

SECTION H: INSTRUCTIONS TO OFFERORS

UNIFORM INSTRUCTIONS TO OFFERORS

1. **Definitions** - All definitions listed Section C, Definitions.
2. **Inquiries**
 - 2.1 Duty to Examine: It is the responsibility of each Offeror to examine the entire Solicitation, seek clarification in writing (inquiries), and examine its Offer for accuracy before submitting an Offer. Lack of care in preparing an Offer shall not be grounds for modifying or withdrawing the Offer after the Offer due date and time.
 - 2.2 Solicitation Contact Person: Any inquiry related to a Solicitation, including any requests for or inquiries regarding standards referenced in the Solicitation shall be directed solely to the Procurement Officer.
 - 2.3 Submission of Inquiries: All inquiries related to the Solicitation are required to be submitted via email to the Procurement Officer listed on the front page of this solicitation and on the AHCCCS Q and A form. All responses to inquiries will be answered in the form of a solicitation amendment. Offerors are prohibited from contacting any State employee other than the Procurement Officer concerning the procurement while the solicitation and evaluation are in process.
 - 2.4 Timeliness: Any inquiry to the Solicitation shall be submitted as soon as possible and shall be submitted no later than **the date and time indicated on the Notice of Request for Proposal (RFP front page)** for review and determination by AHCCCS. Failure to do so may result in the inquiry not being considered for a Solicitation Amendment.
 - 2.5 No Right to Rely on Verbal Responses: Any inquiry that results in changes to the Solicitation shall be answered solely through a written Solicitation Amendment. An Offeror may not rely on verbal responses to its inquiries.
 - 2.6 Solicitation Amendments: The Solicitation shall only be modified by a Solicitation Amendment.
 - 2.7 Pre-Offer Conference: If a Pre-Offer Conference has been scheduled under this Solicitation, the date, time, and location shall appear on the Solicitation cover sheet. Offerors should raise any questions they may have about the Solicitation at that time. An Offeror may not rely on any verbal responses to questions at the conference. Material issues raised at the conference that result in changes to the Solicitation shall be answered solely through a written Solicitation Amendment.
 - 2.8 Persons with Disabilities: Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Solicitation Contact Person. Requests shall be made as early as possible to allow time to arrange the accommodation.

3. Offer Preparation

- 3.1 Electronic Documents: The Solicitation is provided in an electronic format. Offerors are responsible for clearly identifying any and all changes or modifications to any Solicitation documents upon submission. Any unidentified alteration or modification to any Solicitation, attachments, exhibits, forms, charts, or illustrations contained herein shall be null and void. Offeror's electronic files shall be submitted in a format acceptable to the State. Acceptable formats include Microsoft Word, Excel and PowerPoint, Adobe Acrobat PDF, or as otherwise specified in the solicitation. Refer to RFP Exhibit D: Offeror's Intent to Bid for requirements to receive access to the AHCCCS Secure File Share (ASFS) for electronic submission of Proposal.

RFP Sections, Attachments, and Exhibits: The RFP document consists of requirements found in RFP Section A through H:

Section A: Solicitation Page and Offer - Acceptance Form

Section B: Service and Funding

Section C: Definitions

Section D: Scope of Work

Section E: Terms and Conditions

Section F: Attachments

Attachment F1: Contractor Chart of Deliverables

Section G: HIPAA Business Associate Addendum

Section H: Instructions to Offerors

Section I: Exhibits

Exhibit A: AHCCCS Questions and Answers Form

Exhibit B: Proposed Subcontracts Template

Exhibit C: Boycott of Israel Attestation

Exhibit D: Offeror's Intent to Bid

- 3.2 Evidence of Intent to be Bound: The Offer and Acceptance form within the Solicitation shall be submitted with the Offer and shall include a signature by a person authorized to sign the Offer. The signature shall signify the Offeror's intent to be bound by the Offer and the terms of the Solicitation and that the information provided is true, accurate and complete. Failure to submit verifiable evidence of an intent to be bound, such as an original signature, may result in rejection of the Offer.
- 3.3 Exceptions to Terms and Conditions: All exceptions included with the Offer shall be submitted in a clearly identified separate section of the Offer in which the Offeror clearly identifies the specific paragraphs of the Solicitation where the exceptions occur. Any exceptions not included in such a section shall be without force and effect in any resulting Contract unless such exception is specifically accepted by the Procurement Officer in a written statement. The Offeror's preprinted or standard terms will not be considered by the State as a part of any resulting Contract.

All exceptions that are contained in the Offer may negatively impact an Offeror's susceptibility for award. An Offer that takes exception to any material requirement of the solicitation may be rejected.

- 3.4 Cost of Offer Preparation: AHCCCS will not reimburse any Offeror the cost of responding to a Solicitation.
- 3.5 Federal Excise Tax: The State of Arizona is exempt from certain Federal Excise Tax on manufactured goods. Exemption Certificates will be provided by the State.
- 3.6 Provision of Tax Identification Numbers: Offerors are required to provide their Arizona Transaction Privilege Tax Number and/or Federal Tax Identification number, if applicable, in the space provided on the Offer and Acceptance Form.
- 3.6.1 Employee Identification. Offeror agrees to provide an employee identification number or social security number to the State for the purposes of reporting to appropriate taxing authorities, monies paid by the Department under this contract. If the federal identifier of the Offeror is a social security number, this number is being requested solely for tax reporting purposes and will be shared with only appropriate state and federal officials. This submission is mandatory under 26 U.S.C. § 6041A.
- 3.7 Identification of Taxes in Offer: The State of Arizona is subject to all applicable state and local transaction privilege taxes. All applicable taxes shall be identified as a separate item offered in the solicitation. When applicable, the tax rate and amount shall be identified on the price sheet.
- 3.8 Disclosure: If the firm, business, or person submitting this Offer has been debarred, suspended, or otherwise lawfully precluded from participating in any public procurement activity, including being disapproved as a subcontractor with any federal, state, or local government, or if any such preclusion from participation from any public procurement activity is currently pending, the Offeror shall fully explain the circumstances relating to the preclusion or proposed preclusion in the Offer. The Offeror shall include a letter with its Offer setting forth the name and address of the governmental unit, the effective date of this suspension or debarment, the duration of the suspension or debarment, and the relevant circumstances relating to the suspension or debarment. If suspension or debarment is currently pending, a detailed description of all relevant circumstances including the details enumerated above shall be provided.
- 3.9 Federal Immigration and Nationality Act: By signing of the Offer, the Offeror warrants that both it and all proposed subcontractors are in compliance with federal immigration laws and regulations (FINA) relating to the immigration status of their employees. The State may, at its sole discretion, require evidence of compliance during the evaluation process. Should the State request evidence of compliance, the Offeror shall have five days from receipt of the request to supply the adequate information. Failure to comply with this instruction or failure to supply requested information within the timeframe specified shall result in the offer not being considered for contract award.
- 3.10 Offshore Performance of Work Prohibited: Any service that are described in the specifications or scope of work that directly serve the State of Arizona or its clients involve access to secure or sensitive data or personal client data shall be performed within the defined territories of the United States. Unless specifically stated otherwise in the specifications, this paragraph does not apply to indirect or "overhead" services, redundant back-up services or services that are incidental to the performance of the contract. This provision applies to work performed by subcontractors at all tiers. **Offerors shall declare all anticipated offshore services in the Offer.**

4. Submission of Offer

- 4.1 Offer and Acceptance: Offers shall include a signed Offer and Acceptance form (refer to RFP Section A). The Offer and Acceptance form shall be signed with a signature by the person authorized to sign the Offer and shall be submitted no later than the Solicitation due date and time. Failure to return an Offer and Acceptance form may result in rejection of the Offer.
- 4.2 Solicitation Amendments: Each Solicitation Amendment shall be signed by the person signing the Offer and shall be submitted no later than the Offer due date and time. Failure to return a signed copy of a material Solicitation Amendment may result in rejection of the Offer.
- 4.3 Offer Amendment or Withdrawal: An Offer may not be amended or withdrawn after the Offer due date and time except as otherwise provided under applicable law.
- 4.4 Public Record: All Offers submitted and opened are public records and must be retained by the State for a period of time in accordance with the law. Offers shall be open and available to public inspection after Contract award, except for such portions deemed to be confidential in accordance with the procurement.
- 4.5 Non-collusion, Employment, and Services: By signing the Offer and Acceptance Form or other official contract form, the Offeror certifies that:
- 4.5.1 The Offeror did not engage in collusion or other anti-competitive practices in connection with the preparation or submission of its Offer, and
- 4.5.2 The Offeror does not discriminate against any employee or applicant for employment or person to whom it provides services because of race, color, religion, sex, national origin, or disability, and that it complies with all applicable federal, state, and local laws and executive orders regarding employment.

5. Evaluation

- 5.1 Taxes: If the products and/or services specified require transaction privilege or use taxes, they shall be described and itemized separately on the offer. Arizona transaction privilege and use taxes shall not be considered for evaluation.
- 5.2 Late Offers: An Offer submitted after the exact Offer due date and time shall be rejected.
- 5.3 Disqualifications: An Offeror (including each of its principals) who is currently debarred, suspended, or otherwise lawfully prohibited from any public procurement activity shall have its offer rejected.
- 5.4 Offer Acceptance Period: An Offeror submitting an Offer under this Solicitation shall hold its Offer open for the number of days from the Offer due date that is stated in the Solicitation. If the Solicitation does not specifically state a number of days for Offer acceptance, the number of days shall be 120. If a Best and Final Offer is requested pursuant to a Request for Proposals, an Offeror shall hold its Offer open for one hundred and twenty (120) days from the Best and Final Offer due date.

5.5 Waiver and Rejection Rights: Notwithstanding any other provision of the Solicitation, AHCCCS reserves the right to:

- 5.5.1 Waive any minor informality,
- 5.5.2 Reject any and all Offers or portions thereof, and
- 5.5.3 Cancel the Solicitation.

6. Award

AHCCCS shall award a Contract to the responsible and responsive Offeror whose proposal is determined most advantageous to the State under A.R.S. § 36-2906 (R9-22 Article 6).

6.1 Number or Types of Awards: It is the intent of AHCCCS to make one contract award for this procurement; however, AHCCCS reserves the right to make multiple awards or to award a Contract by individual line items or alternatives, by group of line items or alternatives, or to make an aggregate award, or regional awards, whichever is deemed most advantageous to AHCCCS and to the State.

AHCCCS will **not** make an Award for this Contract to any Contractor holding a direct Contract with AHCCCS for any of the following Contracts/IGAs:

- ALTCS serving the Elderly and/or Physically Disabled (ALTCS-EPD)
 - Contracts: YH18-0001-01, YH18-0001-02, YH18-0001-03
- AHCCCS Complete Care (ACC)
 - Contracts: YH19-0001-01, YH19-0001-02, YH19-0001-03, YH19-0001-04, YH19-0001-05, YH19-0001-06, YH19-0001-07
- AHCCCS Complete Care-Regional Behavioral Health Agreement (RBHA)
 - Contracts: YH19-0001R-01, YH19-0001R-02, YH19-0001R-03
- TRBHA
 - IGAs: YH22-0007-01, YH22-0007-02, YH22-0007-03, YH22-0007-04, YH22-0007-05
- Tribal ALTCS
 - IGAs: YH23-0002-01, YH23-0002-02, YH23-0002-03, YH23-0002-04, YH23-0002-05, YH23-0002-06, YH23-0002-07

6.2 Contract Inception: An Offer does not constitute a Contract nor does it confer any rights on the Offeror to the award of a Contract. A Contract is not created until the Offer is accepted in writing by the Procurement officer's signature on the Offer and Acceptance Form. A notice of award or of the intent to award shall not constitute acceptance of the Offer.

6.3 Effective Date: The effective date of this Contract shall be the date that the Procurement officer signs the Offer and Acceptance form or other official contract form unless another date is specifically stated in the Contract.

- 6.4 A response to this Request for Proposal is an offer to contract with AHCCCS based upon the terms, conditions, scope of work and specifications of the RFP. All of the terms and conditions of the Contract are contained in this Solicitation, Solicitation amendments and subsequent Contract amendments, if any, signed by the AHCCCS Chief Procurement Officer. Proposals do not become Contracts unless and until they are accepted by the AHCCCS Chief Procurement Officer. The Proposal submitted by the Offeror will become part of the Contract with AHCCCS. A Contract is formed when the AHCCCS Chief Procurement Officer signs the award page and provides written notice of the award(s) to the Successful Offeror(s), and the Offeror accepts any special provisions to the Contract and the final rates awarded. All Offerors will be promptly notified of Contract award.
- 6.5 If awarded a Contract, the Offeror shall meet all AHCCCS requirements, irrespective of what is requested and evaluated through this Solicitation. The Proposal submitted by the Offeror will become part of the Contract with AHCCCS and the Offeror shall comply with all commitments and statements included in its RFP submission.

7. Protests

Any protest shall comply with and be resolved according to A.R.S. § 36-2906 and rules adopted thereunder. Protests shall be submitted via email to the AHCCCS Procurement officer.

[END OF UNIFORM INSTRUCTIONS TO OFFERORS]

SPECIAL INSTRUCTIONS TO OFFERORS

1. Anticipated Procurement Schedule

All dates here are subject to change at any time.

ACTIVITY	DATE
RFP Release	October 5, 2022
Offeror Questions Due	October 14, 2022, by 5:00 PM Arizona Time
Deadline to request access to AHCCCS Secure File Share (ASFS)	November 15, 2022, by 3:00 PM Arizona Time
Offeror’s Proposals Due	December 6, 2022, by 5:00 PM Arizona Time
Final RFP Award (Subject to change)	March 7, 2023
Services Start Date	October 1, 2023

2. Questions

All questions concerning this solicitation shall be submitted via email using RFP Exhibit A, AHCCCS Questions and Answers Form found on the RFP Bidders’ Library to the Procurement Officer identified on the first page of this solicitation document. Offerors may not contact other AHCCCS employees concerning this solicitation.

3. Evaluation Criteria and Selection Process

In accordance with the A.R.S. § 36-2903 et seq., awards shall be made to the responsible Offeror(s) whose proposal is determined in writing to be the most advantageous to the State based upon the evaluation criteria.

Proposals are evaluated based on the Offeror’s distinctive approach, method, and strategy for providing specialized services and requirements detailed in the Contract and the ability of the Offeror to satisfy the requirements of the RFP in a cost-effective manner. AHCCCS will reject proposals that do not meet the minimum requirements of this Solicitation.

The scored portions of the evaluation are listed below in their relative order of importance.

- Evaluation Criteria 1: Method of Approach
- Evaluation Criteria 2: Experience and Expertise
- Evaluation Criteria 3: Pricing Proposal (Cost Bid)

Any proposals not meeting the Mandatory Requirements will be disqualified and rejected. Other susceptibility and rejection criteria are listed below in “Rejection of a Proposal.”

Notwithstanding any other provision of this Solicitation, AHCCCS expressly reserves the right to:

- a. Waive any immaterial mistake or informality,
- b. Reject any or all Proposals, or portions thereof, and/or
- c. Reissue a Request for Proposal.

Evaluators will be focused on information expressly provided by the Offeror. No inferences or assumptions will be made by the evaluation team when scoring in order to evaluate information submitted by the Offeror which is not clear, explicit, or thoroughly presented. Use of contingent language such as 'exploring' or 'taking under consideration' will not be given any weight during the scoring evaluation process. A policy, brochure, or reference to a policy or manual does not constitute an adequate response and will not be given any weight during the scoring evaluation process.

It is the responsibility of the Offeror to examine the entire RFP, timely seek clarification of any requirement that may not be clear and review all responses for accuracy before submitting its Proposal. The Proposal becomes a part of the Contract. Therefore, whatever information is stated in the Proposal may be evaluated either during the Proposal evaluation process or subsequently during other reviews. If any information contained inside an Offeror's proposal contradicts or does not comply with the solicitation requirements, the solicitation requirements prevail, unless otherwise accepted by AHCCCS in writing.

It is critical that the Offeror recognize the importance of all contractual provisions and their value to the AHCCCS Program. The RFP Submission Requirements address limited subject matter areas; however, the importance of topics not addressed in the Submission Requirements, are not to be minimized. Regardless of whether or not a particular topic is presented in the Submission Requirements, a Successful Offeror is required to comply with all contractual provisions as acknowledged by the Offeror's submittal of a signed Proposal.

Exceptions to the Terms and Conditions, as stated in the Uniform Instructions to Offerors, may impact an Offeror's susceptibility for award.

4. Bidders' Library

The Bidders' Library may contain critical reference material and performance requirements to assist the Offeror to prepare a response to this Solicitation. References are made throughout this Solicitation to materials in the Bidders' Library, and Offerors are responsible for reviewing the contents of the Bidders' Library materials as if the materials were printed in full herein. Because AHCCCS may continue to update the Bidders' Library after this Solicitation is released, the Offeror is responsible for monitoring updates to the [Bidders' Library](#).

5. Submission of Proposal

The Offeror's Proposal shall be organized with strict adherence to RFP Section H, Instructions to Offerors, and submitted using the forms and specifications provided in this RFP. Failure to follow the prescribed format for submission may result in AHCCCS determining that the submission is non-responsive.

Refer to RFP Exhibit D: Offeror's Intent to for additional requirements regarding electronic submission of the Offeror's Proposal via access to the AHCCCS Secure File Share (ASFS). Failure to submit an Intent to Bid by the due date will disqualify any potential offeror from submitting a proposal for the Solicitation. **The deadline to request access to the AHCCCS Secure File Share (ASFS) is as specified in RFP Exhibit D.**

AHCCCS reserves the right to post all Proposals including Pricing Proposal (Cost Bid) to the AHCCCS website once Contract award has been made.

If AHCCCS determines a Proposal to be non-responsive, AHCCCS may elect not to score the Proposal.

6. Contents of Proposal

Each submission requirement below must be submitted utilizing 8½" x 11" one-sided, single-spaced, type-written pages and must be limited to the page limit indicated. Double spacing must be utilized between paragraphs. All responses shall be in Calibri 11 point font or larger with borders no less than ½". Erasures, interlineations, or other manual modifications in the Proposal are prohibited. All pages of the Offeror's Proposal must be numbered sequentially. Numbering of pages shall continue in sequence through each separate section. Each section of the Proposal shall be clearly labeled and contain all information requested in this Solicitation. The Proposal shall be submitted as a searchable PDF unless otherwise specified (e.g., Pricing Proposal [Cost Bid]).

The Offeror has the discretion to include or exclude the narrative submission requirement text as a part of the Offeror's response; however, the required page limit applies regardless of whether or not the text is included. AHCCCS will only consider the information provided within the allotted page limit and permitted attachments, if any, in response to a specific submission requirement when evaluating the Offeror's Proposal. At no time will AHCCCS consider information outside the allotted page limit and permitted attachments, or any other information provided elsewhere in the Proposal when reviewing a specific response to an individual submission requirement.

AHCCCS will not provide any reimbursement for the cost of developing or presenting Proposals in response to this RFP. Failure to include the requested information may have a negative impact on the evaluation of the Offeror's Proposal.

When submitting its Proposal, the Offeror shall ensure its company name and AHCCCS Solicitation Number is clearly indicated.

The Offeror's Proposal shall contain the following and be organized as follows:

PART A

- A1 Transmittal Letter
- A2 Signed Offer and Acceptance Page
- A3 Signed Solicitation Amendment(s)

PART B

- B1 Narrative Proposal - Experience and Expertise
- B2 Narrative Proposal - Method of Approach
- B3 Pricing Proposal (Cost Bid)
- B4 Proposed Subcontracts

PART C

- C1 Intent to provide insurance
- C2 Boycott of Israel Attestation (RFP Exhibit C)
- C3 Exceptions to any part of solicitation

6.1 Transmittal Letter

The Transmittal Letter must contain a statement indicating the Offeror's willingness to provide the services subject to the terms and conditions set forth in the RFP. In the Transmittal Letter, indicate the principal contact for the proposal along with an address, telephone number, fax number, and an e-mail address if that contact is different than the individual authorized for signature. An individual authorized to commit the Offeror to its representations and who can certify that the information offered in the proposal meets all general conditions must sign the Transmittal Letter.

6.2 Narrative Proposal

Narrative Proposals must be structured and numbered according to the RFP section numbers and headers as presented in the table below. Responses in each section must be addressed in the order given. Since the evaluators have already read the Scope of Work for the services described, it is not necessary for the Offeror to repeat the exact language, nor to present a paraphrased version, as an original idea for a technical approach. The language of the narrative shall be straightforward and limited to facts, solutions to problems, and plans of proposed action. The usage of technical language shall be minimized and used only to describe a technical process.

The Offeror shall utilize a written narrative or any other printed technique to demonstrate the ability to satisfy the Scope of Work. When appropriate, the Narrative Proposal shall describe a logical progression of tasks and efforts starting with the initial steps or tasks to be accomplished and continuing until all proposed tasks are fully described. The Offeror shall include Arizona experience, if applicable, in any response which requests the Offeror's experience, as well as any other responses where experience is presented.

The Offeror's **Narrative Proposal** shall be broken into **two Searchable PDF files** as listed below and shall include the below detailed proposal response requirements:

- **B1. Experience and Expertise**
- **B2. Method of Approach**

B1. NARRATIVE PROPOSAL - EXPERIENCE AND EXPERTISE		
Narrative Proposal Section Number	Narrative Proposal Section Header	Proposal Response Requirements
B1.a	Company Background Organizational Charts	<p>The Offeror shall submit:</p> <ol style="list-style-type: none"> 1. A current organizational chart of its entire business with organizational charts specific to other lines of business. <p>For the SED/SMI Eligibility Determination Contract:</p> <ol style="list-style-type: none"> 2. An organizational chart that clearly displays the overall organizational structure of the Offeror and identify division, unit, director/manager, etc. The organizational chart shall also include the reporting and lines of authority. 3. A detailed organizational chart for each Unit which clearly indicates: <ol style="list-style-type: none"> a. Key staff, b. Support staff under each Key Staff, c. Clinical staff (w/specialty indicated), and d. The reporting and lines of authority. <p>[No Page Limit]</p>
B1.b	Experience of Offeror	<p>The Offeror shall submit information documenting relevant and successful experience related to the services in this RFP.</p> <p>[4-Page Limit]</p>

B2. NARRATIVE PROPOSAL - METHOD OF APPROACH		
Narrative Proposal Section Number	Narrative Proposal Section Header	Proposal Response Requirements
B2.a	Implementation Plan	<p>The Offeror shall submit the Offeror's plan for implementation of the eligibility determination and Removal of Designation processes. The Offeror's response shall include at a minimum: goals, objectives, timeline with milestones, and resource allocations. The Offeror may include applicable workflows, charts, diagrams, and written descriptions.</p> <p>[8-Page total of all documents]</p>
B2.b	Community Engagement and Education	<p>How will the Offeror engage in innovative and effective community and stakeholder engagement initiatives and education efforts to provide information and resources related to the eligibility determination process and resulting effects?</p> <p>[1-Page Limit]</p>
B2.c	Assumptions This is not a Scored Item	<p>The Offeror shall identify any assumptions used when developing their proposals as it relates to scope, costs, schedule, resources, etc. If the Offeror's assumption takes exception to any part of the solicitation (including but not limited to requirements, scope of work or terms and conditions), these shall be explained as well in the Offeror's exceptions to terms submission. Refer to Uniform Instructions to Offerors.</p>

6.3 Pricing Proposal (Cost Bid)

The Offeror's **Pricing Proposal** (Cost Bid) shall be broken into two **Excel** files as specified below:

- Two **Excel** Cost Bid Submission Workbooks:
 - **SED Cost Bid Submission Workbook** with six worksheets
 - Completed SED Pricing Schedule Template
 - Five Completed SED Detailed Budget Templates by Tier Range
 - **SMI Cost Bid Submission Workbook** with two worksheets
 - Completed SMI Pricing Schedule Template
 - Completed SMI Detailed Budget Template

Data Supplement

AHCCCS has provided Offerors with an RFP Data Supplement file on the ASFS for informational purposes. The Offeror shall not consider the Data Supplement the sole source of information in making decisions. The Data Supplement contains the following:

- a. Template Workbooks, and
- b. Data Files:
 - i. Counts by month/year for SMI (Eligibility Determinations, Clinical Decertifications, Appeals and State Fair Hearings),
 - ii. Counts by month/year for SMI Administrative Decertifications, and
 - iii. SED Data

Cost Bid Submission Template Workbook

- **SMI Pricing Schedule Template (Tab 1 of SMI Workbook)**
The Pricing Schedule Template worksheet is provided on the AHCCCS Secure File Share (ASFS) in the Data Supplement file. The Offeror shall use the established number of SMI Determinations and Removal of Designation provided by AHCCCS in the Pricing Schedule Template worksheet as the denominator of the Offeror's bid. The evaluation of the category of Cost shall be based on the price per SMI Determination/Removal of Designation, as indicated in the Pricing Schedule Template worksheet submitted with the Offeror's Proposal.
- **SMI Detailed Budget Template (Tab 2 of SMI Workbook)**
The Detailed Budget Template worksheet is provided on the ASFS in the Data Supplement file. The Offeror shall submit a detailed budget that supports the Offeror's bid utilizing the Detailed Budget Template worksheet. The total expenses in the Detailed Budget Template worksheet shall be used as the numerator in the calculation of the price per SMI Determination/Removal of Designation. The Detailed Budget Template worksheet will automatically calculate the price per Determination/Removal of Designation. The Offeror shall propose one price per SMI Determination/Removal of Designation regardless of whether the Determination or Clinical Decertification is for a Title XIX/XXI or Non-Title XIX/XXI member. Additional cost considerations should be made for SMI Determinations, Removal of Designation, and SMI appeals that are in progress as of September 30, 2023, that will be the responsibility of the awarded contractor. This information can be estimated using the data contained in the Data Supplement.

- **SED Pricing Schedule Template (Tab 1 of SED Workbook)**

The Pricing Schedule Template worksheet is provided on the AHCCCS Secure File Share (ASFS) in the Data Supplement file. The Offeror shall use the established number of SED Determinations and Removal of Designation provided by AHCCCS in the Pricing Schedule Template worksheet as the denominators of the Offeror's bid per SED Determination/Removal of Designation tier range. The evaluation of the category of Cost shall be based on the price per tier range per SED Determination/Removal of Designation, as indicated in the Pricing Schedule Template worksheet submitted with the Offeror's Proposal.
- **SED Detailed Budget Template (Tabs 2-6 of SED Workbook)**

The Detailed Budget Template worksheets are provided on the ASFS in the Data Supplement file. The Offeror shall submit five detailed budgets by SED Determination/ Removal of Designation tier range that supports the Offeror's bid utilizing the Detailed Budget Template worksheets. The total expenses in each of the Detailed Budget Template worksheets shall be used as the numerator in the calculation of the SED Determination/ Removal of Designation tier range price per SED Determination/Removal of Designation. The Detailed Budget Template worksheets will automatically calculate the price per Determination/ Removal of Designation. The Offeror shall propose one price per SED Determination/Removal of Designation tier range per SED Determination/Removal of Designation regardless of whether the Determination or Removal of Designation is for a Title XIX/XXI or Non-Title XIX/XXI member.

Refer to Section I: Exhibits, Exhibit D: Offeror's Intent to Bid for instructions on accessing the ASFS.

The proposed price shall be inclusive of all costs associated with the delivery of the service and includes staff time, mileage, insurance, and administrative cost. No additional fees will be paid by AHCCCS.

If the products and/or services specified require transaction privilege or use taxes, they shall be described and itemized separately on the offer. Arizona transaction privilege and use taxes shall not be considered for evaluation.

After award, the Contractor shall assist the State when developing invoicing schedules and budgetary requirements to be sent to CMS, FNS the State of Arizona, or other funding partners.

At any time in the evaluation process, pricing proposals may be reviewed, apart from the cost scoring process, for realistic and competitive pricing. Outside information may be utilized as deemed appropriate by the Procurement Officer including but not limited to:

- a. Other pricing proposals submitted for this RFP:
 - i. Expenditures and pricing of any current or expired contract if the solicitation is a re-bid of a current service,
 - ii. Public or Independently obtained information based upon market research,
 - iii. Cost bids submitted by the Offeror in relation to any closely related procurement,
 - iv. Awarded Pricing obtained from other contracts held by the Offeror,
 - v. Pricing obtained from other contracts for the same or similar service awarded by a public entity, and
 - vi. Other information as deemed appropriate by the Procurement Officer.
- b. At any time during the evaluation, but before award, AHCCCS may reject a proposal in part or in whole based upon unrealistically high or low pricing.

6.4 Proposed Subcontracts

The Offeror shall submit a list of any proposed subcontractors and the subcontractor's proposed responsibilities utilizing RFP Exhibit B, Proposed Subcontracts Template. Subcontracts or delegated agreements with another entity for the purpose of conducting or rendering SED or SMI Eligibility Determinations are prohibited. Additionally, the Contractor shall not delegate the administration or performance of the notice or grievance and appeal processes. This submission will not be scored.

6.5 Intent to Provide Certificate of Insurance

The Offeror shall provide a brief statement that, if notified of contract award, the Offeror will submit to AHCCCS for review and acceptance, the applicable certificate/s of insurance as required within this RFP document, within five business days of such notification.

7. Presentations and Demonstrations

AHCCCS may request Offerors who are determined to be reasonably susceptible for award to give a presentation or show a demonstration of the product or service to the evaluation committee.

8. Financial Stability

The Offeror must be financially stable and if requested shall be able to substantiate the financial stability of its company. **Upon written request from AHCCCS**, the Offeror shall submit an annual financial statement for itself, and parent company (if applicable) within five (5) business days of request. The State reserves the right to request additional documentation from the Offeror and to request reports on financial stability from independent financial rating services. The State reserves the right to reject any Offeror who does not demonstrate financial stability sufficient for the scope of this contract award.

9. Clarification of Offers

AHCCCS may request clarification of an offer any time after receipt. Clarifications may be requested orally or in writing. If clarifications are requested orally, the Offeror shall confirm the request in writing. A request for clarifications shall **not** be considered a determination that the Offeror is susceptible for award.

10. Negotiations

Negotiations may be conducted orally or in writing at the discretion of AHCCCS. Negotiations may be conducted in order to improve offers in such areas of cost, price, specifications performance, or terms, to achieve best value for the State. Negotiations may include demonstrations (oral presentations). Award(s) may be made without negotiations; therefore, offers shall be submitted on most favorable terms.

11. Final Proposal Revisions/Best and Final Offers

Written Final Proposal Revisions, or Best and Final Offers, will be requested from any Offeror with whom negotiations have been conducted, unless the Offeror has been determined not within the competitive range, not susceptible for award or non-responsible.

12. Request for Confidential/Proprietary Determination

AHCCCS reserves the right to post all Proposals including cost bids to the AHCCCS website once the Contract awards have been made. The Offeror shall not designate any information to be proprietary or confidential in nature. All pages will be disclosed regardless of their designation.

13. REJECTION of a PROPOSAL - Responsibility, Responsiveness, Susceptibility, and Best Interest

In accordance with applicable procurement regulations and best practices, at any time during the evaluation, AHCCCS may reject an Offer based upon a determination that Offeror is not responsible, or that the proposal is not responsive or not susceptible for award. AHCCCS may reject the Offer if doing so is in the best interest of the State. When rejecting a proposal, AHCCCS may consider any of the following:

- a. Whether the Offeror has had a contract within the last five years that was terminated for cause due to breach or similar failure to comply with the terms of the contract,
- b. Whether the Offeror has had a Contract that was terminated by AHCCCS for any reason,
- c. Whether the Offeror's record of performance includes factual evidence of failure to satisfy the terms of the Offeror's agreements with any party to a contract. Factual evidence may consist of documented vendor performance reports, customer complaints, and/or negative references,
- d. Whether the Offeror is legally qualified to contract with the State and the Offeror's financial, business, personnel, or other resources, including sub-contractors,
- e. Legally qualified includes if the vendor or if key personnel have been debarred, suspended, or otherwise lawfully prohibited from participating in any public procurement activity, including but not limited to being disapproved as a subcontractor of any public procurement unit or other governmental body,
- f. Whether the Offeror promptly supplied all requested information concerning its responsibility,
- g. Whether the Offer was sufficient to permit evaluation by the State, in accordance with the evaluation criteria identified in this Solicitation or other necessary offer components. Necessary offer components include attachments, documents, or forms to be submitted with the offer, an indication of the intent to be bound, reasonable or acceptable approach to perform the Scope of Work, acknowledged Solicitation Amendments, references to include experience verification, adequacy of financial/business/personal or other resources to include a performance bond and stability including subcontractors and any other data specifically requested in the Solicitation,
- h. Whether the Offer was in conformance with the requirements contained in the Scope of Work, Terms and Conditions, and Instructions for the Solicitation including its Amendments and all documents incorporated by reference,
- i. Whether the Offer limits the rights of the State,
- j. Whether the Offer includes, or is subject to, unreasonable conditions, to include conditions upon the State necessary for successful Contract performance. The State shall be the sole determiner as to the reasonableness of a condition,
- k. Whether the Offer materially changes the contents set forth in the Solicitation, which includes the Scope of Work, Terms and Conditions, or Instructions,
- l. Whether the Offeror provides misleading or inaccurate information,
- m. Whether the Offer fails to meet the minimum mandatory requirements of the RFP,
- n. Whether the Offer satisfies the requirements of the RFP in a cost effective manner, as determined by AHCCCS,
- o. Whether the Offeror's pricing is unrealistic, or unreasonable or unsubstantiated, and
- p. Any other criteria deemed appropriate by AHCCCS to determine if the Offer is in the best interest of the State.

14. Provider Registration

The Contractor and its subcontractors must register with AHCCCS to become an approved service provider(s), consistent with provider disclosure, screening, and enrollment requirements, and be in receipt of an AHCCCS Provider ID Number. Each provider that does not already have a current AHCCCS ID number must sign a Provider Participation Agreement. The original shall be forwarded to AHCCCS. Each provider must also have a National Provider Identifier (NPI) number. More information is available on the AHCCCS website: [AHCCCS Provider Registration](#).

15. Contract Transition Period

During a Contract Transition to a New Successful Offeror, a New Successful Offeror shall collaborate with AHCCCS, AHCCCS Managed Care Organization's (MCO), their contracted providers, American Indian Health Program providers, Tribal Regional Behavioral Health Authorities (TRBHAs), Tribal ALTCS contractors, Indian Health Service facilities, Tribally owned or operated 638 facilities, Arizona Department of Corrections, Rehabilitation & Reentry (ADCRR), and the Arizona Department of Juvenile Corrections (ADJC), and the Unsuccessful Incumbent Contractor. Coordination activities include developing transition activities directed to prevent interruption of services and promote continuity of SED and SMI Eligibility Determinations and related Grievance and Appeal System activities.

16. Readiness Review

AHCCCS will conduct readiness reviews evaluating Successful Offerors' ability to implement the terms of the Contract. Readiness reviews will be conducted during the Readiness Review Period (Contract award to Contract implementation date), to assess the Successful Offerors' ability to provide required services at the start of the Contract implementation date. Successful Offerors may be subject to on-site review(s) as part of readiness reviews to determine the adequacy of the Successful Offerors' infrastructure to support the provision of services. Successful Offerors will be permitted to commence operations only if readiness review factors are met to AHCCCS' satisfaction.

[END OF SPECIAL INSTRUCTIONS TO OFFERORS]

[END OF SECTION H: INSTRUCTIONS TO OFFERORS]