



MARYLAND
DEPARTMENT OF
BUDGET & MANAGEMENT

MARTIN O'MALLEY
Governor

ANTHONY BROWN
Lieutenant Governor

T. ELOISE FOSTER
Secretary

DAVID C. ROMANS
Deputy Secretary

Q & A #2
to
Request for Proposals (RFP)
BEHAVIORAL HEALTH & EMPLOYEE ASSISTANCE PROGRAM (EAP) BENEFIT
ADMINISTRATION SERVICES
SOLICITATION NUMBER F10B0400011
June 1, 2010

Ladies and Gentlemen:

The following questions, for the above referenced RFP, were received by e-mail and are being answered and posted for all Offerors. The numerical sequencing begins with question #11; questions #1 through #10 were answered in Q&A #2, issued on May 19, 2010:

11. Question: Page 25 of the RFP asks that we consecutively number our proposal. It appears that, upon completion, Attachment J is programmed to number consecutively starting at page 1. Would you prefer that we number the documents prior to this section (e.g., transmittal letter, confidential information, executive summary) with roman numerals? Do the attachments requested in Section Q need to be numbered consecutively from J-1 through to J-8d or can each attachment begin at page 1?

Answer: When responding to the RFP, all sections (excluding Attachments J and K) should be consecutively numbered. Attachments J and K have been preformatted and will automatically begin at page 1. There is no need to alter the numbering for these attachments. Please separately label Attachments J and K as part of your submission, in compliance with RFP Section 4.

12. Question: Where in our proposal should the Notice to Offerors/Contractors be placed (included on the 2nd page of the Adobe file)? Are we required to fill out this form?

Answer: The Notice to Offerors/Contractors is not a mandatory form requiring submission. However, in order to help improve the quality of State proposal solicitations, and to make our procurement process more responsive and business friendly, we ask that Offerors take a few minutes and provide comments and suggestions regarding the solicitation.

An Offeror submitting proposals in response to the subject RFP may include the form anywhere in their technical proposal, but preferably in one of the beginning sections;

~Effective Resource Management~

45 Calvert Street • Annapolis, MD 21401-1907

Tel: (410) 260-7374 • Fax: (410) 974-3274 • Toll Free: 1 (800) 705-3493 • TTY Users: call via Maryland Relay
<http://www.dbm.maryland.gov> • alockett@dbm.state.md.us

i.e. after the transmittal letter or title page. Alternatively, an Offeror may submit the Notice or other comments separately from the proposal.

If a vendor has decided not to submit proposals in response to the subject RFP, we ask that the form be submitted via email or facsimile to the Procurement Officer, prior to the proposal due (closing) date, identifying the reason(s) and any comments or suggestions.

13. **Question:** Section J-5, Section XIV, Question 129 states that we must respond to each requirement outlined in Section 3.4. Section 3.4 is listed as the Project Milestones. Can you tell us which portion(s) of Section 3 we should address to respond to this question?

Answer: In response to Section J-5, Section XIV, Question 129, please address the criterion in Section 3.5 Description of Scope of Work (not Section 3.4) in its entirety. See Amendment #1, item 5.

14. **Question:** Should we be including Attachment I: EFT Registration Request Form with our proposal (referenced on pg 10 of the RFP? If so, where should we include this?

Answer: Attachment I is not a mandatory form requiring submission with the proposal. The selected Offeror shall register with the State Comptroller's Office using this form, which states that if awarded a Contract, it (the Offeror) agrees to accept payments by electronic funds transfer unless granted an exemption. See RFP §1.31.

15. **Question:** In reference to the last enrollment period, the State conducted approximately 100 Benefit Fairs (pg 16 of the RFP). How many hours in total were utilized?

Answer: Please see response to question #9 on Q&A #1. As a follow-up to the response, this year (Spring 2010) 120 Open enrollment Benefits Fairs were conducted and 262 hours were utilized.

16. **Question:** Is Attachment J-15: Alternative Cost Management Programs (referenced on pg 31 of the RFP) supposed to say, "Attachment J-15: Optional Programs and Services"?

Answer: Yes, as referenced on page 31 of the RFP, Attachment J-15 should be titled Optional Programs and Services. See Amendment #1, item 4.

17. **Question:** What is the role of the EAP vendor in the substance abuse referral process?

Answer: Please refer to RFP Section 3.3.2 and <http://dbm.maryland.gov/employees/pages/eap.aspx> (www.dbm.maryland.gov, using links "State Employees," then "Employee Relations" and "Employee Assistance Program" links) for more information regarding the State's current EAP program.

18. **Question:** Will we be notified via e-mail when Q&As, addenda, and other solicitation related information has been provided on the DBM web site and eMM?

Answer: Prospective Offerors who have received any documentation relating to this RFP from the Department of Budget and Management's web site or eMarylandMarketplace.com, or who have received this document from a source other than the Procurement Officer, and who wish to assure receipt of any changes or additional materials related to this RFP, should immediately contact the Procurement Officer and provide their company name, contact name, email address, mailing address, and telephone number so that amendments to the RFP or other communications can be sent directly to them via email.

If you have previously contacted the Procurement Officer, you have been added to an email distribution list and will receive all information relating to this RFP via email.

19. Question: If an Offeror's Utilization Management license application is still pending with the State of Maryland, but expects its issuance on or before by July 1, 2010, can an Offeror submit its licensing after the proposal response date and before the contract award/implementation or does the lack of a license to attach to the proposal automatically disqualify our bid?

Answer: The Offeror must demonstrate that the listed minimum qualifications in RFP Section 2 have been met as of the date of submission of the proposal, which currently is June 30, 2010 @ 2:00 p.m. If an Offeror has not demonstrated that the listed minimum qualifications have been met, the proposal response will be deemed not reasonably susceptible of being selected for award and eliminated from further review and consideration. Please note that the RFP §2 requires the following:

1. Qualified Offerors must have at least five years experience administering Behavioral Health benefits for more than 125,000 members (enrolled units, including employees, retirees, etc.) This requirement can be met through a combination of the Offeror's complete portfolio of accounts, and is not limited to a single account.
2. Qualified Offerors must have at least five years experience administering, directly or through a Subcontractor, EAP benefits for more than 25,000 employees. This requirement can be met through a combination of the Offeror's complete portfolio of accounts, and is not limited to a single account.
3. Qualified Offerors must administer at least twenty-five million dollars (\$25,000,000) in annual Behavioral Health benefit claims, services or product income in calendar year 2009. This requirement can be met through a combination of the Offeror's complete portfolio of accounts, and is not limited to a single account.
4. Qualified Offerors must provide proof of current NCQA or JCAHO or URAC accreditation.
5. Qualified Offerors must provide proof of registration and/or certification as required by the following State laws:
 - a) Certification as a private review agent under Md. Ann. Code, Insurance Art., Title 15, subtitle 10B; and

b) Registration as a third party administrator of a group health plan under Md. Ann. Code, Insurance Art., Title 18, subtitle 3.

20. Question: Please confirm that the requirement to register as a TPA of a group health plan under Md Ann. Code, Insurance Art., Title 18, subtitle 3 does not apply as this is a self-funded account.

Answer: That is incorrect. The third party administrator registration, as set forth in Insurance Article, Title 8, subtitle 3, is a minimum qualification for offerors responding to this RFP. Offerors that are not registered will be deemed not reasonably susceptible of award and their proposals rejected.

Pursuant to Ins. §8-303, registration is required for all organizations that act as or hold themselves out as administrators. As the State plan is not an ERISA plan, the exemption of §8-303(b) does not apply. An administrator is defined as “a person that, to the extent that the person acting for an insurer or plan sponsor, has: (i) control over or custody of premiums, contributions, or any other money with respect to a plan, for any period of time; or (ii) discretionary authority over the adjustment, payment, or settlement of benefit claims under a plan or over the investment of a plan's assets.” Ins. §8-301. In connection with this contract, because the State as plan sponsor is self-insured, the contractor will act as an administrator in many ways in connection with the claims processing, appeals and network administration of the mental health component of the group health plan.

Should you require clarification of the information provided, please contact me at (410) 260-7374 as soon as possible.

Date Issued: **June 1, 2010**

By: Andrea R. Lockett
<signed>
Procurement Officer