



CALIFORNIA DEPARTMENT OF
HEALTH CARE SERVICES

Request for Proposal 20-10029

(This is not a solicitation for submission of a proposal at this time, but only to solicit comments from Interested Parties regarding the content of the DRAFT RFP for consideration prior to release of a FINAL RFP.)

Managed Care Plans

Department of Health Care Services
Contract Services Branch
1501 Capitol Avenue, MS Code 4200
P.O. Box 997413
Sacramento, CA 95899-7413

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Required Attachments

Attachment #	Attachment Name
Attachment 1a	Proposal Cover Page
Attachment 1b	Plan Model/County Proposer Selection Form
	UNDER DEVELOPMENT
Attachment 2	Narrative Proposal Required Attachments / Certification Checklist
Attachment 3	Client References
Attachment 4	Payee Data Record
Attachment 4a	Payee Data Record Supplement
Attachment 5	Iran Contracting Act Certification
Attachment 6	California Civil Rights Laws Certification
Attachment 7	Conflict of Interest Compliance Certificate
Attachment 8	Request for Inclusion on Distribution List
Attachment 9	Voluntary Letter of Intent
Attachment 10	Evaluation Questions
	UNDER DEVELOPMENT
Attachment 11	Proposer Response Guide
	UNDER DEVELOPMENT

Sample Forms and Exhibits

Operational Readiness Contract

[CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE]

Primary Operations Contract

Exhibit #	Exhibit Name
STD 213	Standard Agreement
Exhibit A	Scope of Work (UNDER DEVELOPMENT)
Exhibit A	Attachment I - Definitions and Acronyms
Exhibit A	Attachment II - Operational Readiness Deliverables and Requirements
Exhibit A	Attachment III - Operations
Exhibit B	Budget Detail and Payment Provisions
Exhibit C	General Terms and Conditions (GTC 04/2017)
Exhibit D(F)	Special Terms and Conditions
Exhibit E	Program Terms and Conditions
Exhibit F	Contractor's Release
Exhibit G	HIPAA Business Associate Addendum

Secondary Operations Contract

[CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE]

Appendices

[CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE]

A. Official Means of Communication

1. The solicitation referenced on the cover page of this document is issued by the California Department of Health Care Services (DHCS or Department). The link to view and download the Request for Proposal (RFP) from the Department of General Services' (DGS) Cal eProcure website is posted on the [Contract Services Branch \(CSB\) website](#).
2. During this solicitation process, official communication with proposers will be via notices on the CSB website. Notices may include modifications, addenda, responses to inquiries, and the posting of the Notice of Intent to Award. It is the proposer's responsibility to periodically check the CSB website for notices, changes, additional documents, or amendments that pertain to this solicitation.

B. Sole Point of Contact and Address

The Department's sole point of contact and proposal delivery address for this solicitation is:

Department of Health Care Services
Contract Services Branch
RE: DHCS RFP 20-10029
Managed Care Plans
1501 Capitol Avenue, Suite 71.6054
MS Code 4200
P.O. Box 997413
Sacramento, CA 95899-7413
(916)-552-8006
CSBRFP8@dhcs.ca.gov

C. Submission of Proposals and Other Related Documents

This section covers the submission of the following documents relative to the RFP: Proposer Questions, Voluntary Letter of Intent, Request for Inclusion on the Distribution List, Data Library forms, proposals, reasonable accommodations requests, appeals, and all other RFP-related correspondence.

1. For Hand Delivery/Courier Service Delivery

- a. All documents must be delivered to DHCS as described in this section. Please read the information in this section carefully.
- b. Proposers must make an appointment with CSB at (916) 552-8006, or by sending an email to CSBRFP8@dhcs.ca.gov with the subject line, "RFP 20-10029 Appointment Request", to coordinate hand delivery/courier service delivery of documents to DHCS.

- c. Proposers must allow sufficient time to find on-street metered parking and to sign in at the security desk in the lobby at 1501 Capitol Avenue.
- d. Proposers must ask security personnel to call CSB at (916) 552-8006 to notify the office of their arrival. CSB staff will accept the delivery in the lobby and issue a receipt to the bearer. Proposers are warned not to surrender any deliverables to any person other than CSB staff.

2. For United States Post Office (USPS) Delivery

- a. All documents mailed to DHCS must adhere to the directions provided in this RFP.
- b. Please be advised that DHCS internal processing of USPS deliveries may add forty-eight (48) hours or more to the delivery time. If packages are mailed, consider using certified or registered mail and request a receipt upon delivery.

3. For Email Delivery

- a. **Proposal submissions may not be emailed.**
- b. As described throughout the RFP, specifically identified attachments (i.e. Attachment 8, Request for Inclusion on Distribution list, and Attachment 9, Voluntary Letter of Intent), Data Library forms, proposer questions, and reasonable accommodations requests may be emailed to DHCS at CSBRFP8@dhcs.ca.gov.
- c. Be sure to indicate the subject along with "RFP 20-10029" as instructed in the RFP.

D. Purpose and Background

INFORMATION IN THIS SECTION RELATED TO PLAN MODELS AND IDENTIFIED COUNTIES ARE SUBJECT TO CHANGE. THE FINAL VERSION WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

FOR ADDITIONAL INFORMATION, REFER TO THE ATTACHMENT IN DRAFT RFP COVER LETTER REGARDING PLAN MODEL TRANSITION STATUS.

1. Purpose

The California Department of Health Care Services (DHCS) is soliciting proposals from firms that are able to provide managed health care services to beneficiaries of Medi-Cal, the State's Medicaid program.

This RFP will be used to procure commercial health plans in the following Plan Model types:

- Two-Plan Model,
- Geographic Managed Care (GMC),
- Regional Model,
- Imperial Model, and
- San Benito Model

The RFP will not be used to procure the County Operated Health Systems (COHS) Plans, or Local Initiative Plans in the Non-COHS plan model types.

Additional detail on plan models and counties under this procurement can be found in RFP Main, Managed Care Plan Models and Counties under this Procurement.

This procurement is open to all eligible firms and/or individuals that meet the qualification requirements, including commercial businesses, nonprofit organizations, State or public universities (including auxiliary organizations) and other entities.

Proposals must address all of the services described in Exhibit A entitled, "Scope of Work".

There is no cost proposal or price bid associated with this RFP. The State shall set a capitated rate for payment of services during the Operations period.

Additional Information on the Contract awards can be found in RFP Main, Contract Award and Appeals.

A number of updates from the current Managed Care Plan Contract are included in the RFP. Therefore, it is critical that prospective bidders carefully read and understand all sections and provisions of the RFP.

2. Background

DHCS is the single State Medicaid agency responsible for administering Medi-Cal, California's Medicaid program. The mission of DHCS is to provide Californians with access to affordable, integrated, high-quality health care, including medical, dental, mental health, substance use treatment services and long-term care. Our vision is to preserve and improve the overall health and well-being of all Californians and particularly, to address the needs of populations experiencing disparities in health outcomes.

DHCS oversees operational and program activities to meet the needs of providing health care to over 13.5 million Medi-Cal beneficiaries in all of California's 58 counties. Most Medi-Cal beneficiaries are enrolled in Medi-Cal MCPs, and receive all or most of their health care through MCP provider networks and organized systems of care. DHCS conducts contract management and oversight of the MCPs, so that beneficiaries receive high quality, accessible, and cost-effective health care.

In accordance with our mission and vision, DHCS has developed goals for the Medi-Cal managed care program. These goals were used to develop this RFP including the qualification requirements, evaluation criteria, and update the Contract included as part of the RFP.

DHCS is looking for Managed Care Plans that demonstrate their ability to:

1. Quality

Meet or exceed Minimum Performance Levels for quality, on the measures included in the Managed Care Accountability Set.

2. Access to care

Ensure comprehensive networks that provide all members timely access to appropriate, culturally competent, and high-quality care, within time and distance standards.

3. Continuum of care

Manage members over time through a comprehensive array of person-centered health and social services spanning all levels of intensity of care, from birth to end of life.

4. Children services

Provide children's services, specifically preventive and early intervention services, maternal services and those that support social, emotional development and address adverse childhood experiences.

5. Behavioral health services

Expand access to evidence-based behavioral health services, focused on earlier identification and engagement in treatment for children, youth, and adults.

6. Coordinated/integrated care

Provide coordinated, integrated care for all members, particularly vulnerable populations with complex health care needs. This will include the strategies articulated in [CalAIM](#), coordination with entities providing carved-out benefits and services, as well as other state and federal requirements.

7. Reducing health disparities

Identify health disparities and inequities in access, utilization, and outcomes among racial, ethnic, language, and Lesbian, Gay, Bisexual, and Transgender and Questioning (LGBTQ) groups and have focused efforts to improve health outcomes within the groups and communities most impacted by health disparities and inequities.

8. Increased oversight of delegated entities

Provide increased oversight of all delegated entities to ensure members receive quality care and service in accordance with the MCPs contractual obligations to DHCS.

9. Local presence and engagement

Establish and expand a stable local presence and collaborate and engage with local community partners and resources to ensure community needs are met.

10. Emergency preparedness and ensuring essential services

Ensure continuity of its business operations, delivery of essential care and services to members, and to mitigate any potential harm caused by an Emergency, such as a natural or manmade hazard or disaster or health crises.

11. Addressing the Social Determinants of Health (SDOH)

Meet the health needs of a members through methods designed to understand the overall circumstances of members including capturing SDOH through coding and articulating a care coordination strategy inclusive of SDOH.

12. CalAIM

Implement and support California Advancing and Innovating Medi-Cal (CalAIM) initiatives. CalAIM is a multi-year initiative by DHCS to improve the quality of life and health outcomes of our population by implementing broad delivery system, program and payment reform across the Medi-Cal program. Once implemented, the initiative will result in a better quality of life for Medi-Cal members as well as long-term cost savings/avoidance.

13. Value-based purchasing

Implement financial arrangements with health care providers that link payments to value in the form of higher quality of care, better health care outcomes, and lower cost of care. Such arrangements include, but are not limited to, incentive payment arrangements that reward providers for high or improved performance on selected measures or benchmarks.

14. Administrative Efficiency

Reduce administrative waste and enhance efficiency.

Medi-Cal Managed Care Models

As of May 2021, over 11 million Medi-Cal Members in all fifty-eight (58) California counties receive their health care through the six models of managed care: Two-Plan, GMC, Regional Model, Imperial, San Benito, and COHS. Below is a brief description of each model type.

Two-plan:

- In a Two-Plan Model county, there is a county organized plan called the Local Initiative (a prepaid health plan) and a commercial health plan. Both the Local Initiative plan and the commercial health plan are required to be Knox-Keene Act licensed. The Local Initiative plan is a county sponsored managed care plan that serves one or more counties. DHCS contracts with both plans for the delivery of Medi-Cal managed care services in the county.
- As of May 2021, the Two-Plan Model operates in 14 counties: Alameda, Contra Costa, Fresno, Kern, Kings, Los Angeles, Madera, Riverside, San Bernardino, Santa Clara, San Francisco, San Joaquin, Stanislaus, and Tulare.

Geographic Managed Care:

- In a GMC Model county, DHCS contracts with multiple Knox-Keene Act licensed commercial health plans within the county. The GMC Model serves clearly defined geographic areas.
- As of May 2021, the GMC Model operates in two counties: Sacramento and San Diego.

Regional:

- In rural counties that have not elected to participate as a COHS model or as the Local Initiative of a Two-Plan model, DHCS contracts with two commercial health plans, through the Regional Model. Both commercial health plans are Knox-Keene Act licensed and serve two or more contiguous counties in the designated Rural Expansion Region.

As of May 2021, the Regional Model operates in 18 counties: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Inyo, Mariposa, Mono, Nevada, Placer, Plumas, Sierra, Sutter, Tehama, Tuolumne, and Yuba.

Imperial:

- The Imperial Model originated out of the Regional Model to serve rural expansion needs. Similarly, in the Imperial Model, there are two Knox-Keene Act licensed commercial health plans that contract with DHCS to serve one county.
- As of May 2021, the Imperial Model operates in Imperial County only.

San Benito:

- The San Benito Model also originated out of the Regional Model to serve rural expansion needs. In the San Benito Model, there is one Knox-Keene Act licensed commercial health plan that contracts with DHCS. Beneficiaries can choose to receive Medi-Cal services through the managed care plan or regular fee-for-service (FFS) Medi-Cal.
- As of May 2021, the San Benito Model operates in San Benito County only.

County Organized Health Systems:

- In a COHS Model county, there is only one managed care plan serving the Medi-Cal population and it is operated by the county. The county Board of Supervisors may establish, by ordinance, a commission. The commission negotiates a COHS contract with DHCS and serves as an independent oversight entity for the delivery of Medi-Cal managed care services in that county. The commission COHS contracts may be on a non-bid basis.
- As of May 2021, the COHS Model operates in 22 counties: Del Norte, Humboldt, Lake, Lassen, Marin, Mendocino, Merced, Modoc, Monterey, Napa, Orange, San Luis Obispo, San Mateo, Santa Barbara, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Trinity, Ventura, and Yolo.

The following links provide more information about the Medi-Cal managed care plan models:

- [Medi-Cal Managed Care Program Fact Sheet](#)
- [Medi-Cal Managed Care Models County Map](#)

Additional information regarding Medi-Cal managed care can be found on the [Medi-Cal Managed Care website](#).

E. Time Schedule

DHCS reserves the right to amend any of the following dates and times due to unforeseen delays or circumstances.

1. Pre-RFP Time Schedule

Event	Date	Time (if applicable)
DRAFT RFP Released	June 1, 2021	
DRAFT RFP Voluntary Pre-Proposal Web Conference	June 10, 2021	2:00 PM Pacific Time (PT)
DRAFT RFP Questions and Comments Due	July 1, 2021	4:00 PM PT
Voluntary Non-Binding Letter of Intent Due	July 1, 2021	4:00 PM PT

2. RFP Time Schedule

Below is the tentative time schedule for this procurement.

Event	Date	Time (if applicable)
RFP Released	TBD	
Voluntary Pre-Proposal Web Conference	TBD (+10-15 calendar days after Final RFP release)	TBD
RFP Proposer Questions Due	TBD (+7 calendar days after Final RFP release)	4:00 PM PT
Voluntary Non-Binding Letter of Intent Due	TBD (+3 weeks after Final RFP Release)	4:00 PM PT
Proposal Due Date	TBD (+2 months after Final RFP Release)	4:00 PM PT
Notices of Intent to Award Posted	TBD (+4 months after Proposal Due Date)	
Appeal Deadline	TBD (+5 business days after NOI)	5:00 PM PT
Tentative Contract Award Date	TBD (+3 business days after Appeal Deadline) (if no appeals are received)	
Proposed Start Date of the Agreement	Same day as Contract Award Date or when approved by DHCS, whichever is later	

F. Managed Care Models and Counties under this Procurement

Below is the list of managed care plan models and counties for which DHCS is procuring commercial Managed Care Plans in this RFP. Also identified in the table are the number of awards DHCS intends to make with this RFP.

DHCS reserves the right to exclude any county(s) listed below from this RFP prior to the award.

INFORMATION IN THIS SECTION RELATED TO PLAN MODELS AND IDENTIFIED COUNTIES ARE CURRENT AS OF JUNE 01, 2021 AND SUBJECT TO CHANGE. THE FINAL VERSION WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

FOR ADDITIONAL INFORMATION, REFER TO THE ATTACHMENT IN DRAFT RFP COVER LETTER REGARDING PLAN MODEL TRANSITION STATUS.

Managed Care Plan Model	Current County(s) for Procurement	Intended Number of Awards
Two Plan Commercial	Alameda, Contra Costa, Fresno, Kern, Kings, Los Angeles, Madera, Riverside, San Bernardino, Santa Clara, San Francisco, San Joaquin, Stanislaus, and Tulare	One award for a commercial health plan for each county identified in this RFP.
Geographic Managed Care (GMC)	Sacramento, San Diego	No more than <u>two awards</u> for commercial health plans per county.
Imperial	Imperial	Two awards for commercial health plans for Imperial County.
Regional	Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Inyo, Mariposa, Mono, Nevada, Placer, Plumas, Sierra, Sutter, Tehama, Tuolumne, and Yuba	Two awards for commercial health plans per county.
San Benito	San Benito	No more than <u>two awards</u> for commercial health plans per county.

G. Contract Term

The term of the resulting agreement is expected to be sixty (60) months. The agreement term may change if DHCS makes an award earlier than expected, or if DHCS cannot execute the agreement in a timely manner due to appeals or unforeseen delays.

DHCS reserves the right to extend the term of the resulting agreement via a formal contract amendment as necessary to complete or continue services. Agreement extensions are subject to satisfactory performance, funding availability, and approval by DHCS and the Centers for Medicare & Medicaid

Services (CMS). DHCS offers no assurance that an extension will occur or that funding will be continued at the same level in future years.

The resulting contract will be of no force or effect until it is signed by both parties, and approved by CMS, if required. The Contractor is hereby advised not to commence performance until all approvals have been obtained and the Contractor receives approval, in writing, from DHCS to begin work. Should performance commence before all approvals are obtained, said services shall be considered to have been volunteered by the Contractor.

1. Implementation/Operations

The Implementation Period begins with the effective date of the Contract and extends to the beginning of the Operations Period from TBD to TBD and is subject to DHCS approval. The Operations Period is the period of time beginning with the effective date of the first month of operations and continues on through the last month of capitation and services to Members. The Contractor may not begin operations until DHCS authorizes, in writing, that the Contractor may begin the Operations Period. The Contractor is not entitled to payment until the Operations Period begins.

H. Proposer Questions

Immediately notify DHCS if clarification is needed regarding the services sought or if questions arise about the RFP and/or its accompanying materials, instructions, or requirements. Inquiries must be in writing and transmitted to DHCS as instructed below. At its discretion, DHCS reserves the right to contact an inquirer to seek clarification of any inquiry received.

Proposers that fail to report a known or suspected problem with the RFP and/or its accompanying materials, or fail to seek clarification and/or correction of the RFP and/or its accompanying materials, shall submit a proposal at their own risk. In addition, if awarded the contract, the contractor shall not be entitled to additional compensation for any additional work caused by such problems, including any ambiguity, conflict, discrepancy, omission, or error.

Following the question submission deadline, DHCS will summarize all general questions and issues raised and will post the summary of questions and responses on the Cal eProcure site where this RFP was posted. DHCS will also notify all interested parties that have submitted a Request for Inclusion on the Distribution List form, RFP Attachment 8, with an email that there has been an update posted to the CSB website

To the extent practical, inquiries shall remain as submitted. However, DHCS may consolidate and/or paraphrase similar or related inquiries.

1. What to include in an inquiry

- a. Inquirer information including:
 - 1) Name and title
 - 2) Name of firm submitting the inquiry
 - 3) Mailing address
 - 4) Email address
 - 5) Area code and telephone number
- b. A description of the subject or issue in question or discrepancy found.
- c. Document, section number, and page number. Please be specific and include any other information useful in identifying the specific problem or issue in question.
- d. Format your questions using the table template below. Questions that are not submitted in the following format may not be considered. **Microsoft Excel format is preferred.**

Document	Page #	Section Reference	Additional Reference	Question or Issue	Remedy Sought (if any)
<ul style="list-style-type: none"> • Use “General” for general questions • Use “RFP Main”, “Attachments”, or “Appendices” for questions regarding items in the RFP. • Use “Exhibit ___” and the appropriate Exhibit letter for questions regarding a specific Exhibit. 		Indicate the section number or letter, along with subsection or paragraph identifiers (e.g. P.4.j.1)i. paragraph 3)			

2. How to submit questions

Submit inquiries using the table template above by emailing CSBRFP8@dhcs.ca.gov, with subject line “**Proposer Questions – RFP-20-10029**”.

3. Question Deadline

Proposers are required to submit any written inquiries about the Final RFP to DHCS CSBRFP8@dhcs.ca.gov no later than **TBD**, 4:00 PM Pacific Time (PT).

Notwithstanding the initial question submission deadline, DHCS will accept questions or inquiries about the reporting of RFP errors or irregularities if such inquiries are received prior to the proposal submission deadline.

4. Verbal questions

Verbal inquiries will not be accepted.

I. Data Library

THE DATA LIBRARY WILL BE AVAILABLE WHEN THE FINAL RFP IS RELEASED.

A Data Library for the sole use of proposers will be available, via a secured website, from the release date of this RFP, or shortly thereafter. The entire contents of the Data Library will be accessible in an electronic format until the proposal submission deadline, or longer if deemed necessary by DHCS. Data Library materials will not be supplied in hard copy, unless doing so is necessary to meet a reasonable accommodation request (see RFP Main, Reasonable Accommodations). It is the responsibility of the proposer to have the necessary equipment to view the information contained in the Data Library.

1. Electronic Data Library Contents

The Data Library contains various documentation and information that proposers will find beneficial in the preparation of their proposal responses.

2. Electronic Data Library Access

- a. Proposers must formally request the Data Library material. The request must be submitted using the Appendices (Appendix **TBD** through **TBD**) described in this section. All Appendices must be signed by an individual who is authorized to legally bind the proposer to all of the provisions contained in the Appendices.

- b. Each proposer must designate a Point of Contact to act as the official contact for Data Library communication. It is incumbent on the Point of Contact to continue to monitor the CSB website for the latest information concerning the Data Library.
- c. Should the proposer's Point of Contact change, immediately notify DHCS by submitting a revised set of the required Data Library Appendices.
- d. For each individual employee within the Proposer's organization, including an agent or subcontractor, requesting access to the Data Library, the proposer and employee, agent, or subcontractor must complete the form Appendix TBD. By signing this appendix, the proposer's employee, agent, or subcontractor attests that he or she understands and agrees to Data Library policy contained in this RFP.
- e. Should an employee, agent, or subcontractor no longer require access to the Data Library, the proposer must immediately notify DHCS by submitting a revised Appendix TBD for whom the request to remove access is made.
- f. The Data Library is the property of DHCS and all access to the Data Library will be removed on the proposal submission date.
- g. Within ten (10) calendar days after either the award of a contract, a notice by DHCS of intent not to award a contract, or upon notification by the State to destroy the material, all Data Library and DHCS data must be destroyed from all media. With the exception of the successful proposer, these requirements apply to all prospective Proposers, whether or not a proposal is submitted. The successful proposer will be allowed to retain Data Library documents that were downloaded.
- h. All DHCS Data Library material copied to other media must be deleted and/or destroyed when the data is no longer necessary for the purpose for which it was intended. The removal method must conform to the National Institutes of Standards and Technology (NIST). This includes Data Library material that has been copied to other media by the proposer. Once Data Library access has been removed by DHCS and all Data Library and DHCS data has been deleted and/or destroyed from all prospective proposer's media, the prospective proposer's Point of Contact must notify DHCS of policy compliance by sending a confirmation e-mail to: CSBRFP8@dhcs.ca.gov with the subject line "Data Library Destruction-RFP 20-10029".

3. Required Data Library Forms

[CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE]

- a. In order to safeguard the confidentiality of the Data Library, DHCS will not grant Data Library access until all of the required Appendices described in this section have been signed by the person authorized to legally bind the proposer, and submitted by the proposer's Point of Contact. Appendices submitted to CSB for approval and authorization must contain original signatures, signed in a color other than black. Photocopies, email copies or faxed copies will not be accepted.
- b. Submit the following Appendices to request Data Library access:

- 1) **TBD**

Note: As indicated above, the Data Library material is the property of DHCS and any data stored outside of the Data Library website by unsuccessful proposers in any media must be deleted, and/or destroyed within ten (10) calendar days after either the award of a Contract, a notice by DHCS of intent not to award a Contract, or upon notification by the State to destroy the material. Appendix **TBD** describes the Department's policy for the destruction of any data stored outside of the Data Library website in any media. By signing this appendix, the proposer attests that he or she understands and agrees to the Data Library policy contained in this RFP.

4. Updates to the Data Library Material

The Data Library may be periodically updated and additional documents may be added, deleted, or changed during this procurement.

Announcements regarding Data Library updates and/or additions will be posted directly to the CSB website. Proposers may wish to review the CSB website periodically for current information about revisions to the Data Library. It will be the responsibility of the Proposers to view the Data Library material in detail for changes.

5. Disclaimer

Information provided in the Data Library is intended only as a resource and is not intended to be comprehensive. It provides a window into the current operations and activities relevant to this contract.

It is the responsibility of the proposer to obtain and review all pertinent information relating to the Managed Care Plans RFP. If information is not

clear or more information is needed, proposers have the responsibility of asking for clarification in accordance with RFP Main, Proposer Questions.

If any materials, documentation, information, or data are discovered to be inaccurate or incomplete, such inaccuracy or incompleteness shall not constitute a basis for challenging the contract award, contract rejection, or any payment amount or rate either prior to, or after, contract award. All information contained in the Data Library represent the best information available to the Department at the time the RFP was prepared.

Requirements specified in an RFP shall take precedence over documentation in the Data Library if a conflict exists.

J. Proposer Conference

DHCS will conduct a voluntary Proposer Web Conference on **[Date/time TBD]**. Please register for the webinar at the following link:

[Link TBD]

After registering, you will receive a confirmation email containing information about joining the webinar.

Prospective Proposers that intend to submit a proposal are encouraged to participate in the voluntary Proposer Web Conference. It shall be each prospective Proposer's responsibility to join the webinar promptly at **[Time TBD]**. DHCS reserves the right not to repeat information for participants that join the webinar after it has begun.

The voluntary Proposer Web Conference is a public event or meeting and anyone can join.

The purpose of the webinar is to:

1. Allow prospective Proposers to ask questions about the services sought or RFP requirements and/or instructions.
2. Share the answers to general questions and inquiries received before and during the webinar.

DHCS reserves the right to determine which inquiries will be answered during the conference and which will be answered later in writing. **Spontaneous verbal remarks provided in response to questions/inquiries are unofficial and are not binding on DHCS unless later confirmed in writing.**

Carefully review this RFP before the webinar date to become familiar with the qualification requirements, scope of work, and Proposal content requirements.

Webinar attendees are encouraged to have the RFP available for viewing during the webinar.

Refer to the RFP Main, Proposer Questions for instructions on how to submit written questions and inquiries before the webinar date.

After the webinar, DHCS intends to summarize all general questions and issues raised before and during the webinar and post the summary of general questions and responses on the Internet at the Department of General Services' Cal eProcure site where this RFP was posted.

To the extent practical, inquiries shall remain as submitted. However, DHCS may consolidate and/or paraphrase similar or related inquiries.

Webinar attendees are responsible for their costs to participate in the webinar. Those costs cannot be charged to DHCS.

K. Reasonable Accommodations

For individuals with disabilities, DHCS will provide assistive services such as sign-language interpretation, real-time captioning, note takers, and reading or writing assistance. DHCS will also provide conversion into Braille, large print, and compact disc (CD) of such items as the RFP and RFP addenda, Proposer Web Conference materials, Question and Answer Notices, applicable Data Library materials, and other Administrative Bulletins.

To request such services or copies in an alternate format, please contact DHCS staff listed in accordance with RFP Main, Sole Point of Contact and Address no later than ten (10) or more State work days prior to the date the alternative format material is needed.

(TTY) California Relay telephone number 711-1-800-735-2929

NOTE: The range of assistive services available may be limited if requestors cannot allow ten (10) or more State working days prior to the date the alternate format material is needed.

L. Request for Inclusion on Distribution List

During the procurement process, DHCS may revise RFP content through issuance of an Administrative Bulletin or an RFP Addendum. Via email, DHCS will notify interested parties and prospective proposers who have submitted RFP Attachment 8, Request for Inclusion on Distribution List when an Administrative Bulletin and/or RFP Addendum is posted to the CSB website and/or Cal eProcure.

Complete, sign, and submit Attachment 8, Request for Inclusion on Distribution List as instructed in RFP Main, Sole Point of Contact and Address, and RFP Main, Submission of Proposals and Other Related Documents.

It is incumbent upon prospective proposers who have not submitted Attachment 8, Request for Inclusion on Distribution List to monitor the CSB website and Cal eProcure for Administrative Bulletins and RFP Addenda for revisions to the RFP and for important information.

Interested parties and prospective proposers unable to download information from the CSB website may request a CD of the RFP. Please refer to RFP Main, Sole Point of Contact and Address to request a CD.

M. Voluntary Non-Binding Letter of Intent

1. General Information

Prospective proposers are encouraged to submit the Voluntary Letter of Intent, RFP Attachment 9, to indicate either an intent to submit a proposal or to indicate the reason(s) for not submitting a proposal. Failure to submit the Voluntary Letter of Intent will not affect the acceptance of any proposal. The Voluntary Letter of Intent is not binding and proposers are not required to submit a proposal because a Voluntary Letter of Intent is submitted.

2. Submitting the Letter of Intent

Submit RFP Attachment 9 by 4:00 p.m. PT no later than **TBD**. Submit the attachment to DHCS as stated in RFP Main, Sole Point of Contact and Address, and RFP Main, Submission of Proposals and Other Related Documents.

N. Scope of Work

1. See Exhibit A and attachments, included in the Sample Contract Forms and Exhibits section of this RFP. The Operational Readiness Contract, **TBD**; Primary contract, Exhibit A and attachments; and Secondary Contract, **TBD** contain detailed descriptions of the services and work to be performed as a result of this procurement. The contracts included in this RFP are sample documents only. The actual contracts are subject to change prior to execution.
2. DHCS has made extensive efforts to provide and illustrate in this RFP the entire Scope of Work of the contract; however, DHCS anticipates modifications to provisions of the sample contracts to address the unique needs impacting the counties subject to this RFP as determined through the ongoing collaborative processes between stakeholders and DHCS.

3. Proposers are hereby notified that the selected contractor(s) shall be responsible for the planned and orderly adherence to all applicable provisions of Federal and State legislation and regulations. Selected contractor(s) will also be responsible for the adherence to any new requirements imposed or eliminated as a result of changes to the sample Operational Readiness, Primary, and/or Secondary contracts included with this RFP, in addition to any changes occurring throughout the term of the contract.

O. Qualification Requirements

Failure to meet the following requirements by the Proposal submission date may be grounds for DHCS to deem a Proposer non-responsive. DHCS may choose not to thoroughly review or score Proposals that fail to meet these requirements.

In submitting a Narrative Proposal, use RFP Attachment 2, Narrative Proposal Required Attachments/Certification Checklist to certify and prove that the Proposer possesses and agrees to abide by the following qualification requirements, and has submitted additional documentation where required below.

1. Experience requirements

Must have **at least five (5) consecutive years** in administering and operating a comprehensive health program for Medicare, Medicaid, or another health insuring or paying organization within the past seven (7) years from RFP release date. Experience must be similar to the work described in the RFP and demonstrate the Proposer's ability to perform such work. This experience requirement must be met solely by the prime Contractor firm and not through experience provided by subcontractors.

2. Knox-Keene License

For each county/service area the Proposer submits a proposal for evaluation, the Proposer must provide one of the following:

- a. If proposer is Knox-Keene licensed and licensed to operate in one or more county(s)/ service area(s) the proposal is being submitted for, proposer must submit **letter from Department of Managed Health Care (DMHC)** demonstrating good standing with DMHC; or
- b. If proposer is Knox-Keene licensed but *not* licensed to operate in one or more county(s)/service area(s) the proposal is being submitted for, the proposer must submit an **attestation that a complete material modification will be submitted to DMHC** within 30 working days after Notice of Intent; or

- c. If proposer is *not* Knox-Keene licensed, proposer must submit attestation it has the legal capacity and commitment to obtain **licensure as a health care service plan in accordance to Knox-Keene Health Care Service Plan Act of 1975** as amended at least six (6) months prior to the start of Operations.

Use Attachment 1b Plan Model/County Proposer Selection Form to identify the Knox-Keene status for each service area. Provide the required documentation or attestation in the Appendix section of the Proposal.

3. National Committee for Quality Assurance (NCQA) Accreditation

Proposers must submit one of the following related to NCQA accreditation in the Appendix section of the proposal:

- a. Proof of NCQA accreditation, or
- b. If not NCQA accredited, an attestation that NCQA accreditation process will be started no later than January 1, 2023 and full accreditation will be received no later than January 1, 2026.

4. Annual Quality Performance Measure

Proposers must submit annual quality performance measure reporting for all lines of business, for measurement years 2014 through 2019, in all states that the health plan operates in, including any reporting for Medicare, Medicaid, the Federal Exchange, or any accreditation requirements (e.g., NCQA). If operational in California, please include performance on Healthcare Effectiveness Data and Information Set (HEDIS) measures and Consumer Assessment of Healthcare Providers and Systems (CAHPS) measures.

Submit this documentation in the Appendix section of the proposal.

5. Financial Stability – Minimum Financial Criteria

Proposers must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.

Proposers must also submit the following information in the Appendix of the proposal to demonstrate financial stability:

- a. The following data identified in items 1) through 5), below. Audited statements are preferred, but not required.
 - 1) Annual financial statements for the last two (2) fiscal years
 - 2) Public interim financial statements for the interim period

- 3) Projected pro forma financial statement and statement of changes in financial position for the next three (3) years
 - 4) Detailed financial plan and proposed cash flow budget
 - 5) History of claims of bankruptcy, receivership, questioned cost, repayment of funds, failure to fulfill contract and criminal and/or civil legal actions within the past five (5) years.
- b. In lieu of a.,
- 1) Proposer's two (2) most recent annual certified financial statements,
 - 2) An organization's history of claims of bankruptcy, receivership, questioned cost, repayment of funds, failure to fulfill contract and criminal or civil legal actions
 - 3) and either: information on pending law suits.
 - 4) Evidence of capital contributions and retained earnings equal to an amount greater than twenty-five million dollars (\$25,000,000) , as identified in the annual financial statements;

Or

Evidence of assets under control greater than fifty million dollars (\$50,000,000), as identified in the annual financial statements.

c. Certification

A statement signed by the Proposer's CEO, CFO or authorized representative certifying that the financial statements and information provided in the submitted proposal are current, accurate and complete.

6. Corporations, Partnerships, Limited Liability Companies

As required by California law, business entities must be in good standing and qualified to do business in California. If the Proposer is a Corporation, the Proposer must either: a) submit a copy of the firm's most current Certificate of Status issued by the State of California, Office of the Secretary of State; or b) submit a downloaded copy of the proposing firm's on-line status information from the California Business Portal website of the State of California, Office of the Secretary of State. Submit this documentation, or an explanation if this documentation cannot be supplied, in the Appendix of the proposal. Unless otherwise specified, the proposer shall not submit copies of the proposing firm's Bylaws or Articles of Incorporation.

7. Nonprofit Organizations

Non-profit organizations must prove legal eligibility to claim “non-profit” and/or tax-exempt status by submitting a copy of an Internal Revenue Service (IRS) determination letter indicating non-profit or 501 (3) (c) tax-exempt status. Submit this documentation, or an explanation if this documentation cannot be supplied, in the Appendix of the proposal.

8. Iran Contracting Act Certification

Pursuant to Public Contracting Code (PCC) Sections 2202-2208, prior to bidding on, submitting a Proposal or executing a contract or renewal for a State of California contract for goods or services of one million dollars (\$1,000,000) or more, the Proposer must either:

- a. Certify it is **not** on the current list of persons engaged in investment activities in Iran created by DGS pursuant to PCC Section 2203(b) and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for forty-five (45) days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; or
- b. Demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to PCC Section 2203(c) or (d).

To comply with this requirement, read and complete RFP Attachment 5, Iran Contracting Act Certification.

9. California Civil Rights Laws Certification

Pursuant to PCC section 2010, if a bidder or Proposer executes or renews a contract over one hundred thousand dollars (\$100,000) on or after January 1, 2017, the bidder or Proposer hereby certifies compliance with the following:

- a. CALIFORNIA CIVIL RIGHTS LAWS: For contracts over one hundred thousand dollars (\$100,000) executed or renewed after January 1, 2017, the Contractor certifies compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code); and
- b. EMPLOYER DISCRIMINATORY POLICIES: For contracts over one hundred thousand dollars (\$100,000) executed or renewed after January 1, 2017, if a Contractor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor certifies that such policies are not used in violation of the Unruh Civil

Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code).

- c. To comply with this requirement, sign and submit Attachment 6. Check the appropriate box on Attachment 2, Narrative Proposal Required Attachment/Certification Checklist.

10. Conflict of Interest Compliance Certification

Proposers must certify and submit proof that no prohibited conflict of interest exists. If a conflict(s) does exist, the corrective measures that will be taken to mitigate such conflict(s) must be submitted. Detailed requirements are outlined in RFP Attachment 7, Conflict of Interest Compliance Certificate.

This qualification requirement also applies to any subcontractors.

If a conflict of interest is determined to exist that cannot be resolved to the satisfaction of the Department before the award of the Contract, the conflict will be grounds for deeming a Proposal non-responsive.

11. Lobbying Restrictions and Disclosure

- a. The proposer must certify in a copy of Attachment 1 of Exhibit D(F), to the best of its knowledge and belief, that:
 - 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the proposer, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
 - 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The Federal Standard Form-LLL may be obtained from various federal agencies, federally sponsored Internet sites, from DHCS upon request, or may be copied from Attachment 2 of Exhibit D(F), Special Terms and Conditions.

- a) The proposer shall require that the contents of this certification be collected from the recipients of all sub-awards, exceeding one hundred thousand dollars (\$100,000), at all tiers (including subcontracts, sub-grants, etc.) and shall be maintained for three (3) years following final payment/settlement of those agreements.
- b. This certification is a material representation of fact upon which reliance was placed when this Contract was made and/or entered into. The making of the above certification is a prerequisite for making or entering into this Contract pursuant to 31 United States Code (U.S.C.) 1352 (45 CFR 93). Any person who fails to file the required certification shall be subject to a civil penalty of not less than ten thousand dollars (\$10,000) and not more than one hundred thousand dollars (\$100,000) for each such failure.
- c. The Proposer shall include a signed copy of Attachment 1 of Exhibit D(F), and if applicable, a signed copy of Attachment 2 of Exhibit D(F) in the Appendix section of the proposal.

12. Attestations

Proposers must provide the following:

- a. An attestation that the proposer read and is willing to comply with all proposed terms and conditions addressed in RFP Main, Contract Terms and Conditions, including the terms appearing in the referenced Contract exhibits.
- b. An attestation that this contract will be a high priority to the proposer and that the Proposer is committed to supplying all necessary resources to meet its contractual obligations.
- c. An attestation from each parent organization, if any, that this contract is of high priority to the parent organization and that the parent organization is committed to supplying all necessary resources to assure full performance of the contract.

Include the above documentation in the Appendix section, and check the appropriate box for each on RFP Attachment 2, Narrative Proposal Required Attachments/Certification Checklist.

13. Certification Clauses

The proposer certifies to the best of its knowledge and belief that it and its principals abide by the items below. Check the appropriate box for each on RFP Attachment 2, Narrative Proposal Required Attachments/Certification Checklist to comply with this requirement.

a. Past Business Practice

Proposers' past record of sound business integrity and history of responsiveness to past contractual obligations will be a factor considered during the Compliance Review phase. DHCS may deem a Proposer non-responsive if the proposer has done any of the following: (i) had any past egregious contractual breaches, (ii) committed any incidents of fraud, (iii) demonstrated a pattern of non-responsiveness to past contractual obligations, (iv) defaulted on a government contract within the past ten (10) years, or (v) engaged in any other past unethical business practices. Without limiting the foregoing, DHCS specifically reserves the right to deem a Proposer non-responsive if DHCS has terminated one or more of its contracts.

b. Warranty Against Payment of a Broker's Fee

Proposers (to include any officers, director or employees) must certify that no broker or finder has been employed, and that no liability for any brokerage fee, commission or finder's fee (or similar fees, commission or reimbursement expenses) has been incurred in connection with the transactions contemplated by this Contract.

c. Criminal Offense Conviction Certification

DHCS may refuse to enter into a contract with a proposer if any person who has an ownership or a controlling interest in the proposer's firm or is an agent or managing employee of the proposer, has been convicted of a criminal offense related to that person's involvement in any program under Medicaid (including Medi-Cal), or Medicare. Proposer shall certify that it has no such relationships with such a person.

d. Debarment and Suspension Certification

The Proposer must certify that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency;
- 2) Have not within a three (3)-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph 2) of this certification; and
 - a) Have not within a three (3)-year period preceding this proposal had one (1) or more public transactions (federal, state or local) terminated for cause or default.
 - b) Shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 Code of Federal Regulations (CFR) part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in such transaction, unless authorized by the State.
 - c) Will include a clause titled "Debarment and Suspension Certification" that essentially sets forth the provisions herein, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- 4) If the proposer is unable to certify to any of the statements in this certification, the proposer shall submit an explanation in the Appendix section of the proposal.

P. County Letter of Support

INFORMATION IN THIS SECTION RELATED TO PLAN MODELS AND IDENTIFIED COUNTIES ARE CURRENT AS OF JUNE 01, 2021 AND SUBJECT TO CHANGE. THE FINAL VERSION WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

ADDITIONAL INFORMATION ON THE [COUNTY LETTER OF SUPPORT IS AVAILABLE ONLINE.](#)

A County Letter of Support may be submitted if the Proposer submits a proposal for evaluation in any of the following counties:

Managed Care Plan Model	Current County(s) for Procurement
Geographic Managed Care (GMC)	Sacramento, San Diego
Imperial	Imperial
Regional	Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Inyo, Mariposa, Mono, Nevada, Placer, Plumas, Sierra, Sutter, Tehama, Tuolumne, and Yuba
San Benito	San Benito

DHCS is providing the opportunity for a Proposer to obtain a County Letter of Support for the counties listed above.

The County Letter of Support is a letter or resolution from the County’s Board of Supervisors. Contact the specific County for the process and timeline to obtain the Letter of Support.

The County Letter of Support is **not** a Proposal requirement.

If County Letter(s) of Support is/are **not** submitted as part of the Proposal, the Proposal will still be evaluated.

If County Letter(s) of Support are submitted as part of the Proposal, it will be used in the evaluation. Refer to RFP Main, Evaluation and Selection for additional information.

Use Attachment 1b Plan Model/County Proposer Selection Form to identify the status of the County Letter of Support for each County.

Provide the County Letter(s) of Support in the Appendix section of the Proposal.

Q. General Submission Requirements**1. General Instructions**

- a. Each firm may submit only one (1) proposal per county. A firm may compete in more than one (1) county. Proposers shall indicate on RFP Attachment 1b, Plan Model/County Proposer Selection Form the counties for which they are submitting a proposal. DHCS will make separate awards for each county as described in RFP Main, Managed Care Models and Counties under this Procurement and RFP Main, Contract Award and Appeals. Firms that submit proposals for multiple counties, but are awarded a contract for fewer counties than the number for which they have submitted proposals, agree to contract with DHCS for that county or counties for which they were successful.
- b. For the purposes of this section, “firm” includes a parent corporation of a firm and any other subsidiary of that parent corporation. If a firm or individual submits more than one (1) proposal per county, DHCS will reject all proposals submitted by that firm or individual for the county for which that firm or individual submitted multiple proposals.
- c. A firm or individual proposing to act as a prime contractor may be named as a subcontractor in another proposer’s proposal. Similarly, more than one proposer may use the same subcontractors and/or independent consultants.
- d. Develop proposals by following all RFP instructions and/or clarifications issued by DHCS in the form of Question and Answer Notices, Administrative Bulletins, and RFP addenda.
- e. Before submitting a proposal, seek timely written clarification of any requirements or instructions that are believed to be vague, unclear, or that are not fully understood. The proposer assumes the risk that its proposal may be rejected for failure to follow a rule or requirement which DHCS interprets differently than the proposer did in preparing its proposal.
- f. In preparing a proposal response, all narrative portions shall be straightforward, detailed, and precise. DHCS will determine the responsiveness of a proposal by its quality, not its volume, packaging, or colorful displays.
- g. Each proposal must be complete with required content, attachments, and documentation. Assemble the proposal as instructed in RFP Main, Proposal Submission, Format, and Content Requirements.
- h. Proposal copies and accompanying CD-R/DVD-R must match the proposal marked Original. The Original Proposals take precedence over

all hard copies and accompanying CD-R/DVD-Rs. The hard copies of the Original and the CD-R/DVD-R copies shall be exact replicas of the Original Proposal.

- i. A person who is authorized to bind the proposer must sign each RFP attachment that requires a signature. If the proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign each RFP attachment that requires a signature. Signature stamps are not acceptable. Use an ink other than black.
- j. Signatures may be scanned on the accompanying CD-R/DVD-R copies.
- k. Do not mark any portion of the proposal response, any RFP attachment, or other item of required documentation as “Confidential” or “Proprietary.” DHCS will disregard any language purporting to render all or portions of a proposal confidential or proprietary.
- l. Proposals may not be transmitted electronically by fax or email.

2. Proof of Timely Receipt

- a. All mailed proposals will be dated and time-stamped upon receipt at DHCS. Hand-delivered proposals will be issued a date and time-stamped receipt at the time the proposal is delivered.
- b. To be timely, DHCS CSB must receive each proposal at the stated delivery address **no later than 4:00 p.m. PT** on the proposal due date. A USPS postmark will not serve as proof of timely delivery.

3. Proposer Costs

Proposers are responsible for all costs of developing and submitting a proposal. Such costs cannot be charged to DHCS.

R. Proposal Submission, Format, and Content Requirements

1. Submission Requirements

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

2. Format Requirements

- a. Use one-inch margins at the top, bottom, and both sides.
- b. Use Arial font, at a font size of not less than twelve (12) points for proposal responses. Proposers, at their discretion, may use a smaller, still readable, font size and type for charts, graphics, headers and footers,

exhibits, and tables, with the stipulation that these be accessible, legible, and professional.

- c. Print pages double-sided on white bond paper.
- d. Sequentially paginate the pages in each section. Include the name of the section at the top of each page. It is not necessary to paginate items in the Attachments Section or Appendix Section.
- e. Bind each proposal set in a way that enables easy page removal. Loose leaf or three-ring binders are acceptable.

3. Content Requirements

This section specifies the order and content of each proposal. Assemble the materials in each proposal set in the following order, with the required content for each section and subsection as follows:

- a. Proposal Cover Page, RFP Attachment 1a

A person authorized to bind the Proposer must sign, in accordance with RFP Main, General Submission Requirements, Section 1.i, the Proposal Cover Page (RFP Attachment 1). If the proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the Proposal Cover Page.

- b. Plan Model/County Proposer Selection Form, RFP Attachment 1b

Indicate on Attachment 1b, Plan Model/County Proposer Selection Form, all of the counties for which the proposer is submitting a proposal.

- c. Proposal Transmittal Letter

The Proposal Transmittal Letter shall be on the official business letterhead of the proposer and shall be signed by an individual authorized to legally bind the proposer, according to RFP Main, General Submission Requirements, Section 1.i. The letter shall include:

- 1) Identification of all materials and enclosures being submitted as a response to the RFP.
- 2) The name, title, mailing address, email address, and telephone and fax numbers of a liaison person(s) whom DHCS may contact during the evaluation period.
- 3) A statement indicating the legal form of the proposer, e.g., partnership, Limited Liability Corporation, etc.

- 4) A statement indicating how the proposer meets the prior experience and demonstrated ability requirements identified in RFP Main, Qualification Requirements, Experience Requirements.
- 5) A statement indicating the proposer has no affiliates, or, if the proposer has affiliates, provide a statement containing the following information:
 - a) The names and addresses of all affiliates of the proposer.
 - b) The names and addresses of all persons and concerns exercising control or ownership of the proposer, or over one or more of its affiliates, and the nature of the control exerted by those persons and/or concerns (as well as common officers, directors, stockholders with a controlling interest, or in some other controlling capacity).
- 6) A statement that the proposal is complete as submitted.
- 7) A statement acknowledging that all costs associated with the development and submission of a Proposal in response to this RFP are entirely the responsibility of the Proposer and will not be chargeable to the State of California.

d. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Attachments Section and Appendix Section.

e. Executive Summary Section

This section must not exceed five (5) pages in length. Evaluators will not review or evaluate excess pages.

In preparing the Executive Summary, do not simply restate or paraphrase information in this RFP, or the existing or planned collaboration with local public health, MHP, social services, and community organizations. Describe or demonstrate, in the Proposer's own words, the following information:

- 1) An understanding of DHCS' needs and the importance of this project.
- 2) The tangible results that are expected to be achieved.
- 3) A sincere commitment to perform the Scope of Work in an efficient and timely manner.

- 4) How this project will be effectively integrated into the proposing firm's current obligations and existing workload.
- 5) Why the proposing firm should be chosen to undertake this work at this time.

ADDITIONAL REQUIREMENTS ARE CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

f. Proposing Firm's Capability Section

This section must not exceed ten (10) pages in length. Evaluators will not review or evaluate excess pages.

In preparing the response to this section, do not simply restate or paraphrase information in this RFP. Describe or demonstrate, in the Proposer's own words, the following information:

- 1) Include a brief history of the proposing firm, including:
 - a) Date of establishment. If applicable, explain any changes in business history (i.e., name change, ownership, partnership arrangements, etc.) or organizational structure that will assist DHCS in determining the qualifications of the proposing firm.
 - b) A description of the proposing firm's goals that are relevant, closely related, or which complement this project.
- 2) Describe other existing and projected Medicaid and/or Medicare Contracts, projects, or obligations, and the resources required to fulfill each. Describe any foreseeable conflicts between the existing or projected obligations and this proposal in respect to business resources, personnel, processing time, and financial resources.
- 3) Describe prior and current experience that qualifies the proposing firm to undertake this contract. The experience requirement must be met solely by the prime contractor firm and not through experience provided by subcontractors.

For the following specific areas, the Proposer must demonstrate sufficient experience, current investment, understanding, and success that meets the requirements identified in RFP Main, Qualification Requirements, Experience Requirements:

- a) Previous experience in administration and operating a comprehensive health program for Medicare, Medicaid or another

health insuring or paying organization. Include contract duration, scope of services, health care delivery system models, number of members served, and geographic areas served.

- b) Previous experience and current investment in effectively partnering with Traditional and Safety Net health care providers.
- c) Previous experience and current investment in the area of Population Health Management as outlined in the CA DHCS CalAIM Initiative.
- d) Previous experience and current investment in providing In-Lieu-of-Services-like services as outlined in the CA DHCS CalAIM Initiative.
- e) Previous experience and current investment in providing Enhanced Care Management-like services as outlined in the CA DHCS CalAIM Initiative.
- f) Previous experience and current investment in working collaboratively with local stakeholders, including consumers, providers, advocates, and county officials, in plan oversight and in delivery of care. Include program modifications and outcomes resulting from collaboration with various stakeholders.
- g) Previous experience, current investment, and knowledge and one or more examples of identifying and addressing social determinants of health and reducing Health Disparities and promoting Health Equity.
- h) Previous experience and current investment and one or more examples on increasing access to care and care-coordination specific to behavioral health and complex conditions.
- i) Previous experience and current investment and one or more examples of enhancing Children's Preventative Services and access to care for children.
- j) Previous experience and current investment and one or more examples on quality outcomes and innovation.
- k) Previous experience and current investment and one or more examples in effective and successful oversight of delegated entities, ensuring access to care and delivery of services.

- l) Previous experience and current investment and one or more examples of demonstrated success in providing services to diverse beneficiary populations and challenges in ensuring network adequacy in different counties.
- 4) Identify whether the Proposer has had or been noticed of a contract terminated for failure to perform. Also, identify whether the Proposer has been removed from a governmental bidder's list because of failure to perform or failure to comply with financial requirements.
- 5) Identify three (3) client references that the proposing firm has serviced and identified in response to RFP Main, Qualification Requirements, Experience Requirements. Use the Client References form, Attachment 3 for this purpose. Place the completed Client References form in the Attachments Section of the Proposal. List the most recent first.

DHCS will contact references to validate the information provided by the Proposer to determine the client's overall satisfaction with the services provided. Be sure points of contact for the selected references are current and are available during the period that DHCS will be validating references (following the submission of the Proposal). Identified references should be prepared to respond to questions. DHCS reserves the right to contact the Proposer for additional references.

ADDITIONAL REQUIREMENTS ARE CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

- g. Narrative Proposal Requirements (NPR)
 - 1) The narrative proposal requirements are in numerical subject order. Each subject area is then arranged in alphanumerical order. Proposers must number each narrative response in the same sequential alphanumerical format. The Proposer's narrative response must be complete and arranged in sequential order and each response must be numbered with the corresponding number assigned to each narrative proposal requirement item in the RFP.
 - a) For example, the first narrative proposal requirement in subject one (SECTION NAME TBD) must be denoted as "1.a."; the third item of the second narrative proposal requirement in subject five (SECTION NAME TBD) must be denoted as "5.b.3)."

- 2) All attachments must be referenced within the Proposer's narrative response to the specific item, identified by the corresponding number of the narrative proposal requirement item, and submitted at the end of the subsection in which the narrative response item is contained.
 - a) For example, an attachment for the Proposer's narrative response to the first item under subject 3 (SECTION NAME TBD) would be submitted at the end of the item "3.a." and identified alphanumerically as "Attachment 3.a. - A". If multiple attachments are submitted for a narrative proposal requirement item, the Proposer must identify each individual attachment alphanumerically "Attachment 3.a. - A, Attachment 3.a. - B", and so forth.
- 3) The Proposer's response to each narrative proposal requirement item must be complete. Proposers shall not, in their narrative response to a specific narrative proposal requirement item, cross-reference to another narrative proposal requirement response or attachment. Each narrative response must be complete and stand-alone. Any deviation from the format/narrative proposal requirements may result, at DHCS' sole discretion, in rejection of the Proposer's Narrative Proposal.

h. Attachments Section

Complete, sign, and include the attachments listed below in the order shown. When completing the attachments, follow the instructions in the RFP Main and all instructions appearing on the attachment. Check the appropriate box on RFP Attachment 2, Narrative Proposal Required Attachments/Certification Checklist.

Attachment #, Name, or Documentation	Instructions
1a – Proposal Cover Page	Complete and sign this form, and include in the Narrative Proposal as instructed.
1b – Plan Model/County Proposer Selection Form	Complete and sign this form, and include in the Narrative Proposal as instructed.

Attachment #, Name, or Documentation	Instructions
2 – Narrative Proposal Required Attachments/ Certification Checklist	<p>1) Check each item with “Yes”, “No” or “N/A”, as applicable, and sign and include this form in the Narrative Proposal. If necessary, explain the choices marked.</p> <p>2) If Proposer marks “Yes”, “No” or “N/A” and makes any notation on the checklist and/or attaches an explanation to the checklist to clarify their choice, DHCS considers this a “qualified response”. Any “qualified response” determined by DHCS to be unsatisfactory or insufficient to meet a requirement may cause a Proposal to be deemed non-responsive.</p>
3 – Client References	<p>Complete and include this form in the Narrative Proposal. Identify three (3) clients serviced and that are identified in response to RFP Main, Qualification Requirements, Experience Requirements. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFP. List the most recent first.</p>
4 – Payee Data Record –STD. 204	<p>Complete, sign, and include STD 204 in the Narrative Proposal only if the proposing firm has not previously entered into a contract with DHCS. If uncertain, complete, sign and return the form.</p>
4a – Payee Data Record Supplement – STD. 205	<p>STD 205 is optional. Complete, sign, and include the form if the proposing firm wishes to provide a remittance address information different than the mailing address on the STD 204.</p>
5 – Iran Contracting Act Certification	<p>If applicable, complete, sign and include this form and the required documentation in the Narrative Proposal.</p>

Attachment #, Name, or Documentation	Instructions
6 – California Civil Rights Laws Attachment	Complete, sign, and return this form indicating a willingness and ability to comply with the California Civil Rights Laws and Employer Discriminatory Policies clauses appearing in this Attachment. Complete, sign and include in the Narrative Proposal.
7 – Conflict of Interest Compliance Certificate	Complete, sign, and attach all required documentation according to the instructions in the attachment, and include in the Narrative Proposal.
8 – Request for Inclusion on Distribution List	Complete and submit this attachment as instructed in RFP Main, Request for Inclusion on Distribution List.
9 – Voluntary Letter of Intent	Complete, sign, and submit this attachment as instructed in RFP Main, Voluntary Non-Binding Letter of Intent.
11 – Proposer Response Guide	See the instructions included in the attachment. Complete and include in the Narrative Proposal. CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

i. Appendix Section

Include following documentation in the Appendix Section of the Proposal in the order shown below.

1) Knox-Keene License

Submit the documentation required in RFP Main, Qualification Requirements, Knox-Keene License.

2) NCQA Accreditation

Submit the documentation required in RFP Main, Qualification Requirements, National Committee for Quality Assurance (NCQA) Accreditation.

3) Annual Quality Performance Measure

Submit the documentation required in RFP Main, Qualification Requirements, Annual Quality Performance Measure.

4) Financial Stability – Minimum Financial Criteria

Submit the documentation required in RFP Main, Qualification Requirements, Financial Stability – Minimum Financial Criteria.

5) Proof of eligibility to do business in California

Submit the documentation required in RFP Main, Qualification Requirements, Corporations, Partnerships, Limited Liability Companies.

6) Proof of Non-Profit Status

Non-profit organizations must certify their eligibility to claim nonprofit status as required in RFP Main, Qualification Requirements, Nonprofit Organizations.

7) Lobbying Restrictions and Disclosure

Submit the documentation required in RFP Main, Qualification Requirements, Lobbying Restrictions and Disclosure.

8) Attestations

Submit the documentation required in RFP Main, Qualification Requirements, Attestations.

9) County Letter of Support

Submit the documentation required in RFP Main, County Letter of Support.

S. Narrative Proposal Requirements

This section specifies the narrative response requirements for proposals. In responding to each of the Narrative Requirements presented in this section, Proposals shall include documentation demonstrating understanding, agreement, and compliance with the Medi-Cal Managed Care program requirements stipulated in the sample Primary and Secondary Contracts and other program materials. Proposers may also provide up to three (3) pages of attachments per response to support their narrative responses.

1. Organization and Administration of Plan

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

2. Financial Information

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

3. Program Integrity

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

4. Management Information System (MIS)

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

5. Quality Improvement System

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

6. Utilization Management

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

7. Network Provider Agreements and Subcontractor Agreements

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

8. Provider Relations

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

9. Provider Compensation Arrangements

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

10. Marketing

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

11. Enrollments and Disenrollment's

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

12. Population Health Management and Coordination of Care

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

13. Member Grievance and Appeals System

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

14. Member Services

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

15. Network and Access to Care

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

16. Scope of Services

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

17. Community Based Adult Services (CBAS)

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

18. Mental Health and Substance Use Disorder Benefits

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

19. MOUs and Agreements with Third Party Entities

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

20. Emergency Preparedness and Response

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

21. County-specific Requirements

This section will identify county-specific Narrative Proposal requirements. The Proposer must respond to each county-specific requirement for each county the Proposer has selected in Attachment 1b, Plan Model/County Proposer Selection Form.

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

T. Evaluation and Selection

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

A multiple stage evaluation process will be used to review and/or score proposals. DHCS will reject any proposal that is found to be non-responsive at any stage of evaluation.

The **Preliminary Review Committee** (PRC) consists of team leads from CSB and MCOB and conducts the compliance review for the submitted proposals.

The **Evaluation Scoring Committee** (ESC) consists of MCOB staff and staff working in other areas of the Medi-Cal program. The ESC is responsible for the review of the proposals.

The **Rating Review Committee** (RRC) consists of CSB management, staff, and members of the PRC. The RRC will interact with the ESC throughout the evaluation process. In fulfilling its functions, the RRC may consult with any appropriate individuals within DHCS, other State departments, and/or independent consultants.

1. Stage 1 – Required Attachments/Certification Checklist Review, RFP Attachment 2

- a. Shortly after the proposal submission date, the PRC will convene to review each proposal for timeliness, completeness, and initial responsiveness to the RFP requirements. This is a Pass/Fail evaluation.
- b. In this review stage, the PRC will compare the contents of each proposal to the claims made by the Proposer on RFP Attachment 2, Required Attachments/Certification Checklist, to determine compliance with proposal packaging and labeling, and that the proposal contains all required information.
- c. If deemed necessary, the PRC may collect additional documentation (i.e., missing forms, missing data from RFP attachments, missing signatures, etc.) from a proposer to confirm the claims made on RFP Attachment 2,

Required Attachments/Certification Checklist, and to ensure that the proposal is initially responsive to RFP requirements.

- d. If a proposer’s claims on RFP Attachment 2, Required Attachments/Certification Checklist cannot be proven or substantiated, the proposal may, at the Department’s sole discretion, be deemed non-responsive and may be rejected from further consideration.

2. Stage 2 – Narrative Proposal Evaluation/Scoring

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

a. General Evaluation/Scoring Information

- 1) Proposals that meet the basic format requirements and initial qualification requirements, and that contain the required documentation, as evidenced by passing the Stage 1 Compliance Review, will be submitted to the ESC.
- 2) The ESC will review, evaluate, and numerically score the scored sections of each narrative proposal based on the proposal’s adequacy, thoroughness, and the degree to which it complies with the RFP requirements.
- 3) Except where a specific evaluation criteria is identified for a specific rating category, DHCS will use the following scoring system to assign points.

Points	Interpretation	General basis for point assignment
0	Inadequate*	Proposal response (i.e., content and/or explanation offered) is inadequate or does not meet the Department’s needs/requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
1	Barely Adequate	Proposal response (i.e., content and/or explanation offered) is barely adequate or barely meets the Department’s needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are consequential but are acceptable. The quality of the proposal response is considered to be less than average for a qualified proposer.

Points	Interpretation	General basis for point assignment
2	Adequate	Proposal response (i.e., content and/or explanation offered) is adequate or meets the Department’s basic needs/requirements or expectations. The omission(s), flaw(s), or defect(s), if any, are inconsequential and acceptable. The proposal response is considered to be of average quality for a qualified proposer.
3	More than Adequate	Proposal response (i.e., content and/or explanation offered) is more than adequate and fully meets the Department’s needs/requirements or expectations. No omission(s) or flaw(s) are apparent. The proposal response is not considered outstanding but is above the average quality that is expected from a qualified proposer.
4	Excellent or Outstanding	Proposal response (i.e., content and/or explanation offered) is well above average or exceeds the Department’s needs/requirements or expectations. Proposer offers one (1) or more enhancing feature, method or approach that will benefit the State. Response represents the best proposal that can be expected of any proposer. Any present weakness is minor and unrelated to a performance requirement.

*A score of zero (0) does not render a proposer non-responsive.

b. ESC Considerations

In assigning points to individual rating factors, raters may consider issues including, but not limited to, the extent to which a proposal response:

- 1) Is lacking information, lacking depth or breadth, or lacking significant facts and/or details.
- 2) Is fully developed, comprehensive, and has few, if any, weaknesses, defects, or deficiencies.

- 3) Demonstrates that the proposer understands the Department’s needs, the services sought, and/or the Proposer’s responsibilities.
- 4) Illustrates the proposer’s capability to perform all services and meet all SOW requirements.
- 5) If implemented, will contribute to the achievement of the DHCS’ goals and objectives, and
- 6) Demonstrates the proposer’s capacity, capability, and/or commitment to exceed regular service needs (e.g. enhanced features, approaches or methods; or creative or innovative business solutions).

c. Narrative Proposal Weight Factors

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

DHCS will use the point and weight factors below to calculate proposals’ final scores:

Rating Category	Subtotal Points Possible	X	Category Weight	=	Maximum Score Possible
1 <Rating Category 1>	TBD	X	TBD	=	TBD
2. <Rating Category 2>	TBD	X	TBD	=	TBD
3. <Rating Category 3>	TBD	X	TBD	=	TBD
<Additional Rating Categories>	TBD	X	TBD	=	TBD
Possible Proposal Total					TBD

- 1) The **actual** Subtotal Points Earned by a proposer for each Rating Category will be multiplied by the weight factor assigned to the Rating Category, producing the **actual** score earned in each Rating Category. The Actual Score Earned in each Rating Category will be added to determine the proposer’s Narrative Proposal Final Score.
- 2) The contract will be awarded to proposer(s) according to RFP Main, Managed Care Models and Counties under this Procurement, and RFP Main, Contract Award and Appeals.

U. Evaluation Questions

CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE.

V. Preference and Incentive Programs

Preference and incentive program adjustments do not apply to this RFP.

W. Proposal Requirements and Information**1. Non-Responsive Proposals**

In addition to any condition previously indicated in this RFP, the following occurrences may cause DHCS to deem a Proposal non-responsive.

- a. Failure of a proposer to:
 - 1) Meet proposal submission, format, and/or content requirements including, but not limited to, the sealing, labeling, packaging and/or timely and proper delivery of proposals.
 - 2) Pass the Required Attachments / Certification Checklist (RFP Attachment 2) Compliance Review.
 - 3) Submit all applicable attachments and appendices listed in RFP Main, Content Requirements, Attachments Section and RFP Main, Content Requirements, Appendix Section, and all applicable certifications as required in RFP Main, Qualifications Requirements.
- b. If a proposer submits a proposal that is conditional, materially incomplete, or contains material defects, alterations, or irregularities of any kind.
- c. If a proposer supplies false, inaccurate, or misleading information or falsely certifies compliance on any RFP attachment or certification.
- d. If DHCS discovers, at any stage of the procurement process or upon contract award, that the proposer is unwilling or unable to comply with the contract terms, conditions, and exhibits cited in this RFP or the resulting contract.
- e. If other irregularities occur in a proposal response that is not specifically addressed herein (i.e., the proposer places any conditions on performance of the SOW, submits a counter proposal, etc.).

2. Proposal Modifications After Submission

- a. All proposals are to be complete when submitted. However, an entire proposal may be withdrawn and the proposer may resubmit a new proposal prior to the proposal submission deadline.
- b. To withdraw and/or resubmit a new proposal, follow the instructions appearing in RFP Main, Proposal Requirements and Information, Withdrawal and/or Resubmission of Proposals.

3. Withdrawal and/or Resubmission of Proposals

- a. Withdrawal deadlines

A proposer may withdraw a proposal at any time before the proposal submission deadline.

- b. Submitting a withdrawal request

- 1) Submit a written withdrawal request, signed by an authorized representative of the proposer.
- 2) Label and send the withdrawal request to DHCS in accordance with instructions in RFP Main, Submission of Proposals and Other Related Documents.
- 3) An originally signed withdrawal request is generally required before DHCS will return a proposal to a proposer. DHCS may grant an exception if the proposer informs DHCS that a new or replacement proposal will immediately follow the withdrawal.

- c. Resubmitting a proposal

After withdrawing a proposal, a proposer may submit a new proposal according to the proposal submission instructions. Replacement proposals must be received at the stated place of delivery by the original proposal due date and time.

4. Disposition of Proposals

- a. All materials submitted in response to this RFP will become the property of DHCS and, as such, are subject to the California Public Records Act (PRA)(GC Section 6250, et seq.). DHCS will disregard any language purporting to render all or portions of any proposal confidential.
- b. Upon posting of a Notice of Intent to Award, all documents submitted in response to this RFP and all documents used in the selection process (e.g., review checklists, scoring sheets, letters of intent, etc.) will be

regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public. However, these documents shall be held in the strictest confidence until the Notice of Intent to Award is posted.

5. Inspecting or Obtaining Copies of Proposals

a. Who can inspect or copy proposal materials

Any person or member of the public can inspect or obtain copies of all Proposal materials.

b. What can be inspected / copied and when

- 1) After the Pre-Proposal Web Conference, the sign-in or attendance sheet is a public record and will be available for inspection or copying.
- 2) On or after the date DHCS posts the Notice of Intent to Award, all proposals, Proposers Lists, RFP download lists, conference sign-in/attendance sheet, letters of intent, checklists and/or scoring/evaluation sheets become public records. These records shall be available for review, inspection and copying during normal business hours.

c. How to obtain proposal materials for inspection or copying

- 1) Persons wishing to obtain and/or inspect any proposal or award-related materials must identify the items they wish to obtain and/or inspect, and submit a request by email to PRARrequest@dhcs.ca.gov.

6. Verification of Proposer Information

By submitting a proposal, proposers agree to authorize DHCS to:

- a. Verify any and all claims made by the proposer including, but not limited to, verification of prior experience and the possession of other qualification requirements, and
- b. Check any and all references identified by a proposer or other resources known by DHCS to confirm the proposer's business integrity and history of providing effective, efficient and timely services.

X. Contract Award and Appeals

1. Contract Award

- a. Award of the contracts, if awarded, will be to the responsive and responsible Proposer(s) in each county who earns the highest total

score(s). DHCS reserves the right to award contracts to the highest qualified commercial plan(s) in each county as DHCS determines is in the best interest of the State. DHCS also reserves the right to not award a contract to any Proposer(s) in a county if DHCS determines that decision is in the best interest of the State. A decision by DHCS not to award a contract in one service area or county, or appeal received by DHCS in one service area or county, will not affect the award of contracts in other parts of a service area or county, or the award to other responsive and responsible Proposers in a particular service area or county.

- b. For two-plan models, DHCS reserves the right not to award a commercial health plan contract to a Proposer that will be contracted, subcontracted, affiliated, or otherwise entered into a partnership arrangement to serve as a Local Initiative in the same two-plan model, or has indicated an intent to do so, by the Contract Award Date. Submission of a proposal or bid in response to a Request for Proposal does not constitute such intent for the purposes of RFP #20-10029.
- c. For each award, the contract will consist of three separate contracts:
 - 1) **The Operational Readiness Contract** to authorize the start Operational Readiness activities and authorize data exchanges between DHCS and the Contractor so that the Contractor can demonstrate readiness and obtain DHCS approval to assume Operations. The Contractor will receive no reimbursement for services rendered under the Operational Readiness Contract.
 - 2) **The Primary Operations Contract** for services that the Federal government contributes funds.
 - 3) **The Secondary Operations Contract** for services that are State funded only.
- d. DHCS will award the contracts only after it posts Notices of Intent to Award for five (5) State work days. If the Department finds a need to alter the date for posting the Notice of Intent to Award, either an Addendum or Administrative Bulletin will be issued with an alternate time line.
- e. The Department will email a written notification and/or a copy of the Notices of Intent to Award to all firms that submitted a Proposal. The public will be able to view the Notices of Intent to Award on the [Contract Services Branch website](#).
- f. The Department will confirm the contract award(s) to the successful proposer(s) after the appeal deadline, if no appeals are filed, or following DHCS's resolution of all appeals. DHCS staff may confirm an award verbally or in writing.

- g. The winning proposer(s) must sign and return the signed contract within ten (10) days of receipt of the final contract.

2. Appeals

a. Who can appeal

Any proposer who submits a proposal may file an appeal if the proposer believes its proposal is responsive to all RFP requirements.

b. Grounds for appeal

- 1) Appeals are limited to the grounds that DHCS failed to correctly apply the standards for evaluating the Proposer's bid in accordance with this RFP.
- 2) Appeals cannot be based upon grounds that RFP (to include addendum(s) and Administrative Bulletin(s)) requirements and/or instructions are vague, ambiguous or unclear. Any requirements and/or instructions that a Proposer believes to be vague, ambiguous or unclear should be brought to DHCS' attention prior to the Proposal Submission Date(s).
- 3) Only the Proposer with the second highest overall score may Appeal on the grounds that the winning Proposal is deficient, defective or is otherwise alleged not to be the highest scoring proposal.
- 4) There is no appeal process for late or substantially incomplete/nonresponsive applications.
- 5) Any and all disputes regarding a county's issuance of a County Letter of Support shall be exclusively resolved between the Proposer and the county prior to proposal submission. DHCS has no jurisdiction to oversee a county's decision to issue a Letter of Support.

DHCS will not make an award in a specific county until all appeals against the award for that county are withdrawn by the appellant(s), denied, or resolved to the satisfaction of DHCS. The receipt of an appeal against an award in one county shall not hinder, delay, or prevent an award in another county.

c. Appeal content and time lines

If an eligible proposer wishes to appeal the intended contract award(s), the proposer must file an original and signed Notice of Intent to Appeal which must be received by DHCS within five (5) State work days after DHCS posts the Notice of Intent to Award. A USPS postmark will not serve as proof of timely delivery. The Notice of Intent to Appeal may be

quite brief. Any Notice of Intent to Appeal filed more than five (5) State work days after DHCS posts the Notice of Intent to Award shall be untimely.

DHCS must receive within five (5) calendar days after filing a Notice of Intent to Appeal, the appellant's full and complete written appeal statement identifying the specific grounds for the appeal. A USPS postmark will not serve as proof of timely delivery. The statement must contain, in detail, the reasons, law, rule, regulation, or practice that the appellant believes DHCS has improperly applied in awarding the contract.

d. Submitting an appeal

- 1) Label, address, and submit both the initial appeal notice and the detailed appeal statement using one of the following methods.

To DHCS/CSB:

USPS Mail, Hand Delivery or Overnight Express/Courier:

Department of Health Care Services
Contract Services Branch
RE: Appeal to DHCS RFP #20-10029
Managed Care Plans
1501 Capitol Avenue, Suite 71.6054
MS Code 4200
P.O. Box 997413
Sacramento, CA 95899-7413

- 2) After submitting the original signed hard copies of the appeal documents to DHCS in a timely fashion, proposers may follow up by emailing electronic copies of the documents to DHCS/CSB at the following address.

Email:

To: CSBRFP8@dhcs.ca.gov
Subject: Appeal to DHCS RFP #20-10029 / Managed Care Plans

Call the telephone number below to confirm receipt of appeal documents:

Department of Health Care Services, Contract Services Branch:
(916) 552-8006

- e. Appeal process
 - 1) Only timely and complete appeals that comply with the instructions herein may be considered. At its sole discretion, DHCS reserves the right to collect additional facts or information to aid in the resolution of any appeal.
 - 2) A Hearing Officer appointed by the Director or his/her designee shall review each timely and complete appeal. The Hearing Officer may request other entities (to include CSB and/or the winning Proposer) to submit a Response to Appellant's Written Appeal Statement. The Hearing Officer shall resolve the appeal by considering the contents of the Appellant's Written Appeal Statement and any Responses thereto.
 - 3) The decision of the hearing official shall be final and there will be no further administrative appeal.

Y. DHCS Rights

In addition to the rights discussed elsewhere in this RFP, DHCS reserves the following rights.

1. RFP Corrections

- a. DHCS reserves the right to do any of the following up to the proposal submission deadline:
 - 1) Modify any date or deadline appearing in this RFP or the RFP Time Schedule.
 - 2) Issue clarification request letters, RFP Addenda, and Administrative Bulletins.
 - 3) Waive any RFP requirement or instruction for all proposers if DHCS determines that the requirement or instruction was unnecessary, erroneous or unreasonable.
 - 4) Allow proposers to submit questions after the initial Proposer Question deadline (see RFP Main, Proposer Questions) about any RFP change, correction or RFP Addenda released through the Administrative Bulletin process. Specific instructions will appear in the Administrative Bulletin accompanying the RFP Addenda or other RFP material such as Questions and Answers.
- b. If deemed necessary by DHCS to remedy an RFP error or defect that is not detected in a timely manner, DHCS may also issue correction notices

or waive any unnecessary, erroneous or unreasonable RFP requirement or instruction after the Proposal submission date.

- c. DHCS will post on the CSB website all RFP clarifications, corrections, changes and updates issued via an Administrative Bulletin, including changes to the Time Schedule, Questions and Answers and Addenda. All Interested Parties are encouraged to monitor the CSB website.
- d. If, after the proposal submission deadline, it is discovered the posting of the Notices of Intent to Award will be delayed, DHCS reserves the right to issue an Administrative Bulletin to announce delays to the Notices of Intent to Award posting date, Appeal Deadline, and/or Contract Award date. This information will be posted on CSB's website included in the above paragraph.
- e. DHCS reserves the right to deem a proposal non-responsive if a proposer declines to accept the terms and conditions outlined in this RFP and its exhibits or if a proposer submits alternate contract or/exhibit language that DHCS considers "a counter proposal."
- f. DHCS reserves the right to deem a Proposal non-responsive if a Proposer rejects any task, activity and/or function as required in the Contract or exhibit. Upon execution of the Contract the Proposer may not assert that any part, section and/or language in their Proposal rejects a task, activity and/or function.
- g. At its sole discretion, DHCS reserves the right to cancel this procurement at any time and not make an award.

2. Restrict Proposers from Direct Marketing

DHCS reserves the right to restrict proposers from direct marketing to eligible beneficiaries as well as members of existing health plans in all counties included under this RFP for which managed care health plans are being procured.

3. Insufficient responsive Proposals / additional awards / altered awards

If, in DHCS' opinion, the state's interests will be better served, DHCS reserves the right at its sole discretion to take any of the actions described below. These actions may be initiated at the onset of various events including but not limited to a determination that an insufficient number of proposals are responsive, additional funding becomes available, anticipated funding decreases, geographic service coverage is insufficient, etc.

- a. Offer agreement modifications or amendments to organizations for increased or decreased services following successful negotiations;

- b. Open an additional or consecutive proposal acceptance period to invite additional interested organizations to submit proposals;
- c. Extend the proposal acceptance period beyond the date indicated in the RFP to invite additional interested organizations to submit proposals;
- d. Conduct a focused RFP process to solicit additional proposals; and/or
- e. Extend the term of any resulting agreement and alter the funding amount.

4. Collecting Information from Proposers

- a. During or after the proposal review and evaluation process, DHCS may ask a proposer to clarify information submitted in their proposal. In such a case, DHCS will send a written Clarification Request Letter. The response of a proposer to the Clarification Request Letter will not change the proposal submission. DHCS' waiver of any immaterial deviation or defect shall in no way modify the RFP documents or excuse the proposer from full compliance with the RFP specifications if awarded the contract.
- b. The seeking of clarification from proposers may cause DHCS to extend the date for posting the Notices of Intent to Award. If DHCS changes the posting date, DHCS will advise the proposers in writing of the alternate posting date or by posting to the CSB website.

5. Immaterial Proposal Defects

- a. DHCS may waive any immaterial defect in any proposal and allow the proposer to remedy those defects. DHCS reserves the right to use its best judgment to determine what constitutes an immaterial deviation or defect.
- b. DHCS' waiver of an immaterial defect in a proposal shall in no way modify this RFP or excuse a proposer from full compliance with all bid requirements.

6. Correction of Clerical or Mathematical Errors

DHCS reserves the right, at its sole discretion, to overlook, correct or require a proposer to remedy any obvious clerical or mathematical errors occurring in the narrative portion of a proposal.

7. Right to Remedy Errors

DHCS reserves the right to remedy errors caused by:

- a. DHCS office equipment malfunctions or negligence by agency staff.
- b. Natural disasters (i.e., floods, fires, earthquakes, etc.).

8. No Contract Award or RFP Cancellation

The issuance of this RFP does not constitute a commitment by DHCS to award a contract. DHCS reserves the right to reject all proposals and to cancel this RFP if it is in the best interests of DHCS to do so.

9. Contract Amendments after Contract Award

DHCS reserves the right to amend the contract after DHCS makes a contract award.

10. Full Funding

If full funding does not become available, is reduced or DHCS determines that it does not need all of the services described in this RFP, DHCS reserves the right to offer an amended contract for reduced services.

11. Staffing Changes after Contract Award

DHCS reserves the right to approve or disapprove changes in key personnel that occur after DHCS awards the contract.

Z. Contract Terms and Conditions**1. Loss Leader Clause**

It is unlawful for any person engaged in business within this state (California) to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code.

2. Unanticipated Tasks

In the event unanticipated or additional work must be performed that is not identified in this RFP, but in the Department’s opinion is necessary to successfully accomplish the SOW, DHCS will initiate a contract amendment to add that work. All terms and conditions appearing in the final contract, including the capitation rates, will apply to any additional work and extension options.

3. Other Terms and Conditions

The successful proposer must enter a written contract that may contain portions of the proposer’s proposal, Narrative Proposal response, Qualification Requirements, SOW Attachments, standard contract provisions, contract forms and attachments, and the exhibits identified below. Other exhibits, not identified herein, may also appear in the resulting contract.

The exhibits identified in this section contain contract terms that require strict adherence to various laws and contracting policies. A proposer's unwillingness or inability to agree to the proposed terms and conditions shown below or contained in any exhibit identified in this RFP may cause DHCS to deem a proposer non-responsive and ineligible for an award. DHCS reserves the right to use the latest version of any form or exhibit listed below in the resulting contract if a newer version is available.

The exhibits identified below illustrate many of the terms and conditions that may appear in the final contract between DHCS and the successful proposer(s). Other terms and conditions, not specified in the exhibits identified below, may also appear in the resulting contract(s). Some terms and conditions are conditional and may only appear in a contract if certain conditions exist (i.e., contract total exceeds a certain amount, federal funding is used, etc.).

In general, DHCS will not accept alterations to Exhibits A through G, Special Terms and Conditions, the SOW, other exhibit terms and/or conditions or alternate language that is proposed or submitted by a prospective Contractor. DHCS may consider a proposal containing such provisions "a counter proposal" and DHCS may reject such a proposal as non-responsive.

The winning proposer(s) must provide any additional information requested by DHCS that is necessary to obtain federal approval of the contract.

4. Sample Contract Forms / Exhibits

a. Operational Readiness Contract

[CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE]

b. Primary Operations Contract

Exhibit #	Exhibit Name
STD 213	Standard Agreement
Exhibit A	Scope of Work (UNDER DEVELOPMENT)
Exhibit A	Attachment I - Definitions and Acronyms
Exhibit A	Attachment II - Operational Readiness Deliverables and Requirements
Exhibit A	Attachment III - Operations
Exhibit B	Budget Detail and Payment Provisions

Exhibit #	Exhibit Name
Exhibit C	General Terms and Conditions (GTC 04/2017)
Exhibit D(F)	Special Terms and Conditions
Exhibit E	Program Terms and Conditions
Exhibit F	Contractor's Release
Exhibit G	HIPAA Business Associate Addendum

c. Secondary Operations Contract

[CURRENTLY UNDER DEVELOPMENT AND WILL BE AVAILABLE IN THE FINAL RFP RELEASE]

5. Resolution of Language Conflicts (RFP vs. Final Contract)

All inconsistencies and conflicts between the terms and conditions appearing in the final contract and the proposed terms and conditions appearing in this RFP will be resolved by giving precedence to the final contract.