing quality assurance for data.

3.2.5.2.3 (MS) Describe the Bidders experience in applying and ensuring HIPAA, and other state and federal privacy laws.

3.2.5.2.4 (BP) Describe the Bidder's experience in securing health care data systems and health care data. (*BONUS POINTS*)

3.2.5.2.5 (BP) Describe the Bidder's experience in collecting health care data. (*BONUS POINTS*) Identify if this experience is with medical claims data.

3.2.5.3 Analytical Experience

Limit Response to this Subsection to no more than three (3) pages.

For each area, describe the relevant experience of BOTH the Lead Organization and the Data Vendor.

- 3.2.5.3.1 (MS) Describe Bidder's experience using health care claims data to produce results from established price and quality measures, such as HEDIS, NCQA or AHRQ.
- 3.2.5.3.2 (MS) Describe Bidder's experience developing de-identified data sets. Include any credentials or specific training acquired, name of Key Staff holding the credential or receiving the training, and the name of the credentialing or training organization.
- 3.2.5.3.3 (MS) Describe Bidder's experience developing reports and other data products from claims data. Include a brief description of the methodologies used in developing the reports and other data products. Provide examples or links to examples of the reports and other data products.
- 3.2.5.3.4 (BP) Describe Bidder's experience in successfully combining health care cost and quality data. *(BONUS POINTS)*
- 3.2.5.3.5 (BP) Describe Bidder's experience performing health care data analysis and analytics. *(BONUS POINTS)*

3.2.6 BUSINESS STRATEGY AND SUSTAINABILITY PLAN (M/MS/BP)

3.2.6.1 (MS) Business Strategy. Limit Response to no more than five (5) pages.

The WA-APCD and Lead Organization are expected to fulfill the purpose of the WA-APCD and be self-sustaining. To that end, Bidder must:

- 3.2.6.1.1 Describe the Bidder's vision for the potential uses of the WA-APCD
- 3.2.6.1.2 Describe the data products to be created and sold to support the WA-APCD and Lead Organization
- 3.2.6.1.3 Bidder must offer Identity Matching between WA-APCD data and external data sets.
- 3.2.6.1.4 Describe the markets for these products and how you will establish and grow these markets.
- 3.2.6.1.5 Include all assumptions
- 3.2.6.1.6 Provide the strategy for getting the revenue generating business of the WA-APCD up and running
- 3.2.6.1.7 Identify the high level concrete actions the Bidder intends to take to
- 3.2.6.1.8 achieve the stated intent and goals of the WA-APCD legislation (see section 1.1.3, Scope of RFP)
- 3.2.6.1.9 Briefly describe the requirements for the WA-APCD and Lead Organization's ongoing operations and maintenance.
- 3.2.6.1.10 Discuss how the skills and experience possessed by the management and staff (identified as Key Resources above) will lead to a successful implementation of the strategy and achieve the vision articulated in the WA-APCD law.

3.2.6.2 (MS) Sustainability

- 3.2.6.2.1 Provide the Bidder's financial plan for Sustainability of the WA-APCD and Lead Organization, using Appendix N, Sustainability Plan Template and including:

- i. Cost and Revenue Projection for the WA-APCD and Lead Organization. Time period covers the following state fiscal years:
 1. Year 1 (partial): 10/1/2016 – 6/30/2017
 2. Year 2: 7/1/2017 – 6/30/2018
 3. Year 3: 7/1/2018 – 6/30/2019
 4. Year 4: 7/1/2019 – 6/30/2020
 5. Year 5: 7/1/2020 – 6/30/2021

 - ii. Include most likely estimates for :
 1. Income/Revenue including, at a minimum, any and all that pertain: fees/sales, grants, contracts, in-kind donations/payments, funding from Lead Organization (if any)
 2. Expenses (salaries, benefits, indirect, contracts, and other expenses, as appropriate)
 3. Taxes

 - iii. Bidder must include all assumptions made related to its answers
- 3.2.6.3 *(BP)* Bonus points will be awarded for plans that are self-sustainable i.e. that do not rely on state budget funding after October 1, 2016.)
- 3.2.6.4 *(M)* Provide a self-assessment of the Strengths, Weaknesses, Opportunities and Risks (SWOR) Analysis of the Bidder’s proposed Business Strategy and Sustainability Plan (Appendix O – SWOR Template).

3.3 TECHNICAL PROPOSAL

General Requirements for Technical Proposal: In this section of the Proposal, the Bidder is to provide a description of the approach to each SOW deliverable, including the use of any subcontractors.

The successful Bidder will be required to work with OFM on creation of rules as required under Chapter 43.371 RCW. The rules are being developed in parallel with the work set forth in this RFP. The Timeline for Rulemaking and Rulemaking Process and Schedule – Phase I can be found at: www.ofm.wa.gov/healthcare/pricetransparency

3.3.1 STATEMENT OF WORK #1 (attached as Appendix J): WA-APCD Implementation (MS)

1. Describe the proposed technical solution for the WA-APCD system. Provide an architectural diagram and explanation of components and their functions. Include information detailing whether the technical infrastructure is owned by the Data Vendor or procured from a third party, the physical and network security/privacy policies and protocols; failover/disaster recovery plan and practice schedules; etc.
2. Describe the Bidder's approach to completing each deliverable in this SOW.
3. Identify Lead Organization and Data Vendor staff who will be involved, naming individuals key to the project, and describe in detail their roles and responsibilities.
4. Describe the biggest risks facing the successful completion of work under this SOW and how the Bidder will mitigate those risks.
5. Include all assumptions made in responding to this SOW.

3.3.2 STATEMENT OF WORK #2 (attached as Appendix K): WA-APCD Data Set Creation (MS)

1. Describe the Bidder's approach to completing each deliverable in this SOW.
2. Identify Lead Organization and Data Vendor staff who will be involved, naming individuals key to the project, and describe in detail their roles and responsibilities.
3. Describe each of the data set deliverables that Bidder intends to create.
4. Describe the biggest risks facing the successful completion of work under this SOW and how the Bidder will mitigate those risks.
- 5.
6. Include all assumptions made in responding to this SOW.

3.3.3 INTEGRATED WORK PLAN AND SCHEDULE SOW 1 AND SOW 2 (MS)

1. Provide a high level integrated work plan and schedule for completing the work in SOW 1 and SOW 2 including major milestones, OFM review and collaboration points, draft deliverables, final deliverables, payment points. Bidder must clearly designate the SOW to which each deliverable belongs in the work plan and schedule.
2. Describe the Bidder's approach to project management of the work in this SOW.
 - a. Include a deliverable acceptance process that includes, but is not limited to:
 - i. At least a 10 business day review of each draft deliverable by OFM
 - ii. At least a five business day review of each final deliverable by OFM
 - b. Include a change order process
3. Include all assumptions not already included in Bidder's responses above.

3.3.4 STATEMENT OF WORK #3 (attached as Appendix L): Washington State Common Measures Set for Health Care Quality and Cost Outcomes (MS)

1. Describe the Bidder's approach to completing each deliverable in this SOW.
2. Provide the Work Plan and Schedule for completing the initial Report and Dashboard, and producing the quarterly updates of the Report and Dashboard.
3. Identify Lead Organization and Data Vendor staff who will be involved, naming individuals key to the project, and describe in detail their roles and responsibilities.
4. Include all assumptions made in responding to this SOW.

3.3.5 STATEMENT OF WORK #4 (attached as Appendix M): WA-APCD Ongoing Operations (MS)

1. Describe the approach for ongoing operations of the WA-APCD and Lead Organization and maintaining the WA-APCD with no degradation to the system, collection of data and production of data products.
2. Identify Lead Organization and Data Vendor staff who will be involved, naming individuals key to the project, and describe in detail their roles and responsibilities.
3. Describe the biggest risks facing the ongoing operations of the WA-APCD and how the Bidder will mitigate those risks.
4. Include all assumptions made in responding to this SOW.

3.4 COST PROPOSAL (MS)

General Requirements. Complete for each of the four SOWs:

OFM seeks to award a contract to the Bidder whose solution best meets the State’s needs at the best value.

Contract prices must include all cost components needed for the successful provisioning of the Services and resultant Products as described in this RFP. All costs associated with the Services and resultant Products must be incorporated into the Bidders Proposal in response to this RFP.

Provide the cost to complete the deliverables under SOWs #1, #2 and #3 on a firm-fixed-priced deliverable basis and within the not-to-exceed amounts set forth below. Multiple deliverables within an SOW may be bundled together for payment.

3.4.1 Statement of Work #1 – Cost Spreadsheet with cost by deliverable – provide total cost

- Not to exceed \$2 million

#	Deliverable	Cost
1	Establish and Convene Advisory Committees	
2	Establish the Data Submission Process	
3	Implement the WA-APCD System	
4	Collect and Load Phase I Historical Claims Data from Submitters	
5	Establish Data Processes and Criteria	
6	Establish and Maintain the WA-APCD Website	
7	Publish Health Care Price Schedule and Quality data Set on the WA-APCD Website	
8	CMS Medicare Qualified Entity Application, Impacts and Recommendation	
9	Updated Sustainability Plan	
10	Report on Security and Privacy of the WA-APCD and Claims data to the Office of the Chief Information Officer	
11	Establish the WA-APCD Data Product Fees	
	Total for SOW #1	

3.4.2 Statement of Work #2 - Cost Spreadsheet with cost by deliverable – provide total cost

- Not to exceed \$600,000

#	Deliverable	Cost
1	Voluntary Data Request	
2	Collect and Load Phase 2 Historical Claims Data from Submitters	
3	Update the Health Care Price Schedule and Quality Data Set and Website	
4a	Health Care Claims Price Transparency Product for Public #1	
4b	Health Care Claims Price Transparency Product for Public #2	
5a	Health Care Claims Data Price Transparency Products Available For Sale #1	
5b	Health Care Claims Data Price Transparency Products Available	

	For Sale #1	
6a	WA-APCD Brand	
6b	WA-APCD Marketing Materials	
6c	WA-APCD Content for Education and Marketing	
6d	WA-APCD Outreach Plan, Materials and Meeting Notes	
	Total for SOW #2	

3.4.3 Statement of Work #3 – Cost Spreadsheet with cost by deliverable

- **Not to exceed \$750,000**
- Funding is subject to approval by the CMS, Center for Medicare and Medicaid Innovation

#	Deliverable	Cost
1	Quarterly Washington State Common Measures Set for Health Care Quality and Cost Performance Report (Initial and Ongoing through 3-year contract term)	
2	Create the Washington State Common Measures Set for Health Care Quality and Cost Performance Outcomes Dashboard (Initial and Ongoing through 3-year contract term)	
	Total for SOW #3	

4. EVALUATION AND CONTRACT AWARD

4.1 EVALUATION PROCEDURE

4.1.1 Administrative Screening

Proposals will be reviewed initially by the RFP Coordinator to determine on a pass/fail basis compliance with administrative requirements as specified in Section 2, *Administrative Requirements*. Evaluation teams will only evaluate Proposals meeting these administrative requirements.

4.1.2 Mandatory Requirements

Proposals meeting all of the administrative requirements will then be reviewed on a pass/fail basis to determine if the Proposal meets the Mandatory requirements (see Section 2. *Administrative Requirements* and Section 3. *Proposal Contents*).

The State reserves the right to determine at its sole discretion whether Bidder's Proposal to a Mandatory requirement is sufficient to pass. If, however, all responding Bidders fail to meet any single Mandatory item, OFM reserves the following options: (1) cancel the procurement, or (2) revise or delete the Mandatory item.

4.1.3 Qualitative Review and Scoring

Only Proposals that pass the administrative screening and Mandatory requirements review, will be advanced to the Qualitative Review and Scoring.

Evaluators will give a consensus score to each scored element. Evaluation points will be assigned based on the effectiveness of the Response to each requirement. A scale of zero to five will be used, defined as follows:

Scoring Range Matrix		
Score	Description	Discussion
0	Discussion Omitted – No Value	The Bidder has omitted any discussion of this requirement or the information provided is of no value.
1	Poor – Ability was not established and Approach marginal	The Bidder has not fully established the capability to perform the requirement, has marginally described its approach, or has simply restated the requirement.
2	Average - Solution & Detail are competitive	The Bidder has an acceptable capability or solution to meet this criterion and has described its approach in sufficient detail to be considered competitive.
3-4	Good - Strong and Competitive	The Bidder has demonstrated strong and competitive capability, approach, or solution and has provided a complete description of the capability, approach, or solution.
5	Excellent - Solution & Detail are superior and competitive	The Bidder has provided an innovative, detailed, efficient approach or established, by references and presentation of material, far superior capability in this area.

4.2 EVALUATION WEIGHTING AND SCORING

The maximum number of evaluation points available is set forth below. The Administrative

Requirements are evaluated on a pass/fail basis. The following points will be assigned to the Proposal for evaluation purposes:

PHASE I - WRITTEN PROPOSAL

Management Proposal	650	Points
Technical Proposal	250	Points
Cost Proposal	100	Points

TOTAL POSSIBLE **1000** **Points**

BONUS POINTS POSSIBLE **100** **Points**

PHASE II - ORAL INTERVIEWS

Oral Interviews/References	SWOR
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TOTAL POSSIBLE **100** **Points**

BONUS POINTS POSSIBLE **5** **Points**

4.3 ORAL INTERVIEWS AND REFERENCE CHECKS

The top scoring Bidders in Phase I of the evaluation process may be invited to Oral Interviews. OFM will determine the invitees based on the scores of the Bidders and may use a “natural break” methodology to, in its sole judgement, denote the roster of Bidders who will be invited to Oral Interviews. The RFP Coordinator will notify participants of the date, time, and location of the Oral Interviews. The dates in Section 2.2 *Estimated Schedule of Procurement Activities* are an estimate and are subject to change at the discretion of OFM.

The key resources proposed to be involved in the performance of the WA-APCD project, must participate in the Oral Interview.

This phase of the evaluation process will also include checking of References. Whether included as a key staff reference or not, OFM reserves the right to use its own or other organization’s experience using Bidder key staff on other projects as a factor in evaluating the probability of success for key staff proposed by the Bidder.

4.4 FINAL DETERMINATION OF APPARENTLY SUCCESSFUL BIDDER

A single Bidder will be recommended to OFM for consideration as the Apparently Successful Bidder. The recommendation to OFM will be based on the evaluation team’s assessment, in its sole opinion, of the Strengths, Weaknesses, Opportunities and Risks (SWOR) to the State of Washington in implementing that Bidder’s Solution. The SWOR will then be used as the basis for consensus scoring. This SWOR assessment will be made during the Oral Interview/References portion of the evaluation process and will take into consideration any applicable information flowing from the RFP process.

In its final review, OFM may consider past or current performance of any OFM contracts by a finalist(s), and any experience of the program or OFM in working with a finalist(s) under any past or current contract with OFM.

OFM management will be guided, but not bound, by the recommendations of the evaluators. Program staff and OFM management will determine which Proposals reviewed during this final selection process will best meet the needs of the State of Washington.

Any Bidder who would be an Apparently Successful Bidder based on the scores awarded by the evaluators, and who is not selected, shall be provided, upon request, the reasons the OFM selected a Bidder with a lower final score.

4.5 NOTIFICATION TO BIDDERS

The OFM RFP Coordinator will notify the Apparently Successful Bidder of OFM's decision in writing upon completion of the evaluation process. Individuals or firms whose Proposals are not selected for further negotiation or award will be notified separately by e-mail.

4.6 DEBRIEFING OF UNSUCCESSFUL BIDDERS

Any Bidder who has submitted a proposal and been notified that they were not selected for contract award may request a debriefing. The request for a debriefing conference must be received by the RFP Coordinator within three (3) business days after the Unsuccessful Bidder Notification is e-mailed to the Bidder. Debriefing requests must be received by the RFP Coordinator no later than 3:30 PM, local time, in Olympia, Washington on the date set forth in Section 2.2 *Estimated Schedule of Procurement Activities* of this RFP. The debriefing will be held on the date set forth in Section 2.2 *Estimated Schedule of Procurement Activities* of this RFP.

Discussion at the debriefing conference will be limited to the following:

- Evaluation and scoring of the firm's proposal;
- Critique of the proposal based on the evaluation;
- Review of proposer's final score in comparison with other final scores without identifying the other firms.

Comparisons between Proposals or evaluations of the other Proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

4.7 PROTEST PROCEDURE

Protests may be made only by Unsuccessful Bidders who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the Bidder is allowed five (5) business days to file a protest of the acquisition with the RFP Coordinator. Protests must be received by the RFP Coordinator no later than 3:30 PM, local time, in Olympia, Washington on the date set forth in Section 2.2 *Estimated Schedule of Procurement Activities* of this RFP. Protests may be submitted by e-mail or facsimile, but must then be followed by the document with an original signature.

Bidders protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to Bidders under this procurement.

All protests must be in writing, addressed to the RFP Coordinator, and signed by the protesting party or an authorized Agent. The protest must state the RFP number, the grounds

for the protest with specific facts and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included.

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

- A matter of bias, discrimination or conflict of interest on the part of an evaluator;
- Errors in computing the score;
- Non-compliance with procedures described in the procurement document or DES policy.

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal, or 2) OFM'S assessment of its own and/or other agencies needs or requirements.

Upon receipt of a protest, a protest review will be held by the OFM. The OFM Director or an employee delegated by the Director who was not involved in the procurement will consider the record and all available facts and issue a decision within five (5) business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Bidder that also submitted a proposal, such Bidder will be given an opportunity to submit its views and any relevant information on the protest to the RFP Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold the OFM's action; or
- Find only technical or harmless errors in the OFM's acquisition process and determine the OFM to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide the OFM options which may include:
 - Correct the errors and re-evaluate all Proposals, and/or
 - Reissue the solicitation document and begin a new process, or
 - Make other findings and determine other courses of action as appropriate.

If the OFM determines that the protest is without merit, the OFM will enter into a contract with the apparently successful bidder. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

APPENDIX A : CERTIFICATIONS AND ASSURANCES

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract:

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 120 days following receipt, and it may be accepted by the OFM without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. If there are exceptions to these assurances, I/we have described them in full detail on a separate page attached to this document.
5. I/we understand that the OFM will not reimburse me/us for any costs incurred in the preparation of this proposal. All Proposals become the property of the OFM, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data which have been submitted have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by him/her prior to opening, directly or indirectly, to any other Proposer or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. I/we grant the OFM the right to contact references and other, who may have pertinent information regarding the ability of the Consultant and the lead staff person to perform the services contemplated by this RFP.
10. If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, his/her name(s) is noted on a separately attached page.

We (circle one) **are** / **are not** submitting proposed Contract exceptions. (See Section 1.6, Contract) If Contract exceptions are being submitted, I/we have attached them to this form. **On behalf of the Bidder submitting this proposal, my name below attests to the accuracy of the above statement.**

Signature of Bidder **Title** **Date**