



DISTRICT OF COLUMBIA DEPARTMENT OF BEHAVIORAL HEALTH
CONTRACTS AND PROCUREMENT SERVICES
64 NEW YORK AVENUE, NE, 2ND FLOOR, WASHINGTON, DC 20002
PHONE: (202) 671-3171 ♦ FAX: (202) 671-3395

June 18, 2014

MENTAL HEALTH REHABILITATION SERVICES (MHRS)
HUMAN CARE AGREEMENT (HCA)
AMENDMENT NUMBER TWO (2) – RM-15-HCA-MHRS-000-XXX-BY4-SC

PART I

TO ALL PROSPECTIVE OFFERORS:

Section J (Page 55) Compliance Documents Section J.3 through J.8 are attached to this Amendment.

AMEND Section L.2.3.2.7 to show this requirement is NOT APPLICABLE FOR THIS HCA as referenced in Section M.4 PAST PERFORMANCE CRITERIA.

AMEND Section L.2.4.1 PRICE PROPOSAL should read: Offerors shall complete Section B, Pricing Schedule with a complete authorized signature only. No Budget Narrative required.

DELETE Section L.7 in its entirety and replace with the following:

- L.7 Please refer to Section B.4 – SCHEDULE B – PRICING SCHEDULE for Base Year with Four One Year Options and Section C.3 Applicable Document #14: Chapter 52, Title 29 DCMR Medicaid Reimbursement for Mental Health Rehabilitative Services (MHRS) Final Rulemaking adopted by the Director DBH on April 18, 2014.**

DELETE the address given for the “Contracts Appeal Board (CAB) contained in Section L.8 and REPLACE with “441 – 4th Street, NW, Suite 350 North, Washington, DC 20001.”

ADD Section L.23 as follows:

L.23 CHECKLIST OF ITEMS REQUIRED FOR A COMPLETE HUMAN CARE AGREEMENT SUBMISSION PACKAGE (Please refer to attached document reference in the Technical Evaluation Criteria (See Section M.3.3.A and M.3.6.A)).

DELETE Section M.3.3.A in its entirety and replace with the following:

- a) **Provide in writing a brief description of your technical understanding of how MHRS shall be organized, staffed and managed in accordance with the Certification Standards as an MHRS Provider as evidence by certification by the DBH Office of Accountability and in accordance with check list (See Section L.23 attached checklist) used by the Office of Accountability (OA) to certify a MHRS Provider.**

PART II

QUESTIONS AND ANSWERS

Question No.	RFP Section	Question
1	L.17	Please define Key personnel – do you mean clinical managers for each area or the overall clinical accountability position(s)?
DBH RESPONSE: The Key Personnel shall be as follows: CEO, CFO, Medical Director, Clinical Director, Quality Improvement Director and Compliance Officer.		
Question No.	RFP Section	Question
2	M.3.6.B	Is this information to be provided for ALL staff that provides MHRS services? Or only Licensed staff? Or only managers?
DBH RESPONSE: Only Resumes for Key Personnel are required. Provide a List of Employees with Titles of remaining staff and do not include resumes.		
Question No.	RFP Section	Question
3	B.3	Please add clarification to: “Provider shall not charge the consumer any co-payment, cost-sharing or similar charge”. Does this apply only to consumers with active Medicaid or local insurance coverage? May providers charge consumers for services that occur during a lapse in Medicaid or local insurance coverage?
DBH RESPONSE: Please see the current eligibility criteria for MHRS, Title 22A DCMR Chapter 34, Section 3403.		
Question No.	RFP Section	Question
4	F.3.8.C	Please provide more detail for Risk Management procedures. Are these the same as QI procedures? Or is there more information you require?
DBH RESPONSE: Upon request made by DBH, Providers shall be required to provide the Risk Management Procedures/Continuity of Operations Plan.		

Question No.	RFP Section	Question
5	M.3.4.A	Can you add more clarity of what you are wanting? Do you want our understanding of the actual claims audit process, etc? or that we understand that we are to comply with the requirements?
DBH RESPONSE: DBH seeks to ensure your understanding of the requirements both the actual Claims Audit Process, etc., along with your ability to comply with the HCA requirements.		
Question No.	RFP Section	Question
6	J-7	Form 1900 states the document is 7 pages long, if additional documents are required as requested, does this count toward the 20 page technical limit?
DBH RESPONSE: The 20-page limit applies only to the Technical Proposal.		
Question No.	RFP Section	Question
7		Shall there be an increase made to the MHRS Fee Schedule during the course of this HCA Period of Performance?
DBH RESPONSE: There is no planned increased for this HCA Period of Performance that has a Base Year with Four One Year Options.		
Question No.	RFP Section	Question
8	C.2.16	Are we to continue using this version?
DBH RESPONSE: DBH shall be utilizing this version for this HCA. A modification to the HCA shall be required if an updates takes place during the Period of Performance of this HCA.		
Question No.	RFP Section	Question
9	A.6	Explain the two dates for review.
DBH RESPONSE: This is an "Open Continuous" Solicitation and Providers who currently are in the phase of being Certified, but did not meet the April 30, 2014 cutoff date as mentioned in Section B.1, are eligible to advantage of the Second Review Date for HCA Solicitation which shall afford Prospective Providers an opportunity to apply under this HCA Solicitation.		
Question No.	RFP Section	Question
10		Explain the reference to DBH contained in solicitation instead of DMH.
DBH RESPONSE: As of October 1, 2013 the Department of Mental Health (DMH) became the "Department of Behavioral Health (DBH)" due to the merge with "Addiction Prevention and Recovery Administration (APRA)" formerly under the Department of Health.		
Question No.	RFP Section	Question
11		Please explain the subcontracting good faith effort in detail.
DBH RESPONSE: The Good Faith Effort must include: names, dates and results of your contacts with potential Certified Business Enterprises (CBEs) during your search and performing your Due Diligence.		

Question No.	RFP Section	Question
12	M.3.3.A	In M.3.3, what is the checklist that is attached to the rfp?
DBH RESPONSE: The Checklist is one of the attachments to this Amendment and has been added to Solicitation as Section L.23.		
Question No.	RFP Section	Question
13	H.6	Is the Mandatory Subcontracting Requirement referenced in Section H.6 mandatory for all agreements under this solicitation? It is identified that this requirement is applicable for contracts in excess of \$250,000, does this monetary threshold include both local funding and Medicaid funding for MHRS or just the local portion. For example, if the local fund portion of the agreement is less than \$75,000, would this requirement be applicable?
DBH RESPONSE: The requirement is a Law for Contracts that are \$250,000.00 and above which includes Local funding only.		
Question No.	RFP Section	Question
14	H.6.	It was referenced during the pre-proposal conference that there was a waiver process associated with the Mandatory Subcontracting Requirements described in Section H.6. Where can more information be found about the potential waiver option and the requirements for how to request a waiver?
DBH RESPONSE: Please Refer to Section H.6 (attached) which shall provide the instructions necessary to complete the Request for a Waiver to the Mandatory Subcontracting requirements or Completion of the Mandatory Subcontracting Plan Form.		
Question No.	RFP Section	Question
15	J-8	Is the Mandatory Subcontracting Plan Form, Section J-8, required if either the Mandatory Subcontracting Requirement is not applicable and/or if the organization requests a waiver of the subcontracting element?
DBH RESPONSE: The Mandatory Subcontracting Plan Form is only required if you obtained a Subcontractor or if none were found, then a Waiver request is required to be submitted in writing to DBH Director, Contracts and Procurement/Agency Chief Contracting Officer (Director/ACCO).		
Question No.	RFP Section	Question
16	J-3	Is the Contractor Qualification Record (CQR) Form 1900, Section J-3, required to be submitted by those organizations responding to this solicitation who already have active, non-expired Human Care Agreements in place?
DBH RESPONSE: The Form 1900 is a requirement if responding to this HCA Solicitation. Organizations have a Business Decision to make concerning maintaining their current HCA or submitting a response to this Solicitation to be awarded a new HCA for a Base Year with Four One Year Options.		

Question No.	RFP Section	Question
17	J-7	Is the Bidder/Offeror Form referenced in Section J-7 required to be submitted if the organization has an active, non-expired Human Care Agreement in place? Also, similar to Question 1, does this apply if local only funding is more than \$100,000 (it was initially identified in the body of the solicitation email that it is only applicable for contracts over \$100,000).
DBH RESPONSE: The Bidder/Offeror Form is a requirement if responding to this HCA Solicitation and the HCA Award Amount is \$100,000.00 or above.		
Question No.	RFP Section	Question
18	M.3.4.C	Can you please identify what can be written and/or submitted to meet the requirement identified in Section M.3.4c, "provide evidence of Financial Sustainability process for a minimum of 90 days"? Would submission of an organization's most recent balance sheet and audit report meet this requirement?
DBH RESPONSE: There is a Business Decision required by your organization to determine what documentation you shall submit to provide evidence of your Financial Sustainability process for a minimum of 90 Days.		
Question No.	RFP Section	Question
19		The solicitation does not require narrative of services performed, correct? We are providing documentation necessary for a contract including The Contractor Qualification Record; Tax Affidavit; First Source Agreement; Bidder/Offeror Certificate form and the Subcontracting form?
DBH RESPONSE: Please refer to Section L.2.4.1 which has been amended to require only a signed Schedule B-Pricing Schedule for the Base Year and Four One Year Options complete with an authorized signature only. No Budget Narrative required for responses to this HCA Solicitation.		
Question No.	RFP Section	Question
20		For the submission, we continue to base our application on our current level of services with reimbursement rates as identified by DBH, correct?
DBH RESPONSE: This is correct.		
Question No.	RFP Section	Question
21	M.4	M.4 PAST PERFORMANCE CRITERIA (NOT APPLICABLE FOR THIS HCA) Does this mean it is applicable and you do want the names and letters of support? Or is it "not applicable" and we are not required to provide 3 names or letters of support.
DBH RESPONSE: Not applicable for this HCA. The statement that appears after Past Performance Criteria indicates that it is Not Applicable for this HCA.		

Question No.	RFP Section	Question
22		<p>I have a rather significant question to ask about the sub-contractor plan. I now understand that 35% of the contract must be sub-contracted out to a CBE. MHRS regulations will only allow sub-contracting to an agency that is certified to provide MHRS services. This leaves three MHRS adult providers for a sub-contracting plan. However, MHRS regulations define a sub-contractor as a licensed individual practitioner, not an agency. In fact, according to the MHRS regulations, non-licensed staff members can't be sub-contractors. This poses a problem for sub-contracting since most of the MHRS services provided are delivered by non-licensed (credentialed) staff members; it will be difficult for 35% of the contract amount to be performed by licensed independent practitioners. Can you offer some legal interpretation here about how to proceed with this? Differing laws and regulations seem to have put us in a catch-22 situation.</p>
<p>DBH RESPONSE: DC Government Law requires any Contract equaling or exceeding \$250,000.00 by Law must have a Subcontracting Plan for 35% of the value of the Contract resulting from a Solicitation released by DBH. If the challenge of meeting the 35% Mandatory Subcontracting requirement is unattainable by your organization, there is the ability to request a Waiver of this requirement by submitting a detail document clearly demonstrating your Due Diligence in putting forth a Good Faith Effort in this area which must be submitted to Director/ACCO with written documentation supporting the Good Faith Effort required for a Waiver to be considered moving forward. It is critical that each and every Vendor that finds themselves in this position must perform their Due Diligence which requires a strong effort in performing and documenting a Good Faith Efforts which must be approved by DSLBD and not DBH. This Law requires an extra effort from the Vendor Community to make their case for being granted a Waiver with DSLBD holding everyone to a high standard of compliance with No Exemptions being granted by DSLBD because of the types of contracts involved in delivering key services for the District's public behavioral health and safety net sector.</p>		
Question No.	RFP Section	Question
23	L.2.1	<p>I understand that there needs to be an original and four copies of the Technical Proposal submitted. The instructions say to submit a number of attachments with the Technical Proposal. One of these attachments requests all the resumes, licenses, registrations, certifications, and position descriptions of all employees. Though the Technical Proposal and the attachments themselves might fit within an envelope for submission, the accompanying documentation will not. My question is if there needs to be four copies of all of the attachments and accompanying documentation, and if so, are they to be submitted in some secure fashion with the Technical Proposal?</p>
<p>DBH RESPONSE: The instructions on how to submit the Technical Proposal and securing the accompanying documents shall be followed as written in Section L.2.1. In addition, <u>One Copy Only</u> of the required Compliance Documents contained in Section J.3 through J.8 shall now be required to be a part of your Submission. Provide Only Resumes for Key Personnel, along with a List of Employees with Titles of remaining staff and do not include their resumes.</p>		

Question No.	RFP Section	Question
24		I am requesting some clarification as we prepare our package for Contract # RM-10-HCA-MHRS-119-BY4-SC. Is there a format upon which our agency shall provide a statement for complying with the provisions of Chapter 11 as specified in section 1107.1?
DBH RESPONSE: Please refer to Section K.3 “Certification as to Compliance with Equal Opportunity Obligations.”		
Question No.	RFP Section	Question
25		I am requesting some additional clarification as we prepare our package for Contract # RM-10-HCA-MHRS-119-BY4-SC. As part of this package will our agency have to submit the items in described in Section M? As we were informed that the package should be no more than 20 pages, does that include any narrative attachments or items requested in Section M. of the solicitation.
DBH RESPONSE: Section M is a requirement for this solicitation and the criteria for which your Proposal shall be evaluated in order to receive consideration for a HCA award. The 20-page limit applies only to the Technical Proposal.		
Question No.	RFP Section	Question
26	M & J	The HCA is very expansive. Please confirm that Section M. pages 74-79 and Section J are comprehensive listings of everything that must be submitted with the solicitation?
DBH RESPONSE: As stated in the email of May 29, 2014, particular attention should be made to Sections B, C, F, H, J, L and M as additional documentation may be required.		
Question No.	RFP Section	Question
27	M 3.4 - M4	The majority of the items requested in Section M 3.4 through M4 are items that are reviewed as a part of the certification process? Why are certified agencies asked to submit this information again if Office of Accountability has already approved these items?
DBH RESPONSE: The Office of Accountability along with Contracts and Procurement Services are two separate entities having different requirements and mandates for different compliances.		
Question No.	RFP Section	Question
28		Two weeks is not sufficient time to respond to the solicitation. One of the two weeks was used to submit questions. The deadline for Questions is June 13. This leaves only one week to collaborate internally, complete, and review the solicitation. Can you extend the time and communicate with potential Offerors immediately?
DBH RESPONSE: The Date of Submission for this HCA has been extended to Monday, June 30, 2014 at 2:00pm (EST).		

Question No.	RFP Section	Question
29		Please describe what is meant by "brief description of your thorough technical understanding of how MHRS shall be organized. Confused about the juxtaposition of "brief" and "thorough". Also not clear about what you describe as "technical" understanding.
DBH RESPONSE: As a Certified Mental Health Provider, explain briefly your understanding of how the services you provide to DBH and your expertise in providing MHRS is organized, staff and managed. The requirement for your submission must be brief (to be in compliance with the 20 Page Limitation) and thorough enough substantial detailed information that evidence of your organization's ability to provide high level and quality service.		
Question No.	RFP Section	Question
30		Hillcrest recently submitted resumes of all staff during our recertification survey conducted in February and March. Hillcrest has more than 100 employees. This information was provided on a jump drive and via access through drop box. Can we be excused from resubmitting?
DBH RESPONSE: Resumes for Key Personnel (See Question 1) only are required in your submission to this HCA Solicitation. Provide a List of Employees with Titles of remaining staff and their resumes are not required in your submission to this HCA Solicitation.		
Question No.	RFP Section	Question
31	M.3.6.C	What is meant by Personnel Resources? See section M.3.6 part c
DBH RESPONSE: Describe how your Staff shall be organized to manage and conduct required Mental Health Rehabilitation Services and Supports.		
Question No.	RFP Section	Question
32		There was no request for business license. Do we have to include it with the 'Proposal'?
DBH RESPONSE: Please refer to Form 1900-Contractors Qualification Record, Section V.2 which requires a listing of all Professional Certifications and Licenses with copies to be attached to your Submission to this HCA Solicitation.		
Question No.	RFP Section	Question
33		Are not for profit 501C3 companies required to subcontract with a CBE?
DBH RESPONSE: Please refer to Section H which depicts the Law requirement for HCA to be awarded for \$250,000.00 or more.		
Question No.	RFP Section	Question
34		Does the 35% requirement include all funds – Medicaid dollars and local dollars – received for mental health services?
DBH RESPONSE: The Mandatory Subcontracting 35% requirement only applies to Local Dollars.		

Question No.	RFP Section	Question
35		Does a small Limited Liability Company (LLC) qualify as a CBE in the context?
DBH RESPONSE: A Certified Business Enterprise (CBE) is a business that has submitted an application to the Department of Small, Local Disadvantage Business (DSLBD) and has been certified through the DSLBD process as a CBE.		
Question No.	RFP Section	Question
36		How much time does one have to finalize subcontracts?
DBH RESPONSE: A completed Mandatory Subcontracting Plan Form or a Waiver request must accompany your HCA Submission due No Later Than Monday, June 30, 2014 at 2:00pm (EST).		

ALL OTHER TERMS AND CONDITIONS OF THE REQUEST FOR PROPOSALS REMAIN UNCHANGED.

Only one copy of this Amendment is being sent to Prospective Offerors. Offerors shall sign below and attach a signed copy of this Amendment to each proposal to be submitted to the place specified for receipt of Proposals. Proposals shall be mailed or delivered in accordance with the instructions provided in the original HCA Solicitation. In the event your proposal has been previously deposited with the Department of Behavioral Health, Contracts and Procurement Services (DBH/CPS), submit this signed Amendment in a sealed envelope, identified on the outside by the HCA number and submission date. This signed Amendment must be received by the DBH/CPS no later than the date and time for closing.

Failure to acknowledge receipt of Amendment Two (2) for Solicitation Number **RM-15-HCA-MHRS-000-XXX-BY4-SC** may be cause for rejection of any proposal submitted in response to the subject HCA Solicitation.

Signed:


 Samuel J. Feinberg, CPPO, CPPB
 Director, Contracts and Procurement
 Agency Chief Contracting Officer

Amendment Number Two (2) is hereby acknowledged and is considered a part of the proposal for Solicitation Number **RM-15-HCA-MHRS-000-XXX-BY4-SC**.

 Signature of Authorized Representative

 Date

 Title of Authorized Representative

 Print or Type Name of Offeror

Checklist of Items Required for a Complete Application Package

Items	MHRS	CPS
a) Current organizational chart reflecting lines of authority with governing body	√	X
b) List of Board Members and Titles	√	
c) A business/capitalization plan demonstrating the applicant's financial ability and organizational capability to provide services to the target population. These can be demonstrated by 1) an independent audit, that includes a management letter, and 2) a statement of bank credit worthiness or line of credit;	√	
d) The number of persons to be served by the facility;	√	
e) Tax Certification Affidavit	√	
f) An original Certificate of Good Standing from the Department of Consumer and Regulatory Affairs, Business Regulatory Administration, and the office of Tax, Finance and Revenue;	√	
g) A statement attesting to compliance with wage, hour, workplace safety and other standards of labor law.	√	
h) Statement of Declaration for the President of the Board or Executive Director, identifying any executive staff and /or board member who has a family member employed by the District of Columbia. Attach their name, department and position. If none, please indicate so.	√	
i) Accreditation Certificate (e.g. JCAHO, CARF, COA, NCOA and others)	√	
j) Business License	√	
k) Other licenses or certificates that allow for the provision of health care or health related services in D.C.	√	
l) Documentation that all staff providing services has been screened through established facility mechanisms to determine that the staff is not known to have committed physical abuse, sexual abuse, child abuse/neglect, or a felony involving crimes against a person.	√	
m) District and Drug Enforcement Administration (DEA) controlled substance registrations as required by Chapters 10 of Title 22 of the District of Columbia Municipal Regulation; and 21 CFR, Part 1300 - 1399, respectively;		X
n) Staff roster including name, position, degree, credentials, specialty area, copy of professional license and certifications. Include Subcontractor or Volunteer who provides and/or supervises MHRS.	√	
o) History of professional license revocation or admitting privilege revocation for all staff.	√	
p) Copy of resume or employment application for each employee, Subcontractor or Volunteer who provides and/or supervises MHRS.	√	
q) Equal Employment Opportunity Compliance Documents (Mayor Order 85-85, Dated June 10, 1985)	√	
r) Provide a description of all Consumer Service complaints and unusual incidents within the last two (2) years that looked at program performance and program outcomes.	√	
s) Facility's certificate of occupancy and other certificates documenting compliance with District zoning, fire, and occupancy laws and regulations;	√	
t) Clean Hands Act Form;	√	
u) Disclosure of Ownership and Control Interest Statement;	√	
v) Copy of Current Certificates Issued by DBH/Office of Accountability (OA)		X
w) Certificate of Occupancy	√	
x) Fire Safety Plan		X
y) Certificate of Insurance (See Section I.10)		X

LEGEND: DNA – Does Not Apply

√ - Documents Required by DBH/OA to Obtain Certification

MHRS – Mental Health Rehabilitation Services

X – Documents Required by DBH/CPS for a new HCA

Print Name of Authorized Individual

Signature of Authorized Individual

Date

Print Name of Organization